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Political history of the Serbian media in transition (2000-2006)

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Political History of the Serbian Media in Transition (2000 – 2006)

UNREALISTIC PLEDGES - DEFICIENT RESULTS

SRDJAN D. STOJANOVIC

A thesis submitted in fulfillment of the requirements of the University of Westminster for the degree of Master of Philosophy

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ABSTRACT

This study examines unique features of the media transformation in Serbia 2000-2006. How does reform of the media influence the process of transition from dictatorship to democracy? Do the media have any meaningful impact on tempo and character of change? My initial assumption (hypothesis) was that the media have significant influence and that their impact is considerable.

Expectations that a new legal framework alone would automatically produce a democratic environment were wrong. This study demonstrates that the media cannot accelerate the transition process, nor bridge the gap in democratic culture, because the tempo and extent of the media reform is set by the political elite through political culture and institutions. Partially successful transformation of Radio Television Serbia into a public service broadcaster shows that mere introduction of regulatory models from mature democracies into a country without a democratic tradition does not guarantee desired results/outcomes.

The role and impact of foreign actors in transformation of the Serbian media was different in comparison with Bosnia and Herzegovina, or Kosovo for example. In Serbia, as a sovereign country, the international actors were present in an advisory role, unlike in aforementioned UN protectorates, but were more actively involved than in other post-communist countries.

Abundance of media outlets call for a new citizen - one who is more analytical and capable of putting together scattered pieces of information. Such a new citizen, fundamentally different from the old socialist subject, understands that even "gospel truths" are not absolute, and chooses own way how to engage in political life.

There is no one grand theory of transition with prescribed steps and predicted outcomes that can accommodate different country experiences. Such a process is always local - reflecting political, cultural and ethnic features of the country in question. However, it seems certain that the changes in Serbia are irreversible.

ACKNOWLEDGMENTS

This thesis is dedicated to my wife Ksenija, who came into my life two years after I had embarked on this research project, and had to live with it for the next eight years. Not only that she provided me with love and understanding, but also acted as the art/production editor for this final version of the thesis. In the mean time – we have been blessed by the arrival of our little angel Eve-Ann Stojanovic. Welcome to the world of media!

I wish to thank my supervisor, Professor Jean Seaton for her encouragement, guidance and support during almost ten years of research and thesis work. Her continued interest in my progress and generous support is deeply appreciated, especially during the most difficult times of her own life.

My parents, Gordana and Dragoljub Stojanovic did not live to see me complete this work, but I know that they would be proud that I have finally completed the journey along the road that they had showed me so many years ago.

There are two special persons, who inspired and encouraged my work, but sadly could not be present to add their criticism, political and journalistic edge to it. Mirjana Stojanovic, my "media and political aunt" left us in October 2006, while Eve-Ann Prentice, an outstanding human being and acclaimed journalist lost "One Woman's War" with cancer in September 2007. During my 17 years long period of living and working between London and Belgrade, an exceptional friend, business partner, cricket player and world traveler, Norman Dugdale, was always there for me. Thanks to his understanding, moral and material support, I survived the 1990s away from conflicts, material and spiritual poverty, which my fellow countrymen had to endure. Additionally, he enabled me to use his London home as my own – which is conveniently situated only five minutes of walk from the University of Westminster in Harrow.

During often confusing years of research, my friends Dr Ljiljana Grubovic and Dr James Lyon have given me many valuable guidelines and tips that only those who had done it before know. To receive advice from Ljiljana, I was forced to walk many times over the zebra crossing on the Abbey Road, made famous by the Beatles - because she lives next to the legendary EMI recording studio. That always enhanced my spirit.

I had the most valuable and critical editorial input from two of my intellectual heroes. Grace McGarvie was my teacher of politics 32 years ago at Wayzata Senior High School, and she kindly accepted to edit one chapter of this work. Almost half of all the work was expertly edited by one of the last remaining knights of British journalism, Patrick Prentice of The Times.

I wish to express my gratitude to all my Serbian and British friends who stood by me during seemingly endless research, opened their homes for me and passionately engaged in discussions of the world, British and Serbian politics and culture. Thank you Marina Djukic, Mirko Lazarevic, Andrew Hardie, Susie Ambrose, Natasa Milojevic, Christian and Izabela Frost, Branislav i Branislava Rasic, Milos Jovicic, Miro and Vesna Ivanovic, Svetlana Djurdjevic Lukic, Miroslav Antic and Biserka Zivkovic

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GLOSSARY OF ACRONYMS

ANEM	Association of Independent Electronic Media
BACEE	British Association for Eastern and Central Europe
BIA	Security and Information Agency – Serbian Secret Police
CESID	Centre for Free Election and Democracy
CoE	Council of Europe
DA	Democratic Alternative – Serbian political party
DEPOS	Democratic Movement of Serbia (1991 – 1993 opposition alliance)
DOS	Democratic Opposition of Serbia
DPS	Democratic Party of Socialists – Montenegrin political party
DS	Democratic Party
DSS	Democratic Party of Serbia
EAR	European Agency for Reconstruction
EU	European Union
FMT	Federal Ministry of Telecommunications
FRY	Federal Republic Yugoslavia
G17+	Former think tank transformed into political party
GNP	Gross National Product
ICG	International Crisis Group (a.k.a. Crisis Group)
ICT	Information and Communication Technologies
ICTY	International Criminal Tribunal for former Yugoslavia
IJAS	Independent Journalists' Association of Serbia
IREX	International Research and Exchanges Board – US non-profit organisation
IRI	International Republican Institute
JAT	Yugoslav Airlines
JNA	Yugoslav Peoples Army – Armed forces of SFRY
JRT	Yugoslavian Radio Television

JSO	Special Operations Unit / SOP (English acronym)
JUL	Yugoslav United Left - political party of Mirjana Markovic
LSE	London School of Economics and Political Science
NATO	North Atlantic Treaty Organization
NDI	American National Democratic Institute for International Affairs
NGO	Non governmental organization
NUNS	Independent Association of Serbian Journalists (Serbian acronym)
ODIHR	OSCE's Office for Democratic Institutions and Human Rights
OSCE	Organization for Security and Cooperation in Europe
PSB	Public Service Broadcasting
RATEL	Republican Agency for Telecommunications
RFE	Radio Free Europe
RTS	Radio Television Serbia
SBB	Serbian Broad Band Company
SCG	Serbia and Montenegro
SDP	Social Democratic Party – Serbian political party
SENSE	South East News Service Europe
SFRY	Socialist Federative Republic Yugoslavia
SNP	Socialist Peoples Party
SOP	Special Operations Police – English acronym for JSO
SPO	Serbian Renewal Movement
SPS	Socialists Party of Serbia
SRS	Serbian Radical Party
UN	United Nations
UNDP	United Nations Development Programme
USAID	United States International Development Agency
VOA	Voice of America
YUTEL	Yugoslav Television Network

INTRODUCTION

A) WHY IS THE SERBIAN CASE SPECIFIC?

To design, conduct and complete a meaningful scientific study, any researcher must think first why is his chosen subject specific and worth examining in comparison with other cases. My personal connections with Serbia, as my country of origin, and affiliation with the media as a former journalist, virtually guided me onto this topic. As a true Aristotle's "political animal" during the turbulent times in Serbia's contemporary history, I was constantly forced to think and put in perspective the events that dramatically influenced not only my life, but the lives of many people in the Western Balkans[1] region.

As every journalist knows, the title (headline) comes at the very end – when the whole work is finished. In the beginning an author/journalist gives her/his work only a provisional title, until the work is completed, when the title materializes naturally. It took me a long time to give this work an appropriate heading - Political History of the Serbian Media in Transition (2000–2006), which explains its nature. The main title "Unrealistic Pledges - Deficient Result" summarizes the research findings, as much as my own perception of the process of media reforms in Serbia.

From the beginning of this research project, I focused on transformation of the media in Serbia after the tectonic changes in October 2000 - but the outcome, as much as the title of such a work, was quite elusive early on. My academic journey lasted almost ten years. Working on a piece (for a newspaper, magazine, or academic study alike) without at least a provisional heading is like going on a boat trip without a compass. However, it wasn't my confusion that

[1] The use of term Yugoslavia (or ex-Yugoslavia) became almost unfashionable or politically incorrect during the 1990s once the constituent republics embarked on the road of independence - or some would say secession. It became necessary to coin a new term that would refer to the region and the states of ex-Yugoslavia, so Western Balkans is one of them. In strictly geographical context there is no clear border between Eastern and Western Balkans, so this term is exclusively a political construct. Slovenia, for example, does not want to be counted as a country of Western Balkans, while Croatia, Bosnia and Herzegovina, Serbia, Montenegro, Macedonia and Kosovo are considered Western Balkans. Eastern Balkans, logically refer to Bulgaria and Romania, while Turkey is geographically part of it, while in political sense is not.

stood in the way of clearly defining and naming the project. Trying to analyze an ongoing process is a difficult task – no matter who does it, and in which subject.

The recent turbulent history of the media in Serbia (and the country itself) simply cried for an academic study. When I dug into the existing academic literature on post-communist media transition in Eastern Europe - Serbia was strangely absent. Even when the most prominent authors in this field, like Peter Gross, Karol Jakubowitz or Slavko Splichal write about countries of the South East Europe / Western Balkans and their transition paths, Serbia is either not considered, or only superficially mentioned in passing references. It seems that the years of Yugoslavia's and Serbia's political and economic isolation through formal UN sanctions had a peculiar impact on the international academic community. My impression was that the media scholars have carefully avoided any contemporary work about Serbia, although there was no formal restriction on such activity.

> "*The twentieth century, which saw the development of the sound and screen media, also goes down in history as a century of struggle over the idea of the nation. Hobsbawm (1992) calls the years between 1917 and 1950 "the apogee of nationalism," as colonized nations struggled for independence and two world wars redrew national boundaries; the forces of globalization so prevalent since the 1950s worked to highlight the role of the nation-state in both spreading and resisting globalizing forces. The task of construction and preservation of national cultures and identities became centrally bound up in the work of media, which came under the direct supervision of the nation-state at many crucial junctures, particularly during times of war – hot or cold.*" (Hilmes, 2010)

The bulk of written work by international authors on Yugoslavia/Serbia during this period was journalistic output of varied quality[2]. Books written by journalists in general can be of limited academic value because they tend to reflect

[2] For those interested in reading more about the 1990s conflicts in the Balkans from a journalistic perspective, I recommend books by authors like Tim Judah, Alan Little and Laura Silber, Misha Glenny, Eve-Ann Prentice, among others.

editorial policies and interest of their media owners, as well as commercial pressures to sell (Seaton, 2005). Additionally, members of the international diplomatic and military community[3] who were involved in negotiations, policy development and implementation during 1990s produced many volumes of memoirs. However, not all of these books can be treated as reliable scholarly sources due to their highly subjective nature, although such works provide a valuable historical context, documentary references and time frame of actual events.

On the other side, the Serbian academic community, stuck inside a country banished from international contacts, had troubles to secure its own welfare during the tragic years. Low salaries, political prosecution, deprivation of official academic contacts and exchanges, severely restricted international travel, cancelled subscription to academic journals and books, not only prevented the normal academic work at Serbian universities and institutes, but also condemned teaching and research to use of out-of-date and ideologically biased literature from the pre-1989 epoch. Some of the Serbian academics with international contacts managed to flee the country, while the vast majority could not.

The process of transition in Eastern Europe after the symbolic fall of the Berlin wall in 1989 has fascinated political scientists coming from East and West alike throughout the 1990s, as evidenced in a relative wealth of academic literature. A leading British scholar on media and post-communist transformations, Colin Sparks (2008) calls it "transitology", with a bit of scorn. According to him, transitology represents a rather divergent body of political science literature, where authors tried to discover evidence and illuminate some general patterns of institutional and social development in states which had been living under dictatorships. Their post-dictatorial transition path, it was assumed, was leading

[3] I personally recommend books by Lord David Owen, General Michael Rose and General Lewis McKenzie, former Chief Prosecutor of the ICTY Tribunal Karla Del Ponte, among others as honest accounts of their involvement in the region. However, examples of rather deceptive and self-forgiving books are those by doctor/humanitarian/politician Bernard Kouchner, who is current French Minister of Foreign Affairs, General Wesley Clark, who after retirement unsuccessfully tried to run for US Presidency in 2004, former Finish president Martii Ahtisaari, who after retirement became chairman of the International Crisis Group and others.

towards ideals of parliamentary democracy in political terms and capitalist market economy. Such research paradigm was developed in late 1960s to be applied onto European military/fascist dictatorships[4], then became useful in theorizing transition of South American[5] dictatorships - later called the first and second wave of democratization. Some of the authors even considered using such a theoretical frame, inappropriately, for analyzing post-colonial development of African and Asian states. When the Berlin wall fell in 1989 and transformation of the former Soviet Bloc countries began, a prominent US political scientist called it "third wave of democratization" (Huntington, 1991).

Sparks correctly argues that the outcomes of the so-called third wave of transitions failed to come up with grand theories and precise patterns, despite producing a lot of interesting case/country studies, research data and material. He questions the validity of the transitology approach in analysis of post-communist societies, and their media in particular, clearly stating that transitology is in crises. He analyzes transitions in Poland, Russia and China and establishes that the political and economic transformations in these countries, although having a lot of similarities, do have very different paths and outcomes - defying common assumptions of transitology literature that each transition would lead to democracy in political terms and market capitalism in terms of economy.

Sparks does not finish his criticism of transitology with questioning its basic assumptions, but goes even further to claim that such approach in research of the media in post-communist countries fails to convert rich empirical material into some kind of general (all-encompassing) theory:

> "*Since most studies of the mass media rest, either implicitly or explicitly, upon the same assumptions, it is also the case that much of the writing about media in post-communist societies has proved unable to theorize the very interesting empirical material it has generated*." (Sparks, 2008,

[4] Capitalist countries like Spain, Portugal and Greece were examples.

[5] Here the examples of capitalist countries with military/fascist dictatorships are numerous: Argentina, Chile, and Brazil.

p.46)

The assumptions that Sparks is talking about are that after communist dictatorships the countries in question would enter (and eventually finish) a phase of transition to democracy (or liberal capitalism). And subsequently, after adequate legislative changes, the media in those countries, modelled according to the Western standards and expectations, would assume the role of "fourth estate"[6]. In addition to gathering and dissemination of information/news, it is commonly accepted that the media undertake and execute the role of watchdog, as well as agenda setting (Wheeler, 1997). However, notions like transition, democracy, democratization, as well as some of the organizational/legislative models for media systems like public service broadcasting (PSB) remain contested in academic literature. I will return to these assumptions and notions later in the chapter on theory.

As an alternative, Sparks offers theory of elite continuity, as much more fitting paradigm for understanding post-communist transition in wider context, and not only in Eastern Europe. Other authors, like Dauderstadt and Geritts claim that *"[t]here is no post-communist transition - but processes of change which take quite different directions, and which have dramatically dissimilar outcomes.*" (2000). I would personally agree with such position, which paves way for doing a specific case/country study of Serbia as previously unchartered territory in terms of research work and literature.

As far as academic literature on Serbian transition, I have already noted that Serbia's case has been covered marginally, or almost completely ignored. Such state of affairs can be attributed to three factors:

a) Transition in Serbia started with a huge delay of 11 years, compared to other Eastern European countries;

b) It is still an ongoing process, with possibly a different outcome compared to earlier and completed transitions;

c) During 1990s access to Serbia and gathering of research material was

[6] The term "fourth estate" was used for the first time by Thomas Carlyle in his work "On Heroes and Hero Worship" published in 1841.

not an easy task for international researchers due to ongoing civil conflicts and UN embargo on trade, so perhaps for reasons of (in)convenience and political correctness there was not much research conducted. It is interesting to note that the absence of Serbia from academic inquires and literature, which started in early 1990s, has changed very slowly since 5 October 2000.

Once I chose to research the process of transformation of the Serbian media, it needed to be defined in terms of beginning and finish. To choose a starting point was relatively simple and logical – events of 5 October 2000 are the great dividing point in the life and history of Serbia and its citizens. Here I carefully avoid the word revolution in reference to the change of regime that took place in Serbia on 5 October 2000, since both the actual events and the conventional notion of revolution would require further clarifications and discussions, and this work is not about them. I originally thought that an appropriate end date for this academic inquiry would be December 2003, when the first post-communist and reform-minded government had to concede loss of support in the parliament and call extraordinary elections. Nevertheless, I realized that the work on media reform had only started during the 2000-2003 period, and its consequences could only be examined and understood in the next several years, while the country was governed by a coalition led by conservative nationalists[7]. This second post-Milosevic cabinet which also could not see out its full four-year term and called extraordinary election for the end of 2006 - which I finally chose for the closing point of my research. This year (2006) also came handy like a key division line in contemporary history of Serbia - as the year when Montenegro successfully held its independence referendum, ending its 88 years of state association and joint life with Serbia.

By the end of 2006, it still wasn't clear to most citizens of Serbia where the country was going. It was only obvious how difficult and elusive is the path of transition. In introduction to his book on social and media change in Central and Eastern Europe, Karol Jakubowicz adeptly notes:

"*Perhaps the best way to describe what has happened in post-*

[7] Democratic Party of Serbia (DSS) of Dr Vojislav Kostunica.

> *Communist countries are to think of Columbus: he set out on an epic voyage in hope of finding one thing, but ended up discovering something altogether different. It is clear that people in Central and Eastern Europe did not really know what 'Europe' looked like when then decided they wanted to be part of it. In fact, they were chasing a dream, born out of desperation with their lot under the Communist system*." (2007)

The nature of this research project is political history of the Serbian media changes/metamorphosis from October 2000 until December 2006 - from the legal/institutional perspective. For politicians, politically active citizens, journalistic profession and business the notion of change was always perceived and associated with swift and thorough reform of the existing constitutional and legal system, which was associated with the persona of the ousted president Milosevic. It is interesting, if not cynical, to note that Slobodan Milosevic had started his climb to power in mid-1980s by demanding reforms of the SFRY's constitutional order[8], which was called "Titoist" after late Yugoslavian leader Marshal Josip Broz Tito[9]. Such, I would say naive, simplified and idealistic perception that legal norms alone transform and change social, economic and political relations and fabric in any state, have long tradition in Serbian national spirit and sentiment. It is perceived as a question of justice, or ultimate measure of legitimacy and legality (Stojanovic, 1997).

This work is a case study, which attempts to render a meaningful picture of one still unfinished process. It is focused on relations and interaction between the domestic political actors - the national government, political parties, journalistic profession, media, citizens/voters - and the international actors. All of them - institutions and individuals - are part of the process that this research examines. At the same time, this work can be categorized as contemporary political or

---

[8] The last constitution of former SFRY was adopted in 1974, following several constitutional reforms since the end of Second World War in 1945 when the communists took over the power from the previous royalist regime.

[9] Josip Broz Tito (1892-1980) was communist anti-fascist guerrilla leader, who managed to liberate Yugoslavia from German occupation, while at the same time defeating internal political opponents - the royalist nationalists. He converted the pre WW2 unitary Kingdom Yugoslavia into socialist federal republic Yugoslavia, and led it from 1945 until his death in 1980.

politicized media history, attempting to place the Serbian case in perspective with experiences from other countries.

Majority of former communist countries in Europe, and virtually all of them being ex-Soviet bloc states had embarked earlier on the road of post-communist transition - with different degrees of success, if the measure is creation of truly democratic media systems. However, it is important to note that this is not a comparative study of media systems, where I measure and evaluate the new Serbian media model/practice vis-à-vis other countries and their achievements and experiences. Certainly, a comparative perspective is necessary, but only as an auxiliary benchmark for studying and illuminating the Serbian results.

I thought, incorrectly, as it turned out, that we knew what the (media reform) process would look like. This sense of set development that would emerge nevertheless depended on theories (that are "transition") implying an inexorable momentum, came from the existing literature and empirical knowledge of transition. As it became slowly clear, Serbia was not like that. It was very different; it happened differently and by no means is the final outcome predictable, even at this point of time (Seaton, 2008).[10] In more general sense, I agree with the philosopher Karl Popper (1991), a prominent critic of the Marxist-Leninist ideology and practice, who correctly concludes that there are no set laws for social development and progress.

At this point it is appropriate to look at other features that make transition of the Serbian media after 2000 distinctive in comparison to other East European states. First, Serbian transition started 11 years later than anywhere else in the former Eastern Europe, and in a post-conflict ambient, which was not the case with other former Soviet bloc countries[11]. Additionally, the process of

[10] This view of the Serbian media reform process, with which I cannot agree more, is expressed and articulated by my director of studies, professor Jean Seaton, during our many thesis consultations.

[11] It is important to note, that despite being a socialist country, Yugoslavia was not a member of the Warsaw pact and was not considered Soviet bloc country. This was more a question of foreign policy and international relations, where Yugoslavia was a founding member of the Non-Aligned Movement. In terms of its political system, Yugoslavia was a socialist/communist country.

transformation was conducted in the presence and under the influence (or some would say with interference) of the international community and its institutions - which is much more noticeable and proactive than it had been the case in other countries.

Following the Serbia's decade in the wilderness (1991-2000), the international actors wanted to help its transition - not for compassionate reasons or sympathy for a certain nation/state, but as an insurance policy against possible bloody conflicts that had marked the 1990s in the region of ex-Yugoslavia. When the inter-ethnic clashes in the former Yugoslavia began in 1991, European Union was not institutionally capable of managing and solving crises in its neighbourhood, neither it could articulate a common and coherent foreign policy. At that time, under outgoing Bush administration (1988-1992) and the early years of the Clinton administration, USA did not want to get too involved in the Balkans' bloodshed. However, it took decisive American initiative and engagement in 1995 to stop the carnage in Bosnia, after several EU-led peace initiatives proved futile over the course of years - ridiculed by the leading American weekly (Time, 31 Aug. 1992).[12] Much later, during the 1999 Kosovo crisis, European Union finally became capable of handling crises (in conjunction with the USA) and managing post-conflict rehabilitation.

The transition process in Serbia began at the time when the new media had become widely spread and available - something that was not the case when most of former East European countries began their transition in 1989. Finally, the long delayed and much anticipated Serbian transition started to unfold before the eyes of the international media and public in October 2000. Events like the 1999 NATO military campaign against FR Yugoslavia over Kosovo, the subsequent popular uprising against Milosevic in 2000, the assassination of the Prime Minister Zoran Djindjic in 2003, and the 2006 independence referendum in Montenegro certainly secured that not only Serbia, but the whole region received regular and global exposure on central news programme and features.

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[12] The article headline was "Munich All Over Again?", comparing the EU diplomatic effort with unsuccessful attempts of the Europeans to appease Hitler in 1939.

A1. Historical Context

To achieve the declared research objective, it is necessary to provide a background sketch of the media and political environment before 2000–2006. By this I mean a historical account of the previous regime's handling and using of the media prior to the "refolution"[13] of October 2000. From a distance of several years, it is now possible to clearly see the features of pre-October 2000 era, and write a more conclusive history of it - as a logical approach to the 2000–2006 period.

Since this research examines an ongoing process, it was also necessary to allow it some time to develop - before it could be contextualized and explained. To illustrate the transient nature of the environment in which the research was conducted, it is sufficient to point at transformations of the state(s) from 2000 until 2006: When the last communist ruler Slobodan Milosevic was forced out of power on 5 October 2000, the name of the state was Federal Republic Yugoslavia (FRY). Than in February 2003, under the guidance of EU and its Commissioner for Security and External Affairs Javier Solana, the two-member federation was transformed into a loose State Union of Serbia and Montenegro. Its confederal charter had a provision that after three years both members could conduct referendums on independence. On 21 May 2006, Montenegro organized such referendum and by fulfilling the EU requirement to have at least 55% of the votes in favour of independence, effectively made itself and Serbia separate/independent states.[14]

However, I must stress that from the beginning of this research, I aimed it exclusively at Serbia, and not at FR Yugoslavia, State Union, or Montenegro.

---

[13] This new word "refolution" is a term coined by the British historian Timothy Garton Ash in order to explain better the complex process of transition in former Eastern Europe, which is neither reform, nor revolution in their classical meaning.

[14] It is worth nothing that until 21 May 2006 two former Yugoslavian republics (Serbia and Montenegro) effectively lived together in several forms of joint state since 1918.

The reason for that was that Serbia on its own amounted to approximately 94% of the now defunct federation (and later confederal union), in terms of human resources, GNP[15] and territory, as well as in terms of its towering influence in the region. One could easily argue that such a huge disproportion in size was the very reason why Serbia and Montenegro could not find adequate forms of equal partnership and cooperation, despite sharing many cultural, religious and ethnic links and kinship.

From April 2001 until June 2003, I held a full time position as political advisor with the OSCE[16] Mission to FR Yugoslavia, which enabled me to have privileged communication with the leading political actors, and to collect valuable research data. In May 2004 I joined International Crisis Group[17] as an analyst with their Belgrade office, and stayed there until its closure at the end of 2005. Both of these international organizations are engaged in their own ways in providing guidance and support to FR Yugoslavia initially, then to the State Union of Serbia and Montenegro and finally to Serbia on their road towards stability, democracy, economic prosperity and future membership in the European Union. In such a context, my observation position and access to the relevant data and interlocutors for this research were rather extraordinary.

A.2 Pledge to Overhaul the Media System

It is widely accepted that the media are of central importance to the political process and participation in any democratic country. Such postulation belongs among those rarely disputed assumptions of the democratic theory, which media scholars don't feel obliged to discuss, since it puts the media and media studies in a position of a great importance. Mark Wheeler (1997, p. 3) points out in the introductory paragraph to his book on the relations between politics and

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[15] Source: The State Statistical Bureau annual report for 2005.

[16] OSCE stands for inter-governmental Organisation for Security and Cooperation in Europe, which is made up of 55 members - all existing European countries plus USA and Canada.

[17] ICG is a leading international relations/foreign policy think tank founded in 1995, based in New York and Brussels, whose board members are mainly former ministers, parliamentarians, military commanders, distinguished scholars and philanthropists.

the media:

> "*The mass media provide powerful channels of information between the political elite and the electorate. Traditionally, the press and broadcasting act as proactive devices for encouraging the citizens to participate in the democratic process. The mass media, by disseminating the full range of political opinions, enable the public to make political choices and enter the national life. Therefore, they are understood as important mechanisms in ensuring the principles of modern democratic societies*."

It is not surprising that in Serbia the media hold very important position too, both in the eyes of politicians and the electorate, especially when we think of how the media system had operated before 2000. In times prior to 5 October 2000, the nascent independent media[18] had a crucial role in energizing and motivating disillusioned and passive citizenry to vent their anger and dissatisfaction with the regime in the streets, take their fate in their own hands and oust Milosevic. In his unscrupulous hold on power, Milosevic had pursued and lost wars, bringing only suffering, international isolation, national humiliation, poverty, endless abuse of own citizens and even NATO bombs onto his people. When after a decade of futile efforts the Democratic Opposition of Serbia (DOS) finally managed to oust Milosevic and take over the state institutions, citizens expected that the media would automatically adopt the role which they have in democratic societies.

But was that the case? Former partners and friends during the opposition times - politicians and journalists - had different ideas of their roles at the dawn of a new era. Their once shared interests and values suddenly diverged, and the romance between the former opposition politicians - now in power - and the newly liberated media was over. Both camps agreed that new époque required new regulation of the media sphere, but it seems that their ideas of how to do it were not shared, nor similar. The politicians from former opposition ranks, who

[18] In addition to the existing myriad of state-owned and controlled media, as well as private media outlets belonging to the cronies of the regime.

finally got the reins of power in their hands, wanted to control and use the media much in the old-fashioned way that their predecessor had done (Bujosevic, Radovanovic, 2003). The media, on the other hand, expected total and unabated liberty to do whatever they wanted, and to receive some kind of tangible reward or benefit for the work done for democracy, while reporting the opposition's views.

Milosevic lost the federal presidency of FR Yugoslavia at the ballot box on 26 September 2000. By refusing to acknowledge the loss he precipitated massive street protests and own downfall on 5 October 2000, when his notorious and trusted security apparatus abandoned him (Bujosevic, Radovanovic, 2003)[19] However, at that point the Serbian parliament was still in the hands of the "patriotic coalition".[20] After deposing Milosevic, the victorious DOS alliance bullied the "patriotic coalition", shocked by unexpected loss of their leader, to agree to an extraordinary republican parliamentary election on 25 December 2000.[21] Only at this juncture was the victory against Milosevic institutionally complete, when the DOS, bolstered by wide support of the non-governmental sector, trade unions, independent media and professional organizations captured 176 out of 250 seats in the Serbian parliament - majority larger than two thirds[22].

Verbal pledges to democratic values by the new ruling elite, however, meant very little to voters/citizens. Following the fall of Milosevic in 2000, individual welfare and social standing of common people improved indeed, but far less than what the Democratic Opposition of Serbia (DOS) was promising in the run-up to the elections in order to enlist as many citizens as possible for ousting of

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[19] Best account of the events of 5 October 2000 in Belgrade can be found in the book by leading Serbian journalists Dragan Bujosevic and Ivan Radovanovic.

[20] It consisted of Milosevic's Socialist Party of Serbia (SPS), JUL (Yugoslav Left) party of his wife Mirjana Markovic, and Serbian Radical Party of Vojislav Seselj, which made up the anti-western, anti-democratic, coalition of forces that ruled Serbia throughout second part of 1990s.

[21] ICG Europe Briefing N°17, 19 Dec 2000

[22] Two thirds majority of MP votes was necessary for making constitutional changes, as required by the 1991 Constitution of Serbia. However, DOS coalition never used such rarely achievable majority to change the constitution, since internal bickering among partners started immediately.

Milosevic.

Through the swift assistance of the Western world, the new DOS authorities were capable of supplying electricity, central heating, public transport and gasoline to the citizens during the winter of 2000/2001, something that was a major problem for the Milosevic's regime after the 1999 NATO bombing. State salaries and pensions were not delayed for several months any more, but the overall standard of living did not improve to a great degree.[23]

One of the main DOS election pledges[24] to the citizens and their major partners was rapid overhaul of the media system within the first year of their rule. Everyone at that point agreed that the media must never again be (mis)used by any government for propaganda and that independence and self-regulation of the media sector were vital for the success of an emerging democracy. The new authorities immediately formed an expert group to draft a full set of media laws to be adopted by the parliament. Public service broadcasting (with BBC as its prime example) was declared by the experts and legislators alike as the preferred model, in conjunction with helping already emerging commercial (private) media sector. Privatization of the state-owned media outlets was also declared as a priority.

A.3 Epilogue

Six years[25] after the demise of the old regime in Serbia, it was still not clear if democracy, market capitalism and their ideological values have prevailed over the nationalist discourse which Milosevic instrumentalized to perpetuate and legitimize his reign. The ideology which puts a nation above democracy and citizens found its new lease of life and continuity in conservative political circles, sceptic about pro-western orientation of Serbia. This effectively stalled the

[23] ICG Europe Report N°112, 15 Jun 2001

[24] The pledge of swift media reform is found in the election action plan printed and distributed by DOS in the run up to the federal elections on 26 September 2000 and the republican elections on 25 December 2000.

[25] I refer here to December 2006, which I chose to be the closing date for my academic research.

reforms momentum, initiated by the first post-Milosevic cabinet.[26] A great dose of uncertainty and mistrust in the pro-western orientation of the first post-Milosevic government was especially present when the second post-Milosevic parliamentary elections held on 28 December 2003 returned results that gave a coalition of nation-centric and conservative political parties a majority in the parliamentary chamber.[27]

The initial transition period (2000 - 2003) from the perspective of a common person, felt like swallowing a bitter pill.[28] There was little personal and tangible gain to persuade a common Serbian citizen of the advantages of liberal capitalism and democracy. Needless to say, more than half of the work force in Serbia was employed in state-owned enterprises and the government administration – and they shared an impression that capitalism and privatization as one of its key ingredients would bring only misery and massive sackings. At the same time, the new elite was acting not very differently from the old one, with many of the old Milosevic era businessmen and politicians successfully joining the DOS ranks to maintain their positions[29]. Some of the reform

[26] ICG Europe Report N°154 , 26 Mar 2004

[27] The two leading parties in the second post-Milosevic parliament in the single-chamber parliament of 250 members were ultra national Serbian Radical Party, which captured 27% of the votes and 82 MPs, while second place went to conservative Democratic Party of Serbia, with 17% of votes and 53 MPs. The two leading progressive parties, the Democratic Party of the late PM Zoran Djindjic managed to gain 13% of the votes and 37 MPs, and former economic think tank G17+ secured 12,5% of the votes and 34 mandates. The remaining two parliamentary parties were conservative Serbian Renewal Movement, and the Socialist Party of Serbia of the imprisoned Milosevic, with 22 MPs each and approximately 7,5% share of the votes. A direct intervention of the international factors prevented the Radicals and Serbian democrats to form a two-party right wing nationalistic government. In a way, such intervention is similar to the events in Austria, following the election success of the far-right nationalist Freedom party of Joerg Heider in 2000.

[28] This refers to accelerated privatisation of once state-dominated economy, which as a rule of thumb means rise of unemployment and disappearance of deeply rooted socialist (non)work ethic and privileges, great reduction of the armed forces personnel and restrictions on once successful military hardware exports imposed by foreign powers, constant international pressure regarding cooperation with the International War Crime Tribunal in The Hague combined, with highly conditioning of promised aid packages and EU membership.

[29] Two prime examples of former Milosevic's associates who successfully switched sides were Nebojsa Covic, former Mayor of Belgrade, and Dusan Mihajlovic, former Deputy Prime Minister, who both in addition to holding high political offices during 1980s and early 1990s became successful private entrepreneurs. Following political break-ups with Milosevic, they joined the opposition ranks, emerged as leaders of DOS, becoming Deputy Prime Ministers in Zoran Djindjic's cabinet.

measures/laws were passed by the parliament; others were delayed or stalled, despite initial enthusiasm and the large DOS majority, which started to melt as soon as they took power.

The first post-Milosevic government (2000-2003) was good at international PR. The country was expressly re-admitted into most of international organizations and associations from which it had been expelled in the 1990s; it also attracted substantial foreign economic aid, and assured the international actors of its commitment to the cause of political and economic reforms, along with reconciliation with neighbours. Nevertheless, such policies and practice were based mainly on the persona and skill of PM Zoran Djindjic, rather then being honestly endorsed by all of his coalition partners and even his own party colleagues. Djindjic's cabinet was composed of two types of people – a minority of highly skilled experts, mainly from the field of economics, and the rest were political appointees who had little useful skills in governance, apart from strong desire to be in position of power for as long as possible. The loyalty of such people was not with the cabinet, ideology, or even their own party, but with their own personal gain.

Continued political bickering within the ranks of the democratic political parties was present throughout the first three years of post-Milosevic Serbia. The assassination of the reform-minded prime minister, unsuccessful campaigns against corruption, dysfunctional judiciary and impunity of the Milosevic-era magnates[30] had sent rather displeasing messages to the electorate. Shameless inclusion of old tycoons into the ranks of democratic forces, along with emergence of new tycoons associated with the new regime, numerous unsolved high-level scandals involving leading members of the government, certainly compromised the reform camp and made successful examples of new policies look pale. The first post-Milosevic cabinet led by the Democratic Party[31]

[30] Incidentally, the most notorious and to the democratic public annoying personalities, former sidekicks and privileged business partners of Milosevic and his family, are Bogoljub Karic and Zeljko Mitrovic, owners of media empires BK Telecom, and RTV Pink, respectively.

[31] When PM Zoran Djindjic was assassinated on 12 March 2003, he was replaced by his party vice-president Zoran Zivkovic, while the whole cabinet remained unchanged. The state of emergency which lasted 80 days was introduced following Djindjic's killing, a period during which

(as the backbone of the DOS coalition) could not sustain its reform agenda until the regular expiry of its mandate, and was forced into extraordinary parliamentary elections on 28 December 2003, one year ahead of schedule.[32]

The government's performance 2000-2003, along with the aforementioned circumstance and events produced a very confused voter – one who could not without hesitation rubber-stamp continuation of reformist program, and a voter who is rather sceptical about true intentions of the international actors to integrate Serbia into European Union in due time, pending continuation of reforms. The second post-Milosevic government (2003-2006) was a coalition of nationalists and neo-conservatives, all emerging from DOS, which used the next three years to stall and reverse initial results of Djindjic's work, while reviving nationalism in a very old-fashioned Milosevic manner (Lyon, 2006).

It is interesting to note that the so-called "Media legislation package", prepared by the expert group within a year of the Milosevic's downfall, entered the parliamentary agenda with a delay, separated in five separate pieces of legislation and with further postponement in consideration and adoption. As usual in any parliamentary procedure, drafts were changed and amended (cynics would say diluted) before they were passed. The very first legislation, the Broadcasting Act was passed in 2002, but its implementation was impossible without the adoption of several other acts. During the state of emergency (March - April 2003) proclaimed after the assassination of Djindjic, the next two media legislations were passed - Public Information Act and Telecommunications Act. Access to Public Information Act was passed only in 2004, but before that amendments to the 2002 Broadcasting Act had already been made. The Broadcasting Act was further amended in 2005 and 2006, which shows that the media regulation in Serbia was an object of daily "under and over the counter" trading between the parliamentary parties. Some would

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severe restrictions on the media were imposed. Faced with a diminishing parliamentary majority and unable to pass any government proposition through parliament, Zivkovic resigned in October 2003 and forced extraordinary elections on 28 December 2003.

[32] As admitted by the outgoing Serbian Prime Minister Zoran Zivkovic, at a London School of Economics lecture entitled "Serbia's Transition: Achievements and Challenges" held on 23rd January 2004.

say - representative democracy at its work.

B.RESEARCH DESIGN

In embarking on uncertain academic journey like a master's thesis, a candidate must carefully come up with a topic that has several qualities: originality in a way that the actual subject does not cover already exhausted themes; to be researchable, but not too wide in scope (having in mind the required thesis format); exciting in a way that it attracts attention of fellow academics who may choose to criticize it and perhaps open further debates. Additionally, it also must have a real life dimension/theme that can relate to a casual reader. Without it such work is "*l'art pour l'art fair*".

The next step is to formulate valid research hypothesis/questions (one or several) and then come up with research evidence (data), which can be tested or verified. The success of the work, its findings, credibility and relevance directly depend on the choice of research methodology. It took me almost two years to streamline the research topic, another year to formulate research question and match them with adequate methodology.

B.1 Research Question and Hypothesis

Since my research examines an ongoing process, it wasn't easy to define the principle hypothesis and research question to be tested/verified. Also, my choice of research subject requires an appropriate methodology, which would take into account a wider, historical and narrative context. The transition process in most other East European countries had started right after the fall of the Berlin wall in 1989. The 2004 acceptance of Slovenia, Czech Republic, Poland, Slovakia, Hungary and the three Baltic states (Estonia, Lithuania and Latvia) into full European Union membership signifies that such process has been completed (at least in these states). In the meantime, Romania and Bulgaria were also admitted in 2006 into full membership, despite not fully matching economic and legal criteria set by EU. Bearing all of that in mind,

there is a logical research question for the case/country study of the transition of media in Serbia:

> **Can the reformed Serbian media sustain democracy in making, empower the citizens to become responsible and participating voters, and prevent undemocratic developments in future?**

When the research question is formulated in such a way, both positive and negative answers can appear as results of the inquiry. Furthermore, possible answers to such question can be reduced to simple (binary) - yes or no. However, one need to note that it is the context and dynamics of the transition process that represent the true value of such research, and not the answer per se. The above stated question can also be re-formulated in several versions, depending of which dimension/angle of the process one wishes to focus on - media, democracy, socio-political impact, the role of the international actors, state-institutional, legislative, institutional etc. Another possible and appropriate variation of the research question can be posed in a following way:

> **Are the media an important catalyst in facilitating Serbia's effort to bridge institutional and economic gaps/deficiencies and effectually speed up the process of democratic transition?**

If the research questions are posed in such a manner, and an ongoing process is under scrutiny, there is no necessity to have a narrowly defined hypothesis that needs to be proven or discarded. My initial assumption (hypothesis) was that the media do have considerable influence on the transition process and vice versa. Transformation of the media is one of the aspects of general process of transition, but on its own it would not be possible.

During the course of this research, several related issues appeared and imposed themselves to be considered in the context, such as the role of new media vis-à-vis traditional media. For example, when the process of transition in

former Eastern European countries began in 1989[33], internet, satellite TV, mobile telephony and other new media were not widely available. It is important to note that the Serbian emancipation from totalitarianism, between other things, was driven and certainly inspired by the advent of new media outlets and technology, which became generally available and cheap enough only around mid-1990s.

The bulk of research data for this project were generated and collected through the use of interviews with experts and policy makers (so-called elite interviews conducted by the researcher exclusively for this work, as well as interviews given to media), polls and surveys, legal and policy analysis, document and record analysis, as well as analysis of the comparative literature on transition. In further enhancing the methodological "tool box" for this project – examining reform of the media sector in Serbia – it occurred to me that this type of research needs to be done as a case study. My choice of case study as the main analytical format for such topic was rather inevitable, if not the only one possible. The use of case study methodology should render in-depth picture of the research subject. The research aim is to find which features of the Serbian media transformation are unique, similar or completely different from other cases in transitology literature. Last, but not the least, this study needs to demonstrate how its findings fit into the existing body of literature and theoretical concepts.

B.2 Scope and Limitations of the Research

This research project was designed and developed in order to produce a thesis, as the requirement for completion of master's studies at the University of Westminster. My chosen and approved research topic - Transition of the Serbian Media 2000-2006 - had to be moulded into the format set by the

[33] It is the fall of the Berlin wall in 1989 that is universally accepted as the symbolic beginning of transition in most East European countries.

university. Because of that the research scope, it was deliberately condensed to the case study of flawed transformation of RTV Serbia into public service broadcaster, which in my opinion adequately represent the overall process of transition of the media and the problems involved.

> "*Even more than film, broadcasting appealed to governments throughout the world as a natural venue for both state control over a powerful domestic means of communication and an outward agent of information and propaganda. As a result, broadcasting was regulated, supervised, policed, and, in many cases, monopolized by the state to a greater degree than other forms of modern communication*." (Hilmes, 2010)

Other types of media, like radio, newspapers, magazines, Internet-based portals etc. are present in passing references throughout this work, but sadly were not included in the main research frame, due to the aforementioned format restrictions and limited resources available to a single researcher. To embark on comprehensive inquiry of all types of media outlets would require many years of work and a large team of researchers. This is why the references to these types of media mainly come from secondary sources - work of other people and organizations.

In addition to analyzing the main national media outlet, I also examine the adopted legal texts that regulate the process of media reform in Serbia after 2000, as well as contribution of domestic and international actors that influenced the legislative process. Finally, in order to explain the context of the media reforms, I had to include political background and history, both before 5 October 2000 and throughout the chosen time frame until the end of 2006.

At this point it is important to clarify some of my historical interpretations of political events and actors involved in the Serbian transition process, which could be viewed as contentious or ideological. First of all, I was involved in the process in several roles - as a citizen of Serbia, as a member of the journalistic profession, as political advisor/analyst with OSCE and ICG, and finally as an academic observer/interpreter of the contemporary history in question. The first two roles carry certain ideological baggage, which can hardly be ignored or

erased, while the later two require a level of detachment and rigour to produce reports/texts that must be balanced and neutral. It is also important to point out that during my employment with the aforementioned organizations; I was involved in systematic observation and analysis of the Serbian transition process, which included active participation in writing of organizational reports on weekly, monthly and periodic basis.

As someone who had grown up in an authoritarian society and was lucky enough to live abroad - receiving part of his education, along with political activist training - in advanced democratic societies, I had developed highly critical and articulated attitude towards any kind of dictatorship. Such experience shaped me as a citizen, as well as directing me into membership in several non-governmental organizations and subsequently making me an opposition political activist. In my private ordeal to bring long overdue democracy to my home country, I was a founding member of the two prominent anti-Milosevic political parties in Serbia - Democratic Party (DS) and Democratic Party of Serbia (DSS). I chose journalism as my profession, after learning the tricks of the trade during high school and university education in USA, in late 1970s and early 1980s.

When the political plight of the Serbian nation for democracy began in late 1980s and early 1990s, I realized that membership in any political party, even in those of democratic persuasion, and the journalistic profession cannot go together. That prompted me to abandon party politics in 1993, and continue as a journalist/political analyst and later on as academic researcher of the fascinating interface between politics and the media. My background and past experience certainly guided me towards supporting the values of liberal democracy and to make me see the media as the fourth estate in contemporary society.

I would like to underline here that this research work is not a comparative study of media in transition in post-authoritarian or ex-communist states. It is rather a specific case study of Serbia, whose trajectory is unique, but can be understood better if we introduce at certain points experiences from other countries. The only comparative aspect applicable here is to compare position and functioning

of the media system before and after transition.

Although this research is a piece of contemporary political history, there are existing theoretical frames that can be useful in order to explain a historical process in an appropriate way. Existing body of literature on democracy, media, political culture and institutions provides general direction, while the writings on transition (or "transitology") and some recent developments like theory of elite continuity (Sparks, 2008), appear as concrete and useful frames in which the Serbian case may be discussed.

C. METHODOLOGY

C.1 Qualitative Versus Quantitative Methodology

The use of qualitative versus quantitative approaches represented the key methodological debate in social sciences for many years. At this point, I would like to express my personal reservations about use of quantitative methodology as the main tool for explaining social phenomena. More than 20 years ago, I had decided to abandon a master's degree program in International Relations at Western Illinois University when I disagreed with the course leader over the use of statistics as the key method. He had just discovered the joys of feeding statistical data into an early Apple/Mac computer and producing flashy looking pie-charts and graphs. I had equally been fascinated with computers and their possibilities, but I felt then as I feel now that statistical (quantitative) methods should not be primary analytical tools in social studies - be it International Relations, Media Studies, or any other discipline, because they do not adequately capture dynamic nature of human behaviour.

On the subject matter of quantitative versus qualitative methodology Donald Warwick notes:

> "*Social scientists have long been divided over the respective merits of quantitative and qualitative approaches to data collection. The symbolic poles of the debate are usually represented by the methods considered here. The general lines of argumentation are familiar enough: the survey*

> *(quantitative method - my highlight) is more "scientific" and produces more "hard" data; participant observation (qualitative method - my highlight) brings the social scientist closer to the front lines of research - to the 'real people' - and catches details missed by more gross and blunt survey instruments*." (1973, pg. 189-190)

Unlike natural phenomena and sciences, in social studies a researcher must understand context, local culture, or environment, all of which cannot be statistically measured in an adequate manner. Human nature and behavior are volatile and subjective - which does not mean they cannot be predicted, quantified or analyzed in a meaningful way. Nevertheless, I believe that quantitative methods, as used in natural sciences, are not the most appropriate for research of human nature, intangible and sometimes invisible phenomena of intellectual activity. It does not mean that quantitative methods can not be used at all, or be useful in some social sciences inquiries, but they have rather limited applicability and scope.

Based on analysis of the history of science, Kuhn points out that "*large amounts of qualitative work have usually been prerequisite to fruitful quantification in the physical sciences.*" (1961, p.162). Qualitative research is, in many cases, instrumental to developing an understanding of phenomena as a basis for quantitative research. Similarly, quantitative research may inform, or be drawn upon in the process of qualitative research. Although it is common in social sciences to draw a distinction between qualitative and quantitative aspects of an academic investigation, I believe that the two types of methodology should not be excluding each other. As Warwick underlines, "*Every method of data collection is only is an approximation to knowledge. Each provides a different and usually valid glimpse of reality, and is limited when used alone.*" (1973, p. 190) (1973, p. 190)

C.2 Case Study

The case study methodology for a long time was an ugly duckling of the academic world. If we consider the underlying principles of research investigation in general, one can see that such treatment of case study was not

correct at all. Since social phenomena cannot be isolated and controlled in a manner of natural sciences' experiments, a need for a different research method arises - one that has a qualitative rather than quantitative dimension. The days of academic debates if case study can be valid and accepted as a legitimate research method are gone, and it has been accepted as adequate and appropriate in social sciences.

As Bill Gillham correctly states: "*Research is about creating new knowledge, whatever the discipline - history, medicine, physics, and social work. The raw material of research is evidence, which then has to be made sense of.*" (2000, p. 12)

Main concerns of any research are always evidence and theory. However, one must never forget that evidence is more important than theory. It is necessary to analyze the evidence from a certain theoretical point, but it is important to note that evidence is of primary concern - theory only comes second. And if the theory does not accommodate the evidence - it is time to adjust, or replace the theory. In such a manner, scientific research delivers what it is meant for - development of current, or a completely new theory. By using the case study methodology, a researcher works inductively - from evidence towards well-based theory.

The problem arises due to different understanding of the concept of "evidence". Most people think of evidence in terms that is used in a court of law. An outcome of a legal proceeding depends on (physical) existence or uncovering of evidence, and testing (verification) of it.

Gillham, however, argues that scientific evidence must not be equated with legal evidence, since it does not exist a priori, but is manufactured (by the researcher) for the purpose of research. The main source of evidence for natural sciences comes from laboratory experiments - something that is either impossible, or unethical to do in social sciences. It is difficult (or impossible) to extract the object of an inquiry from the environment, and also human and other social agents and actors extracted from the environment do not behave the same if removed from the ambient/context.

Because of that, it was necessary to devise different research methods, suitable for social sciences. Such different methods enable research into processes leading to results, rather than into "significance" of the results themselves (Gillham, 2000, p.11). In terms of philosophical base for accepting qualitative methods - case study being central here - there are three main points, according to Gillham:

1) Human behavior, thoughts and feelings are partly determined by their context. If you want to understand people in real life, you have to study them in their context and in the way they operate;

2) "Objective" research techniques - abstracted, controlling - can produce results that are artefacts of the methods used. An artefact is something that only arises because of the method that has been used (like controlled memory experiments in a laboratory or "opinions" given in a questionnaire). You get results, but are they "true" for the people concerned in the practice of real life?

3) How people behave, feel, think, can only be understood if you get to know their world and what they are trying to do in it. "Objectivity" can ignore data important for an adequate understanding.

It is interesting to note how a contemporary textbook on methodology explicates the nature of qualitative methods (Denzin and Lincoln, 2005):

> "*Qualitative methods and research technique is a field of inquiry that crosscuts disciplines and subject matters. Qualitative researchers aim to gather an in-depth understanding of human behaviour and the reasons that govern human behaviour. Qualitative research relies on reasons behind various aspects of behaviour. Simply put, it investigates the why and how of decision-making, not just what, where, and when. Hence, the need is for smaller but focused samples rather than large random samples, which qualitative research categorizes data into patterns as the primary basis for organizing and reporting results*."

Howard Becker gives explanation of what are the four principle methods for gathering qualitative data:

> ”*Qualitative researchers typically rely on four methods for gathering information: (1) participation in the setting, (2) direct observation; (3) in*

depth interviews, and (4) analysis of documents and materials." (1996, pp.53-54)

C.2.1 Participation in the Setting and Direct Observation

Being a citizen of Serbia and at the same time professional political analyst, as well as an academic researcher of the transition process, required from me an anthropological angle during the process of data collection and interpretation. In other words, I was both a participant in the setting, as well as an observer. And such a complex and perhaps even conflicting position had certainly an impact on the collected data and interpretation. I would like to point here that use of case study methodology, participation in the setting and direct observation procedures/protocols draw on many features associated with ethnography as the main anthropological method. But the use of them does not change the nature of this research as a work of contemporary media history. Use of anthropology and its methods has given certain sort of academic legitimacy and validity to a field like media history - which is constantly criticized, if not mocked for its predominantly narrative nature and lack of firm or grand theory.

As Jorgensen (1989, pp.157-158) points out, participant observation is defined as a field strategy, which incorporates interviewing of respondents and informants, analysis of various documents, direct participation and observation, as well as introspection. Participant observation produces qualitative data used in assembling and formulating the narrative base on which the research findings stand. In order to use such a field strategy, a researcher must make and constantly refer to his field notes, which will help him/her to connect and put in perspective all of the scattered and fragmented pieces of evidence found during the research. Field notes are typical artefact of ethnographic research, where strong emphasis is placed on exploring the nature of a particular social phenomenon, rather then setting out to test hypotheses about them (Atkinson and Hamersley, 1998, pp.110-111). Analysis of the collected data involves explicit interpretation of the meanings and functions of human actions, the product of which takes shape of verbal descriptions and explanations. With such approach, statistical analysis and quantification (or quantitative methods) play minor or supporting role.

In doing my field research and preparing to write up the dissertation, I did not keep a formal log of my activities, but rather relied on informal, irregular and not precisely structured field notes. While working with OSCE and ICG, I relied on the same notes which I subsequently used for my academic research and writing. For example in writing up longer narrative sections (especially Chapter 2 and Chapter 6) and outlining my own interpretation of historical events, I extensively used my personal notes, diary entries and writings that I kept not for the purpose of this research, but to prepare myself for work as columnist of now defunct daily paper "Nasa Borba" and various appearances on BBC World and BBC News 24 programs. At the time I did not have a clue that one day I would attempt to write a master's thesis and use my scattered notes for such purpose. Because of such more informal rather than proper academic way of keeping the notes and referencing the text, some portions of the work reveal my first profession - journalism - but hopefully do not disqualify my findings and conclusions.

Informal consultations and discussions with colleagues from work[34], as well as with former colleagues journalists were of crucial importance in forming my own views and interpretations of historical events. Hennessy (1996) asserts that material obtained in such a way does not need to be eliminated for lack of standard form and procedure in obtaining it.: "*Some sources are private – does that mean they are unreliable? They can be checked by the researcher just like any other source*." (1996, p.123)

Most of these discussions and internal consultations helped me clarify my own views and interpretations, but as such (with no official record of them taking place) cannot be formally referenced in the text. Same applies to conversations with some insiders/informants[35] whose valuable testimonies were given to me

[34] Here I mean diplomats working for OSCE, as well as the Serbian co-workers employed by OSCE in similar positions like mine. This also includes ICG staff members, who are mainly recruited from the ranks of diplomats, academics and politicians from all over the world.

[35] Here in particular I refer to two key insiders from the RTV Pink organizations, who cannot be named. Without their input and confidential information revealed to me writing on RTV Pink would not be possible.

on promise of full confidentiality - something that a journalist must practice as part of professional ethics, while academics have a duty to fully reveal their sources. Such conversations with insiders/informants cannot be classified as *bona fidae* research interviews, which were properly structured and listed. But their content/value puts them on the level term with other research data.

C.3 Interviews

Peter Hennessy (1996, p.123) reveals the value of interviewing for works of contemporary history: "*Interviewing people leads to a commendable realism and contemporary history context-setting. History well done always depends on a host of companions – written, visual, oral, but talking with the people who were at the heart of events has been my greatest recourse – and pleasure*."

For this research, I have used two types of interviews:

1) Personal structured interviews with policy makers and experts, which are commonly referred to as "elite interviews". They were by far the best source of obtaining primary and original qualitative data.

2) The other type of interviews came from secondary sources – media statements and interviews given by the relevant government and professional individuals, which dealt with problems of the media and transition.

The most valuable source of primary data was interviews that I had conducted with politicians, diplomats, lawyers, media managers, journalists, foreign correspondents and experts/advisors, lawyers and political analysts. For these structured interviews, I have devised a standard set of questions about the role of the media in transition, and posed them to chosen individuals, whose role or expertise was relevant for the research. The interviewees were individuals who had substantial direct or indirect influence over the actual events, those that shaped the transition process as participants, or were professional (expert) observers, or facilitators. Jean Seaton (2010) calls such individuals "players" and elaborates on the value of interviewing them:

> "*Interviewing the actors who have shaped significant events is what all contemporary historians do, what all sensible politics experts do, what any curious researcher might do, and of course – what journalists try to*

> *do the whole time. People who have been on the 'inside' of events are especially valuable – after all they were there – of course their recollections may be colored by memory, or biased by their own interest in the events, or limited by a privileged but nevertheless partial view, but that in it itself does not invalidate them. At the very least it is evidence of what they thought happened or indeed of their interpretations. But when one account can be put beside another person's view, or other kinds of evidence then the first hand, players view is the most valuable and insightful evidence.*"

It is important to note that Interviews are as fallible or imperfect as (paper) documents - since documents just like interviews also need context to understand and are often product of interested (biased) positions. This is why Interviews need to be checked just like other (documentary) sources. The true value of interviews in matters of contemporary history is that interviewees usually know what went on behind the scene and what is not available in memos and documents (Seaton, 2010).

When conducting interviews for this research, my concept was to motivate the interviewees through questions to give their personal views on the role of media in contemporary politics, the media reform process in Serbia, and the overall transition. The interviews were agreed through my professional and private contacts with the chosen individuals, and it seems that all of the participants understood the task and the purpose (academic study) very well. Most of the interviews were conducted in Serbian language. The quoted segments had been translated into English. Two interviewees were native English speakers but also fluent in Serbian, so I asked them to provide their answers in English. They were given the option to use the English translation of the questionnaire but both chose to answer the Serbian questionnaire in English.[36]

Hardly anyone approached refused to give an interview, except those few who could not find time to do it. I asked them if they preferred to have a personal

[36] The list of interviewees and the research questions can be found in the Appendix IV of this work.

interview with me, or to reply by e-mail to a questionnaire. Only two out of the ten interviews were done by the classical “tape recorder / transcript” method. The rest were done through exchange of e-mails, preceded or followed by one-on-one talks. With direct written input from the interviewees, there were no calls for “authorization” or subsequent “clarification” – a standard method that politicians use when dealing with the media interviews. It is also worth noting that all of those who agreed to participate took their time to think about the questions and provide meaningful answers. With no risk of their words being quoted out of context, like when they speak for or in front of the media, they could afford to be frank, direct and insightful.

One could argue that the number of elite interviews used for this research is relatively small (10) in order to be relevant. Originally, I hoped that I would have 15 interviews, but due to busy schedules some of the people who I had on the list could not find time to be interviewed. I need to point out here that the names, positions and influence of the people chosen (and who accepted to be) interviewed justifies the decision not to have more. The actual content of their replies, their professional and political competence and eloquence, as well as thorough insight in the research subject are far more valuable than gathering data from large random sample of participants, or people who don't have adequate knowledge of the field. Here again I opt for quality rather than quantity - and elite interview is certainly one of the key tools of case study methodology.

The number of questions posed to the interviewees is ten, but all of them were carefully designed and posed to initiate creative thinking and longer, structured answers. In other words, most of the ten questions were rather complex and could be treated as broad themes/topics which the interviewees were supposed to intellectually digest and come up with elaborate and not just binary (yes-no) answers. It is worth knowing that I never instructed them not to use simple yes-no answers.

Some of the questions would be eliminated in court proceeding as "leading" - but in this process they acted as a trigger to initiate expression of opinions which interviewees did not share with the researcher. Two persons who held high ranking policy making and implementing positions, did not hesitate to

express own controversial opinions, which in public, or in normal media interviews they would never convey. In a way, such answers showed confidence in researcher personally and his cause/mission. It also shows that the politicians are quite aware of what policy decisions and priorities they are following, despite having private opinions that are not exactly in accord with their public manifestations. On the other hand, the persons who hold non-political positions, who act as experts or independent agents, never had any reservations about expressing their opinions.

In addition to the elite interviews designed and conducted exclusively for this research project, I have also used many external interviews (conducted by journalists and available to the general public) connected to the subject of the inquiry. Using these secondary sources of data, I could obtain opinions and policy statements from relevant policy makers and/or experts who were not available for personal interviews.[37] Such "outsourced" interviews used in this research are not found in the Appendix IV, but portions of these interviews which were quoted are properly identified and referenced in the text.

One of those interviews, however, is of a special sort: It was given by the Head of OSCE Mission to FR Yugoslavia, Ambassador Stefano Sannino, to a RTV B92 journalist. However, while working for the OSCE, I had the task of editing and translating into English the original text (in Serbian), obtain the ambassador's approval, and sending the finalized text back to RTV B92 for publication on their English language web site.

C.2.3 Analysis of Documents and Materials

Analysis of documents and various printed (and electronically available) materials was used to achieve a contextual understanding of the policy and practice in environment within which the transformation of the Serbian media

[37] List includes Head of the OSCE Mission to FR Yugoslavia (2001-2002) Stefano Sannino, Minister of Culture and Media (2004–2006) Dragan Kojadinovic, President of Independent Association of Serbian Journalists (2006–2008) Nadezda Gace, Access to Pubic Information Commissionaire (2004 – 2008) Rodoljub Sabic and others relevant persons.

was conducted. Relevant documents were obtained, their content verified and analyzed. Such documents include actual draft texts of legislations and adopted laws, policy statements, technical reports, media interviews, articles and features, as well as various expert reports commissioned by domestic government, professional accusations, donor organizations, NGOs and international actors.

Most of the documents were generally available, but some of them were of internal nature written and circulated within a certain organization, like OSCE. Due to its inter-governmental and diplomatic nature, some of OSCE's memos and reports are not available to the public and carry "classified" stamp. As an employee of OSCE I had access to such documents, but it was not possible to quote them as proper academic sources. But most of the OSCE's policy documents and reports were made for and aimed at general public and not classified.

At this point, I would like to clarify how I used documentary analysis, among other methodological tools. Once the dissertation outline was made, and provisional sequence of chapters established, I concentrated on finding and obtaining various documents that looked relevant for actual segments of the work.

After reading the assembled materials I began to draft individual chapters, based on analysis of documents and other collected data. Actually, I used documentary analysis in two ways:

a) As an auxiliary method for developing research data and understanding the context in which the process of media transition is taking place. This means to extract and verify relevant research data from documents which were not originally meant for academic use - like policy documents, newspaper/media articles and reports, surveys, even interviews and opinion pieces;

b) As a main research method - To perform analysis of draft and adopted legal texts and norms. Such analysis of the legal content of norms, which is strictly limited to the actual texts, can be used to compare their real life conformity and applicability in relation to the theoretical concepts used in their

creation.

It is important to note that legal analysis[38] and documentary analysis of legal texts (norms) are not the same. There is a possibility that one could easily confuse these two terms (documentary analysis of legal text and legal analysis) just like some could confuse the notion of research and legal evidence.

C.3 Surveys/Polls

Although I have expressed my reservations about the use of quantitative methods in social sciences, there were instances where the use of surveys and polls were appropriate. For example, it was certainly helpful for the research to have general data about the Serbian population *vis-à-vis* the media - consumption patterns, literacy and technology penetration. It was obtained through a public opinion poll. An example of survey/content analysis was media coverage during the first presidential election in Serbia.

I have been directly and actively involved in the design and commissioning of the aforementioned poll and survey/content analysis, which I subsequently used in this research - while working with the OSCE. The findings from them are presented in entirety as Appendixes I-III to this work. In writing the chapters, I have also used and quoted portions from other (external) surveys. The results of such surveys are available to the academic community and general public mainly through the work of the Independent Association of Serbian Journalists (IJAS)[39] and its commercial enterprise the Belgrade Media Centre. Several academic projects and studies concerning the media were commissioned and presented by the Media Centre, which has established itself as the main media research and policy think tank in Serbia. It is funded by many international donors. Additionally, the Belgrade Media Centre was the host to the joint group of experts and government representatives, which drafted the media legislation

[38] Legal analysis is a function performed by the institutions and agents of judicial system.

[39] I have been IJAS member since 1994, making me eligible to use all the IJAS and Media Center resources, research facilities and data basis.

for adoption by the Serbian parliament.

Several specialized domestic and international organizations conduct surveys in Serbia on a regular basis, for academic and commercial reasons. In the context of reforming Serbia's media system to serve its citizens and emerging democracy, several inter-governmental organizations (UNDP, OSCE, Council of Europe, USAID, EU commission) regularly commission academic researches and surveys that are available to the public. Additionally, many international and domestic NGOs (Open Society Institute, IREX, Freedom House, Helsinki Committee for Human Rights, Reporters without Frontiers etc.) also conduct their own polls and make their results available to the professional and general public.

D) THESIS STRUCTURE

Once the title and research objective have been laid down, it is necessary to outline the thesis structure – in terms of its parts/chapters and organization. This research project is broadly organized in four parts:

Part I - Background and History (Introduction, Chapters 1-2);
Part II - Times of Confusion (Chapters 3-6);
Part III - Conclusion (Chapter 7).

Following the introduction to the research, where I discuss how and why I chose to focus on the Serbian media transition process, as well as how it is different from other similar cases. Then I move on to the research design, with formulation of the research question/hypothesis, as well as to outline scope and limitations of this project. It is followed by discussion of the chosen research methodology. Finally I give outline of the thesis structure. In chapter 1 I present and discuss a selection of relevant literature used as theoretical and intellectual foundation for this work. Then I address the analytical frame of this research, where relevant theoretical concepts and practical angles are considered.

The history portion of the work starts with Chapter 2, which deals with the media system before the great change of 5 October 2000. This historical account examines the practice of the state broadcaster Radio Television Serbia (RTS) as the paradigm and backbone of the old media system. In many ways attempts to reform RTS and convert it from a state-owned and politically-controlled outlet into a public service broadcaster epitomizes the whole reform process of the Serbian media.

The Chapter 3 starts with preparations for a major media system overhaul. It is followed by discussion of the notion of public service broadcasting (PSB). Then I move on to legal and political analysis of the media legislations passed during the first post-Milosevic cabinet (2000–2003), which laid foundation of the new media system. In the third section of this chapter, I examine introduction of the Broadcasting Council as an independent regulatory body. Then I move on to critically evaluate the attempt to transform Radio Television of Serbia (RTS) into a public service broadcaster.

The Part II of the work, entitled The Times of Confusion begins with Chapter 4, which examines the influence and role of the international factors in the Serbian transition process. Chapter 5 represents a case study of the first post-Milosevic presidential elections. This event (presidential election), which took place more than one year after the process of transition had begun, illustrates how the media performed rather successfully in a new environment, despite the fact that the new media legislations were still not in place. In other words, the way the media operated during the presidential campaign was based on gentlemen's agreements and in expectation of proper regulation. This chapter, unlike others in this work, is based mainly on quantitative data, and represents the earliest finished segment of this thesis.

One more "pure history - no theory"[40] segment of this work, Chapter 6, is

[40] By this I mean text which does not contain theoretical concepts, but instead establishes factual and political background and time frame for other case study chapters.

entitled 40 Days That Shook Serbia. It illuminates the second[41] major turning point in current Serbian political history – the assassination of the reformist Prime Minister Zoran Djindjic, the state of emergency that followed it and the implications these events had on the media. Djindjic's death had such a large impact on the process of transition in Serbia, that it certainly warrants a separate narrative chapter.

The third and final part of the thesis discusses the problems of media reform in Serbia is Chapter 7, which summarizes the findings of all previous chapters and individual case studies. Here are the issues I address in the final chapter:

- Legislative process and analysis of the adopted media regulatory acts, and its implementation;
- Can foreign models of regulation and practice be successfully implemented in Serbia? Here I also underline the rule of law as prerequisite for new political institutions and culture to successfully replace the old one.
- The work of the Broadcasting Agency's Council as the regulatory body and unsuccessful transformation of Radio Television Serbia into public service broadcaster;
- Achievements and shortcomings of the Serbian experience, in comparison with other Eastern European and post-communist countries.

In the closing chapter of my research, I try to address and answer the research questions – if the new media regulation and practice have created an environment in which a deficit in democratic culture of Serbia can be bridged, the transition process completed, and hope of affluent and democratic future for its citizens become realistic.

Finally, I try to outline the contribution of this case study of the Serbian media in transition to the existing academic literature.

[41] The first one is certainly the events of 5 October 2000.

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CHAPTER 1

REVIEW OF THE LITERATURE AND ANALYTICAL FRAME

Selecting appropriate literature to provide the intellectual and theoretical backbone for a research project is a complex task, as much as it is to streamline the topic and pinpoint research(able) hypothesis. At the same time, this is a personally rewarding experience, because locating and reading relevant books and publications is the fun part of the work. It can also be a never-ending story, since a researcher constantly runs into more and more fresh and applicable general literature, even if the literature on Serbia is not in great supply. The selection of literature reviewed here is the result of the candidate's subjective choice, input from supervisors, suggestions from the supervisory board and recommendations from colleagues - journalists and academics.

This research, as a work of political history, is a critical account of the transformation of the Serbian media from 2000 until 2006. Such path leads through domain of several scientific disciplines: contemporary and media history, media studies, theory of democracy, international relations, legal and policy analysis. In such a context, the selected literature may seem rather divergent, but this would be a superficial judgment. For scholars from the field of media and communications, all of the aforementioned scientific disciplines fall within their remit. Media studies on their own would not have depth and scope to properly examine the complex interface between the media and politics, especially in the context of transition from a socialist dictatorship towards democracy.

At this point, I find it rational to classify the selected literature into four distinct categories:

(1) History-related books/publications;

(2) Literature that discusses democratic and media theory;

(3) Comparative studies of the transition and role of international actors;

(4) Works by the Serbian authors.

An additional category could be literature on research methodology, but I have decided against giving it a separate section for practical reasons[1].

However, many chosen books transgress my simplified classification and could figure in more than one category, or do not fit comfortably into one. In each of the tentative categories, I have chosen several relevant works to review and discuss, although not all of them have the same value for this research project.

At this point I would like to point out that a lot of relevant and valuable books and magazine articles covering transition of media in former Eastern Europe have been published since 2008, the year when I finalized my research and writing up of the thesis. In subsequent revisions of the manuscript, I have included references to these new writings, but I have not included them in the literature review chapter. My work examines period between year 2000 and 2006 and the choice of the literature discussed reflects the publications that were available at the time. Lastly, my selection of the literature is just a fraction of relevant and meaningful readings on the subject - it is far from being definitive, exhaustive or comprehensive.

1.1 Historical Dimension

It is logical to start discussion of the selected research literature with a volume that chronologically represents beginning of the transition process in former Eastern Europe. "Revolutions For Freedom - The Mass Media in Eastern and Central Europe" is a work edited by Al Hester and L. Earl Reybolds from the University of Georgia (USA).

The authors/editors took it upon themselves to compile a book of essays by several academics who visited some (not all) of the countries of former Eastern Europe[2] right after the fall of Berlin wall in 1989, to critically evaluate their media systems and potential for change. A noble cause indeed, but their

1 The literature on research methodology is quoted and discussed in the Introduction and Chapter 1.

2 Including Socialist Federal Republic Yugoslavia, which in early 1991 lived its final days.

findings have very limited value. This is because the ethnographic material and data collected in the field clearly show several shortcomings: Superficial understanding and limited knowledge of the countries visited; Careful tip-toeing by the authors around the lines of US foreign policy vis-à-vis those countries; Cold war pre-conceptions about the countries in question by the authors and their visible restraint in challenging local officials and their ideological line.

If we consider that this collection of essays originates from the times immediately after the 1989 events and symbolic end of the cold war, it is understandable that there was a kind of confusion about the future direction of transitions, for which there was neither precedent, nor available academic literature.

As a contrast, the most analytical and thorough historic account of the process of transition around the former Eastern Europe is "History of the Present – Essays, Sketches and Dispatches from Europe in the 1990s", written by historian Timothy Garton Ash, an eminent British intellectual and the Oxford University fellow. This work is written in a very accessible, almost journalist-like language. Ash's essays are accounts of his numerous trips to the former socialist countries during the turbulent 1990s - from Poland in the North of Europe, to the states of former Yugoslavia and Albania on the Southern tip of the continent. With typical British keen interest and thorough understanding of political, historical and culture-driven environments and many complex issues, Garton Ash displays a remarkable sense of balance, sympathy and impartiality, usually not associated with either journalists, or politicians working in these regions.

In the final chapter entitled Envoi, Garton Ash[3] explains his own motives and mission:

> "*I hope a few truths about Europe emerge from these mirrored images of coloured fragments, constantly rearranged into different patterns as time's hand twists the tube. Perhaps one truth is that Europe is itself a*

3 This is one of only two chapters of the book that is not essay or dispatch from the field, but rather an attempt to summarize the experience and draw some general conclusions.

> *kaleidoscope. The real Europe, I mean – a jagged, diverse continent of more than 600 million individual men and women, speaking more than 50 languages, living in more than 35 states, making food, love and politics in countless subtly different ways*." (Garton Ash, 2000, pg. 466)

It would be wrong to view Garton Ash's book through traditional academic typology/classifications. His writing is neither history, literature, journalism, sociology, nor cultural or political study in the classical sense. On the other hand, it is all of them. The eclectic method used by Garton Ash is more of an artistic nature, but when applied to the wide-ranging field of social sciences, one would call his approach interdisciplinary and certainly appropriate for such topic. A social scientist is more like an impartial, honest observer of social processes and dynamics, a careful custodian of many relative truths, who synthesizes a general picture from all the collected fragments.

Inserting a journalistic "human interest" and "proximity" dimension into his writings have certainly helped Garton Ash in making his book accessible to wider audiences. It is just a writing technique/style, which has nothing to do with the depth and validity of his analysis. One could certainly not dismiss the work of Garton Ash as non-academic and purely narrative. On the opposite - it is an enlightened way how to interweave narrative and well-grounded interdisciplinary analysis into a non-traditional work of history, based on the existing theories and intellectual paradigms. Or exactly the same what this research project is hoping to achieve.

Garton Ash records individual human stories and events featuring real people to paint a wider picture of states and societies in which his characters exist and function. Then he goes on to generalize about inter-state (international) relations, European politics and the world order. He is a proponent of a "new liberal order" for Europe, one that is slightly different from the type advocated by current EU structures and political leaders. Garton Ash claims that the EU integration process had the wrong priorities – monetary union (incorporating not even all current members of the EU), rather than the creation of a liberal order for the whole of Europe - one that would pave the way for the gradual inclusion of all the European states into the EU structure. In the light of ongoing debates on EU enlargement and disputes about its constitution,

Garton Ash's assessment is that it is not the order that he personally hoped for, but it is far from being a lost or wrong cause.

Garton Ash writes about fascinating historical events in the former socialist world in the last decade of the 20th century. Some of them were positive and emancipating experiences, but others like the demise of the former Yugoslavia and subsequent wars in the region have been frustrating and full of human suffering, unnecessary violence and destruction. He argues that none of the (tragic) events were inevitable, and that at every stage there were other options available, but such paths were not taken. He says that in extraordinary moments of history political leadership is more important than in ordinary times: The personal leaderships of Vaclav Havel or Arpad Goenz were at moments decisive. In the opposite direction, so were those of Vladimir Mechiar, Franjo Tudjman and Slobodan Milosevic (Garton Ash, 2000, pg. 468).

As a historian, Garton Ash is trying to put general perspective into his fieldwork findings, compare it with the events of the past, and possibly propose some solutions for a future order in Europe. He claims that the new emerging European order has no name yet. Attempts to call it “Paris Europe”, after the 1990 adoption of the Declaration for a New Europe by all the OSCE[4] member states, is inadequate. Judging by the EU’s inability to manage major crises like the one in former Yugoslavia, Garton Ash argues that the current European order could better be called “Washington Europe”, since it was impossible to stabilize the region for several years, without yet another intervention of the USA.

As a political realist, Garton Ash admits that a history of the present must acknowledge its own limitations. Systematic conclusions need a greater passage of time. Then, as someone who has a considerable reputation of an expert on European political affairs and has written a lot for many influential media outlets and publications, he has a rather cynical view on the real impact of his work:

4 OSCE (Organization for Security and Cooperation in Europe) is a regional inter-state organization, formerly known Conference for Security and Cooperation in Europe (CSCE).

> "*If you think you have influenced policy as a commentator, it is an illusion anyway. All commentary is a kind of blowing in the wind. When the wind is blowing in the same direction, as it was for me at the end of 1980s, you may imagine that it is your breath that is bending those trees. When the wind is blowing against you, the spit comes back in your face. Nonetheless, I still have a personal sense of failure*." (Garton Ash, 2000, pp. 469-470)

How does the writing of Garton Ash fit into research about the transition of the Serbian media? The New Europe that Garton Ash is hoping for and that emerges from the events he has meticulously recorded, is based on the paradigm of liberal democracy as the highest value, one that is shared by all the European nations, including Serbia. And the process of transition in Serbia has one final destination – full membership in the European Union, something that has remained a rather elusive and distant goal to this date.

The citation where Garton Ash expresses reservations about the possible impact of his writings on policies is a topic for the ongoing debate about the relation between (political) power and the media. In any case, it proves the point that the media, politics and citizenship in Europe, or anywhere else in the contemporary world, are inseparable ingredients of everyday life.

Misha Glenny's "The Balkans, 1804 - 1999: Nationalism, War and the Great Powers" is a popular reference book for anyone interested in complicated Balkan history, which never reflected the needs and strivings of the region's nations, but echoed the power-play and trade-offs between the Great Powers. Glenny tries to tip-toe over a minefield where mythology meets history and propaganda throws fog over facts, with mixed success. His greatest expertise is on Serbian, Bosnian, Greek and Kosovar affairs, while on a wider regional context of Romania, Bulgaria, Hungary, Croatia and Slovenia, his analysis is not so thorough. As a journalist-turned-historian, Glenny sometimes does not take an equal distance from the actors (powers) and their policies to preserve an impartial and scholarly neutral viewpoint. In such situations, he accepts at face value some of the actors' interest-driven justifications of their actions/decisions. In any case, Glenny's volume on Balkan history is the best

available work of that kind - especially for someone interested in Serbia and its contemporary history.

In terms of background material for understanding Serbia, its recent history and current road to its troubled transition, Tim Judah's book "The Serbs: History, Myth and the Destruction of Yugoslavia" is extremely useful. Judah provides an outsider's view with a fair and balanced ethnographic insight into the Serbian national mentality, development of political thinking and practice. He digs deep into Serbian mythology,[5] which has replaced the real history. He exposes fallacies, manipulations and the demagoguery of contemporary political actors in Serbia. Notably, Judah's expertise on Serbian affairs comes from his numerous visits and extended stays in the region, coupled with personal acquaintance with senior political and diplomatic figures, both domestic and international. Since the author is not an academic, but a journalist/political analyst, the method of Judah's research and writing cannot be embraced without certain academic reservations, but his keen eye and sharp analytical mind certainly warrant respect and consideration in the rather subjective field of political history.

At the half-time mark of my research timeline stands the annual report/book "Freedom of the Press 2003" published by Freedom House. This publication represents an indispensable survey of the media's independence around the globe, and FR Yugoslavia/Serbia has a separate country feature. The 2003 edition/report shows clear advancement compared to the pre-2000 period, but still classifies Yugoslavia (Serbia) rather low on their global scale of press freedom. The 2007 Freedom House report/book is the final time line of my research[6], where the findings on Serbia demonstrate the progress (or steps back) in the process of transition.

Freedom House is a non-profit, non-partisan organization based in the USA and supported by American officialdom, many individual philanthropists and corporate sponsors. Its mission is to support democratic changes worldwide, monitor freedom and advocate democracy and human rights. Every year this

5 The myth that completely overshadows and replaces the distant and contemporary history of Serbia is connected to Kosovo. In 1389, the Serbian Christian count Lazar and his gentry fought (and lost) against the Turkish sultan Murat's army at Kosovo Field. This tragic event is often considered (and misused) as the main juncture of Serbian past and future.

6 The 2007 Report actually represents the events and developments in 2006.

organisation publishes a survey of media freedoms around the world. James H. Ottaway Jr., chairperson of the World Press Freedom Committee asserts:

> "*The Freedom House annual survey of the status of press freedom around the world is the most accurate and consistent analysis of that most fundamental human right, without which democracy, the rule of law, and free markets cannot exist. It is the most useful reference guide for international government officials, business executives and press freedom advocates*."

Since the 1980s, Freedom House has monitored press freedoms in close to 200 countries, and its findings (with individual country ratings) are widely utilized by academic and political circles as unbiased and trustworthy. The organisation has developed own methodology of surveys (used by its field contributors) that is deemed helpful in comparative media research. One can argue or dismiss the academic merit of methodology and marking system used by the Freedom House in compiling their country reports, but their reports certainly have significant influence among policy makers and subsequently in the media, which carry such findings to the general public.

1.2 Citizenship, Media and Democracy

Considering the Serbian case of transition through the discourses of media and democracy is appropriate, while knowing that the legislative reform of the Serbian media system was intended to reflect successful functioning models, institutions and systems.[7] The Serbian transition is happening under the guidance and influence of international actors.

What strikes me is that it is rarely pointed out that both media and democracy are part of a much wider discourse - citizenship. Without active and competent citizens, there is no democratic order. In that sense, several works on citizenship have been inspirational to me - while establishing the theoretical foundation for this research.

7 For example public service broadcasting, independent regulatory body, professional self-regulation etc.

Michael Schudson's "The Good Citizen" (1998) is a detailed historical account of how American citizenship and democracy have evolved from the times of constitutional fathers until nowadays. John Street examines theoretical aspects of media practices in contemporary politics in his "Mass Media, Politics and Democracy" (2001). These two works provide a general theoretical context for and inspiration for my own case study of the Serbian media.

On the other hand, John Lloyd's book "What the Media Are Doing to Our Politics" (2004), a very British account about how the media managed to acquire enormous power and misuse it, serves as a good example of where could a continuous outcry for media independence lead, even in mature democracies. Nevertheless, when Lloyd makes comparisons of the notion of an independent and free press in different democratic countries (Britain, France, Italy, Sweden), it turns out that such idea is far from uniform. Journalistic practices and cultures in those countries differ a lot – so, equally, the role of the media within the socio-political environment is different.

Slavko Splichal's 1994 volume "Media beyond Socialism" is probably the most thorough theoretical contribution on the media in former socialist countries before and during the transition, and his Slovenian (ex-Yugoslavian) perspective and background is certainly very relevant in considering the Serbian case. Splichal has contributed some general observations about the nature of the transition process that were true not only early on, but are certainly valid nowadays:

> "*The shift towards Western type(s) of political democracy certainly influenced the media, as did installation of some principles of marketplace, but in a number of important dimensions the media remained essentially unchanged*." (Splichal, 1995, pg. 147)

Splichal also notices that in the Western world policymaking regarding the media is driven by economic factors and technological developments, while in ex-communist countries such matters still belong to party politics and trading, especially when the broadcast media are in question. The politicians in ex-communist countries still think in terms of using the media for own political

benefits rather than understanding and utilizing them as commercial/market outlets.

However, Splichal is optimistic about future developments in ex-communist countries. He concludes his book with the expectation that development of new media systems in East-Central Europe can bring new opportunities for media democratization and valuable experience for all the countries that still have to initiate democratic process. When Splichal wrote this, it was certainly true not only for FR Yugoslavia (Serbia and Montenegro, including Kosovo), but also, for example, Bosnia and Albania.

One of the most powerful analysis of a media caught between capitalism and socialism comes from Colin Sparks in his 1998 study (in collaboration with Anna Reading) "Communism, Capitalism and The Mass Media". Sparks combines historical analysis with political economy to draw sometimes rather bold conclusions/generalizations about the future of the critical project – the leftist movement. Sparks' conclusions are applicable to any ex-communist country and its media during and/or after transition:

> "*If one lesson from the study of the collapse of communism is that only a narrow line divided our rulers from theirs, and that line was easily obliterated in the marriage of convenience that followed 1989, then another lesson is that it is impossible to notice the line between media workers here and media workers there, either before or after the fall of communism. They wanted, and want, the same things as media workers here want*." (Sparks, 1998, pg. 193)

Sparks correctly notices that the revolutions of 1989 carried a lot of joy and celebration in the beginning, but enthusiasm for changes and advantages of living and working in "democratic capitalism" soon began to evaporate when the masses were faced with privatization of state enterprises, massive job losses and a sharp drop in living standards. Even media workers and activists did not expect such changes for worse when they were dreaming of freedom and emancipation from state ownership and control of their outlets. In his more recent writings, Sparks (2008) elaborates on how ex-communist elites managed to transform themselves into new "democratic and capitalist" elites,

and maintain positions of power and economic influence in the post-transitional societies. In that sense, one must notice that Timothy Garton Ash was right to name the changes of 1989 as "refolutions", rather than revolutions.

1.3 Ever Changing Content of Citizenship

It is interesting to note in Schudson's work how much the American notion of citizenship and democracy is based on different intellectual traditions and foundations. In Europe, the predominant discourse of democracy, citizenship and participation is firmly located within the so-called "public sphere" paradigm. It has been developed by German philosopher Jurgen Habermas (1962/1989). Habermas belongs is a second generation member of the post-Marxist "Frankfurt School" – intellectual foundation of contemporary leftist movements. Habermas's public sphere paradigm has become the domineering topic of numerous academic debates on citizenship, democracy and media, inspiring an enormous body of research and written work.

In America, however, an arguably successful and functioning model of democracy has been in operation for over two hundred years, and its intellectual roots are still firmly tied to the philosophy and writings of so-called constitutional fathers, a group of politicians, who successfully fought for the independence of the United States of America from the British empire, and who went on to draft the US constitution in 1776. The spirit and intellectual heritage of Jefferson, Madison, Franklin, Washington, Adams and others has not only been permanently inscribed in the American constitution and subsequent Bill of Rights, but is still present and living through jurispendence of the Supreme Court and other lower courts, which are entrusted with the current reading of basic legal principles laid out in the aforementioned legislations.

No matter how different intellectual traditions of current democracies in

Europe, the USA and elsewhere are,[8] it seems that all the models in current practice put citizenship in focus, and make it the highest virtue and value of a democratic society.

However, according to Schudson, the content of citizenship has changed over the years: In the long parade from colonial Virginia or colonial New England to a secret ballot in a California garage, American notion and content of citizenship has changed dramatically. There have been three distinct eras since the colonialists first arrived, each with its own virtues and defects, and in the past forty years we have entered a fourth era. (Schudson, 1998, pg. 5)

Most contemporary media and democracy theoreticians claim that the so-called "*informed citizen*" is an ideal, as someone who is interested in civic duties, follows political affairs, has reasonable access to sources of relevant information and actively participates in the working of a democratic system. And then most of them complain how the level of participation, measured through various parameters like voters' turnout for elections, drops constantly in contemporary democracies. Some like Pippa Norris (2002) even go so far as to call this "*civic malaise*", and express alarm that democracy is endangered and that the consequences of a diminishing participation of citizens can be dire.

As the focal point of his book, Schudson puts forward a notion of "rights-bearing citizen", as a model of citizenship in contemporary society. Unlike others, Schudson claims that the notion of "informed citizen" which arose during the Progressive Era is not adequate for the new era. It needs to be replaced by a "rights-bearing citizen", a concept that is in tune with contemporary developments in how citizens participate and engage in political life. He claims that the level of participation of citizens in political life has not declined, but that the political system of representative democracy, where political parties have the main role in speaking on behalf of citizens, has been outdated. Schudson argues that citizenship is reflected in political life through

8 Democracy as the intellectually most desirable model of managing state affairs is not confined to Europe or the USA. There are functional and successful democracies outside Europe and North America, most notably in India (the largest democracy by number of participating citizens), Japan, Brazil, South Africa, Australia etc.

many other civic and interest groups, NGOs, and institutions rather than political parties. In that way the number of civic causes and interests to which a “rights-bearing citizen” is committed and spends time on is much greater than in the era when political parties dominated civic life.

In that sense, Schudson argues that the obligation of a citizen to know enough to participate meaningfully in state affairs is defined rather minimalistically. Citizen should be monitorial rather than informed, meaning that she/he must be capable of scanning the environment, be alert to developments and have an idea of wide variety of relevant topics, in order to possibly act or get mobilized about them. In that sense, Schudson agrees with the “father of American journalism” Walter Lipmann, who said that if democracy requires omnicompetence and omniscience from its citizens, it is a lost cause.

Another common topic among media scholars is the so-called the “dumbing down” of the news. The work of the Serbian media scholar Snjezana Milivojevic “Tabloidization of the Serbian Press” is also focused on this theme. It is not only the case with the traditional printed press, but also with news carried by electronic media, especially TV as the medium that depends on its visual component more than on the narrative. Schudson, again, takes a different viewpoint then the rest, putting it into the context of “monitorial citizen”, as opposed to the “informed citizen”. His line of reasoning implies that a citizen does not have to hear everything in detail, but depending on the content of headlines (or “soundbites”) on offer can decide if his attention for a particular subject should be activated, or remain only marginally alert. Such view opens the door and provides the opportunity for the types of media that are slower and have more thorough nature - to have own *raison d'être*, niche audience and successfully compete for the attention span and wallets of more demanding consumers.

Types of media outlets offering differing content (producers and providers) are in harmony with the views of Marshall McLuhan[9]. To go back to the issue of

9 Canadian sociologist and media philosopher Marshall McLuhan claims that the new media are not necessarily replacing the old ones, but making them find their true meaning and place. Such "division of labour" provides space and opportunity for co-existence of various types of media, where each one has its own purpose and specific role. Such claims counter popular (unsubstantiated) belief that emergence of new media by definition makes the old ones redundant.

the “monitorial citizen” vis-à-vis “informed citizen”, Schudson refutes the common outcry of print journalism that regularly criticize the broadcast media for being only a headline service, because a headline service is exactly what, in the first instance, citizens require.

Schudson claims that it is wrong to compare contemporary citizenship with the models of the past, and especially the ancient Greek ideal of city-based democracy. Each re-organization of political experience had its own virtues and defects. "*I do not join the common practice of beating up on our own era because it fails to live up to the standards of another day*." (Schudson, 1998, pg. 9)

It is a consequence of a simple fact that the rules of the political game have obviously evolved over our history. To underpin his radical criticism of traditional ways of looking at life and civic participation, Schudson writes:

> "*Comparisons of this sort lack both a sense of history and a sense of sociology, an understanding of the complex coherence of a society at a given time… We can gain inspiration from the past, but we cannot import it. None of the older models of authority and of citizenship will suffice. We require citizenship fit for our own day*.” (Schudson, 1998, pg. 9)

In the above quote, Schudson synthesizes the true value of anti-traditionalist, forward looking philosophy and practice - which reflects the spirit that made America the most powerful economic power and political leader of the world. Such an articulate value-oriented discourse is sadly missing from contemporary Serbian political discourse, debates on transition, understanding of democracy and citizenship. Obsession with mythology, past and tradition, as observed by Tim Judah, are still at the forefront of the Serbian political scene.

To appreciate the rich, entertaining, compelling and extremely well researched and argued work by Michael Schudson, it is necessary to have an all-round perspective of history, politics, sociology and the media system of the USA from its early days until today. Schudson’s work is not just a simple history

illustrated with many vivid examples from life and theoretical accounts of leading scholars. It allows practitioners and theoreticians coming from other intellectual environments and traditions to evaluate and draw on the American experience of democracy, for better or worse. In a case when one is a witness to a process of establishing standards, mechanisms and values of democracy, such work can also be regarded as a practical manual on how to do it.

As prominent American academic, sociologist and political commentator belonging to the leftist intellectual discourse, Todd Gitlin notes in his review of "Good Citizen" - Schudson gives a shrewd argument that democracy is not free-fall, that it's Golden Age (whenever that was) has not been irrevocably sealed within the cathode-ray tubes. In that sense, Michael Kammen, professor of American heritage at Cornell University[10] suggests that Schudson's book should be a mandatory reading for all cynics and sceptics who assume that meaningful participation in the polity is now beyond our ken.

Schudson's views on the role of a citizen in the democratic process are recapitulated in the following words found at the end of his book:

> "*When without jeopardizing life, liberty, or conscience, and without subjugating or demeaning private life, people can speak freely, deliberate collectively, and work together in hope, political democracy will have achieved its aspirations*." (Schudson, 1998, pg. 313)

1.4 Serbian Authors and Literature on Media and Transition

Works of Serbian authors like Rade Veljanovski, Snjezana Milivojevic, Slobodan Djoric, Toma Djordjevic, or Dusan Masic testify about society's need for emancipation from the regulation, habits and patterns of living under dictatorship. The first priority is to establish a stable legal/institutional framework that guarantees individuals (citizens) unobstructed access to information in order to participate meaningfully in democratic life. Long periods of living under dictatorship have crippled theoretical debates and limited them to discussions of how to obtain freedom. Until now nobody has tried to

10 This is a quotation from the review of Schudson's book, published on its back cover.

develop the new notion of citizenship in Serbia - or what to do with newly acquired freedoms and how to proceed further.

By reading the available literature on media and democracy, we can conclude that the nature of citizens' needs in mature democracies and in one in the making (Serbia) are not much different. What is different is the institutional/legal framework that enables citizens to perform and consume their proclaimed democratic rights, duties and entitlements.

Rade Veljanoviski, former journalist and general manager of Radio Belgrade, was member of the first post-Milosevic government's working group, which drafted the so-called "Media Laws Package". Veljanovski relinquished his career of media manager for an academic one, joining the Journalism department of the University of Belgrade's Faculty of Political Science. His strong belief in the theoretical concept of public service broadcasting of BBC tradition and its applicability in Serbia is reflected in his book "Public Radio Television in Service of Citizens". It is the first academic work in Serbia that actually introduces and discusses the PSB concept, attempting to explain its advantages not only to the academic community and students, but to the politicians, media workers and general public. None of these groups had a clear idea of what PSB really means and brings, but had only picked up on its connection with BBC. The British public service broadcaster is considered, not only in Serbia, as quintessence of impartial and unbiased news/political programs, and provider/producer of top class scientific, educational, sport and entertainment programming.

In transition from a media worker into an academic, Veljanovski in his book did answer the crucial question: How a well-developed and argued theoretical concept can be converted into an adequate (implementable) legislation? I suspect that he should have chosen to be a politician instead in order to solve such a difficult task. His book was published in 2005, when the legislative work on the new Serbian media system was almost completed and when it was apparent that the adopted norms did not reflect exactly the theoretical model used by the drafting group.

The key work of Snjezana Milivojevic that I used to underpin my research, in addition to several other books and publications, was her contribution to the Television Across Europe - a major media policy study commissioned by the George Soros' Open Society Institute in 2004[11]. Milivojevic was responsible for the research and findings in Serbia. Her research report was not only an integral part of the whole pan-European project, but her Serbian case study was translated into Serbian and published as a separate volume.

Milivojevic is a very meticulous and thorough researcher, whose methodology is primarily based on a wide scope of quantitative field data, which she then puts into perspective. With a duty to stay within the set methodological and theoretical frame of the whole Television Across Europe project, Milivojevic has produced a work that will for many years stand out among other Serbian media scholars' works for its precision, theoretical clarity and understanding of the international academic terminology and organisation. Milivojevic's comprehensive report covers not only television, but all types of media and problems of transition.

Unlike Veljanovski, Milivojevic did not have ambition to be part of the government's working group preparing the new media legislation, but remained strong critic of the legislative work. After being nominated by IJAS and subsequently elected as an expert into the newly formed Broadcasting Council in 2003, Milivojevic promptly resigned after its inaugural session - and kept her immaculate academic reputation. She immediately realized that supposedly independent regulatory body was under heavy political influence, with some other members being illegally elected.

The work of Slobodan Djoric called "The White Book on Serbian Broadcasting 1990-2000", published in 2001 is certainly not of great theoretical value, but rather chronicles the misuse of the broadcast media in Serbia during the

11 The first edition of this study published in 2005 covered 20 European countries, raging from mature democracies like France, to emerging democracies like Serbia. The second edition of the Television Across Europe was published in 2008, adding reports on countries that were not covered in the 2005 edition, or had significant regulatory changes since.

Milosevic era. Djoric held an administrative position with RTS[12] during that period. He meticulously recorded all of the manipulations and illegalities of the authorities, during the times when the new media began to emerge in Serbia like mushrooms. In 1993 Djoric was one of the founders of ANEM, alternative media association in Serbia. After the changes in October 2000, Djoric became a member of the new government's working group on media, and subsequently served as a member of the Broadcasting Council.

Several books of the leading 1970s and 1980s Serbian communicologist Tomislav Djordjevic, professor at Journalism department of the University Of Belgrade Faculty Of Political Science, belong to the old school of Marxist media theory. By the time the new media system in Serbia was about to be launched, professor Djordjevic was retired; his theory of information was outdated and not useful in drafting new legislations. Despite that, his works remain often quoted in works by other Serbian authors.

One of the founders of Radio B92, journalist Dusan Masic, has authored a book entitled "Waves Over Serbia" (2006), which chronicles the history of the most famous Serbian independent media outlet. His emotional, but precise and detailed account of the B92's journey through the dark epoch of the Milosevic rule while becoming a personification of the Serbian struggle for democracy, has another quality - very articulated and ideologically grounded position.. Masic's work sheds light on the values and reasoning of a group of people that had founded the maverick station, as well as how they in stride devised their survival strategy during the times of prosecution.

In general, Serbian academic output on the media in transition is still rather small in quantity to present different approaches and open meaningful debates. The handful of authors whose work is worth discussing are most of the time engaged in explaining and defining basic paradigms, institutes, notions and terminology of the new era. For most of the 1990s the academics, as much as the media profession could only crave for the new era of

12 According to the 1990s regulatory system of the media in Serbia, RTS had a duty to authorize development of new media outlets - both state-owned and private. In other words, this legal nonsense meant nurturing of its competitors, among other things.

democracy and freedom for the media, which in current phase of the Serbian transition is still far from being accomplished. This is why it is still rare that academic discussions, theoretical and philosophical arguments are exchanged, or different ideas and angles of certain problems considered. At least academic contacts and exchanges with other countries are now intensive and numerous, while Serbian universities, institutes and libraries can subscribe to fresh international literature. Many young people who had spent the recent dark era of Serbian history abroad are coming home with degrees from prestigious universities, plenty of literature and own research experience, academic and business contacts, as well as practical knowledge that a country in transition needs.

1.5 Changed Face of Contemporary Politics

As much as the concept and content of citizenship has changed over the years - the way how politics and politicians function is also constantly undergoing modifications. The media, especially those depending on and using new communications technologies and outlets, have direct impact on how politicians operate and communicate with the public.

John Street's volume "Mass Media, Politics and Democracy" is a work on media and communications theory in its pure sense. It provides a fresh and thorough assessment of all aspects of the representation of politics by the media, and of the media's role in politics. It is full of fitting examples from comparative political practice around the world.

The history of the relationship between politics and the mass media has to be understood as the product of particular institutional forms, which shape the media. Comparisons of national broadcasting systems reveal considerable variations in the role assigned to the state and the type of regulation to which media organizations are subject, whether measured in terms of control of content, opportunities for access to the airwaves, or the structure of libel legislation. (Street, 2001, pg. 10)

Unlike many contemporary media and communications authors, Street

acknowledges that the nature of modern politics has profoundly changed, making politicians look like show business personalities. He argues that the transformation of the media and politics is such that traditional boundaries marking where politics ends and entertainment begins no longer hold. However, such a conclusion should only be made about the "packaging" of politics, not about its true content. Moreover, this is certainly a global phenomenon. Street claims that modern politics is moulded to fit the medium, but the medium is not just a mere tool at politicians' disposal.

If we want to understand the character of political communications, obviously we need to note changes in the contemporary media corporation. The two are linked (Street, 2001, pg. 2). Here, Street to a degree goes along with authors like Robert McChesney, Edward Herman and Colin Sparks, who claim that the logic of capitalism, economy and profit drives the media agenda. Still, Street is not a "political economy determinist", refusing to endorse views claiming that the global media moguls and governments of leading countries (i.e. the USA and UK) are part of the world capitalist complot to fool voters and hijack the political systems for their own selfish ends.

Street is also not a pessimist, nor too sceptical about the mutating face of contemporary politics. He accepts it as a reality of the constantly changing post-modern and globalized world. It does not mean that the future of politics is bleak, superficial and devoid of any meaningful agenda. Politics will always be about the policies advocated by certain parties and their representatives. Here Street is in agreement with Schudson - both authors assert that the centre of political activities has shifted from being under the dominance of political parties, towards individual citizens.

Through the advent of new (and relatively cheap) communication technologies and tools (ICT)[13] citizens can (if they opt to do so) organize themselves in various ways to pursue their special interests, form action/lobby groups, and wield awesome power to influence the political sphere, according to their needs and beliefs. At the same time, Street examines and refutes the popular belief that the Internet is the future of democracy, and that ICT can save

13 Abbreviation ICT stands for Internet Communication Technologies.

democracy from its current state of degradation and faltering citizens/voters participation. He suggests that such predictions are too ambitious or misguided, and that political uses of new media are not inscribed in the technology itself, but in the interplay with the political order into which they are introduced.

The culture of politics claims Street, as with all forms of culture, is a product of a complicated set of interests, regulations and institutions, which organize, reproduce and police that culture. What is certain, just as the relationship between politics and the mass media has changed dramatically in previous decade is that it will continue to evolve in the future. Rather than dismissing such a state of affairs as a sign of cultural and political decline, we should understand it first as part of a wider set of factors and changes.

Before any definitive judgments can be passed, one has to understand the causes of a phenomenon and not be obsessed with its symptoms. At the same time, we need to scrutinize the phenomenon before quickly moving to condemn it. The nature of politics has indeed moved on, but the task of political scientists and media scholars is to follow it, while keeping all kinds of debates going.

It is not an easy task to pin down precisely Street’s stand on the interface between the mass media and democracy. He avoids taking sides in many controversial debates and issues in the field, but rather chooses to rise above all and cut across the spectrum. To follow his arguments, one needs to understand the constantly developing nature of the subject. The paradigms and interpretations of certain phenomena are only of a transient nature, and of temporary value. In that sense, Street’s developmental approach is quite appropriate, and definitely anti-traditionalist. At the same time, he is a cautious proponent of progressive discourse, which sometimes suffers from over enthusiastic expectations raised by its key proponents.

When we compare Street's clever but cautious interpretation of the ever-changing picture of the media/politics interface to John Lloyd's rather controversial claim that the media has become some kind of unchecked,

monster-like, self-obsessed threat to (our) politics, one can conclude that there is no need for such panic. The forms of presenting and framing politics in the media, and the media running political content are changing, but it is not plausible to believe that the media had stolen the power from the political actors.

In my opinion Lloyd's concerns are exaggerated - since the result of the BBC's handling of the Gilligan affair, the resignation of its chairman Greg Dyke and subsequent Lord Hutton report proved an ultimate victory for the politicians, despite the fact that the government had been caught blatantly lying and "spinning". After the scandal the Labour government even went on to secure third successive mandate in the 2005 general election, proving one fact that is also true in Serbia: The position of the media and their struggle for independence against government is of marginal interest to the voters. This topic preoccupies media professionals, academics and perhaps some politicians, but usually does not touch the citizens.

In a constant struggle for power between politicians and the media, it seems that the voters sided with the politicians rather then the watchdog of democracy (BBC), despite having all the relevant information on the events that led to the dispute. Similar occurrences happened in Serbia - when the electorate ignored media warnings about politicians' mistakes, corruption and lying. The case of the Serbian Minster for Capital Investments (2004 – 2008) Velimir Ilic[14], a rather primitive demagogue, notorious for physical and verbal abuse of the media in front of the cameras, shows that his personal approval ratings and popularity always skyrocketed when he initiated one of his now “trademark” rows with the media.

1.6 Comparative Perspective

The inclusion of comparative perspective into this research work is necessary,

14 During the October 2000 protests that finally resulted in Milosevic's demise, Velimir Ilic was mayor of the city of Cacak. He organised groups of local thugs who travelled to Belgrade, equipped with bulldozers to remove police road blocks. He was the only DOS leader whom late PM Zoran Djindjic did not want to be in his cabinet, but he became (bulldozer wielding) Minister for Capital Investments in the conservative cabinet of Vojislav Kostunica.

since the experience of other countries in transition, which started a decade before Serbia, could provide benchmarks against which one can measure the results of Serbian transition.

However, it should be used only as an auxiliary tool, since there is no insurance policy that would guarantee that normative and empirical models that operate in some countries would prove useful and applicable in others (Hallin-Mancini, 2004, pg.15). "*Comparative studies provide an important check on the generalizations implicit in our concepts and force us to clarify the limits of their application*," states Reihnard Bendix (1963, pg.535)

The process of transition has many dimensions. The legislative dimension means to harmonize and update the national legislature of the former socialist countries with the EU legislatives. The economic dimension is to achieve such efficiency and organization of national economies that would enable each candidate state to compete successfully with other member states on the common market, without expecting subsidies and lowering of the Union's standards.

However, there is also a kind of intangible, cultural and human dimension to studying comparative experiences. Sharing similar democratic cultural values and standards is part of that, something that is hard to measure and put on a precise schedule. If nothing else, reading and discussing works on transition from other ex-communist countries can be intellectually illuminating for participants in the process of transition - not only for politicians/legislators, but also for citizens and scholars.

By far the most influential comparative perspective of contemporary media systems is provided by Daniel Hallin and Paolo Mancini, in their 2004 book "Comparing Media Systems". It is important to note that this book was not written in order to discuss phenomena of media in transition around former Eastern Europe, but mainly through comparison of the media systems and practices in mature democracies (USA, Canada and Western Europe). Hallin and Mancini come up with four common dimensions of various media systems that provide possibility for comparison:

1) Media markets;

2) Political parallelism, or a measure and nature of ties between the media and political actors (parties);

3) The level of development (autonomy) of the journalistic profession;

4) Modes and level of intervention by the state into the media sector.

Not exactly belonging to the "transitology" movement, Hallin and Mancini provide quite useful typology of three media models found in democratic societies:

a) Polarized Pluralist;

b) Democratic Corporatist;

c) Liberal

When these three theoretical models are positioned against the four dimensions enabling comparative perspective, the patterns of variation between the media systems are found in the following table:[15]

Pattern of Variation in Four Media System Dimensions

	Polarized Pluralist	Democratic Corporatist	Liberal
Development of Mass Press	Low	High	High
Political Parallelism	High	High	Low
Professionalization	Low	High	High
State Intervention	High	High	Low

In evaluating usefulness of their typology of contemporary media system, Hallin and Mancini write that the Liberal model has global influence, because of strong impact of neoliberal ideology and globalisation in the world, which continue to diffuse liberal media structures and ideas. This model, according to the authors, may be particularly useful in understanding developments in Latin America, which has been under the influence of North America (Hallin, Mancini, 2004, pg. 305). They believe that the Democratic Corporatist model

15 This table is borrowed/reproduced from Hallin, D. and Mancini, P. (2004): Comparing Media Systems, pg.299, Cambridge University Press, Cambridge, UK

will have strong relevance in studying media development in Eastern and Central Europe, in countries that share a lot of the same history - like Poland, Czech Republic, Hungary and the Baltic states. Additionally, this model may be useful in analysis of some Asian media systems.

Finally, even though that the authors are aware that the Liberal model has dominated the media studies (and "transitology") as the key normative model against which other systems have been traditionally measured, they think that the Polarized Pluralist model would be most applicable to other media systems as an empirical model of the relation between media and political systems. Hallin and Mancini also point out that their models need to be substantially modified if used as inspiration in designing new media systems, based on detailed research of the specific (local) political and media culture (Hallin, Mancini, 2004, pg. 306). Despite having some reservations, Colin Sparks (2008) in his annotations on the four comparative dimensions/categories used by Hallin and Mancini, points out that it makes sense in the interest of developing a common body of knowledge, to follow them as far as (it) is practicable in different environments that we (may) wish to consider.

In concluding chapter of their work, Hallin and Mancini note:

> "*Media systems, no less than the party systems to which they were in most cases closely connected, were strongly shaped by the same social conflicts and by the institutions and cultural patterns that emerged out of them. This does not mean that the past entirely determines the present, or certainly that change does not take place. But there are clear relationships between patterns of historical evolution going back to the beginnings of modernity and the media system patterns that prevail today*." (Hallin, Mancini, 2004, pg. 301).

Such conclusion is correct, coming from researchers that have studied numerous and varied cases and systems.

American author Monroe E. Price has published several works dealing with media and transition in former Eastern Europe. What distinguishes him from

other authors is that his approach is based on international relations and policy perspective. His writing also shows how theoretical work of some American scholars is directly influenced by US foreign policy and its makers. In his academic writing Monroe Price does not even try to conceal his strong links with government agencies, policy and decision makers.

His 2002 book "Media and Sovereignty - The Global Information Revolution and Its Challenges to State Power" recapitulates his not exactly neutral and unbiased view of the world, the role of (his) government, sovereignty of states and international media systems. Price is not only an academic, but also in demand consultant/expert who had worked on media reform in Bosnia and Kosovo. Both were parts of former Yugoslavia, and share the common fate of suffering from ethnic conflict in the 1990s, leaving them with a legacy of being UN protectorates. The conflicts in Bosnia and Herzegovina and Kosovo involved FR Yugoslavia and Slobodan Milosevic, who was a distinct contributor to the fermenting of ethnic hatred and wars, and was subsequently sent to trial before the UN Tribunal for the former Yugoslavia in The Hague.[16] Although Price is in favour of outside interference to mould media systems in countries that do not have stable democracies or democratic culture, he also admits that such policy can often be counter-productive. This is because even well-intentioned foreign interventions in the sphere of media usually lack understanding of local culture and political habits, when implementing foreign theoretical models and legislations.

More directly connected to the subject of transition, and applicable to the Serbian case, is the 2002 volume "Media Reform - Democratizing the Media, Democratizing the State", edited by Price in association with Beata Rozumilowicz and Stefan Verhulst.

However, the experience of preparing media legislations and their subsequent implementation in Bosnia and Kosovo does not have much in common with the way it was done in Serbia. It is mainly because Bosnia and Kosovo do not

16 His trial for war crimes and genocide charges did not finish with a verdict, since Milosevic died apparently of a heart attack in his prison cell in March 2006.

function as sovereign states. Both have elected parliaments, but as international protectorates where UN organs impose legislation, they only rubber-stamp the models imposed from above (abroad)[17]. The Serbian legislators, however, still have sovereign powers to amend draft legislations, although foreign actors/experts are involved in the process of drafting. The actual texts of legislations in Serbia are, therefore, not directly dictated by the international actors. The result of such non-compliance and perhaps stubbornness of the Serbian legislators is the new media system - which is "neither fish, nor girl"[18]. Such behaviour by the Serbian lawmakers keeps the country rather distant from EU-set standards not only in the media sphere, but also in terms of the whole legal system. A candidate state needs to adjust its legal system to be synchronized with EU's in order to be considered for membership.[19]

In the closing remarks of "Media Reform - Democratizing the Media, Democratizing the State", Price pinpoints the nature of the transition process, as well as the academic methodology from which his theoretical standing comes from:

> "*The inferences we sought to draw are based on a combination of case studies, analysis of the literature, and collection of experience. Additionally, our goal has been to enhance the comparative approach and to provide a context in which the idea of 'media reform' can be more meaningfully analyzed*." (Price, 2001, pg.268)

Price goes on to conclude that the very nature of media reform is changing as technology and democratic practices change, too. The result is that dynamics of political and media reform (transition) are virtually incalculable. It is interesting to note that despite his rather negative attitudes about Serbia,

17 At the time of writing, Kosovo was under UN protectorate. In February 2008, Kosovo declared formal independence from Serbia, which has been recognised by less than half UN member-states. The question of the Kosovo independence is still legally disputed by Serbia, and the ruling of the International Court of Justice on the matter will be passed sometimes in 2010.

18 A Serbian folk proverb says that something is neither fish nor girl, when its true nature is vague.

19 At the time of writing (September 2008) the Serbian parliament has approved the Association and Stabilization Contract with the EU, after almost a year of delay and another change of government. It means that Serbia can become an EU membership candidate sometime in 2010, providing that the condition of cooperation with the war crimes tribunal is successfully fulfilled. The main sticking point is capture and extradition of the fugitive Bosnian Serb Army commander general Ratko Mladic.

Monroe Price's work has been translated and published in the Serbian language - "Enabling Environment for Free and Independent Media" (TV B92, Belgrade, 2001). It is a handbook for journalists, researchers and legislators, reflective of the fieldwork in the Balkans that Price and his associates undertook during the 1990s.

By far the most comprehensive comparative work on transition is a pan-European study "Television in Europe: Regulation: Policy and Independence", commissioned in 2004 by the Open Society Institute's media programme. I have already discussed the Serbian segment of this major study (written by Snjezana Milivojevic) in the section on the relevant literature by Serbian authors.

1.7 Relevance of the Romanian Case

From the available body of research and studies of media transitions in Eastern Europe, I realized that the Romanian trajectory has most in common with the Serbian case. There are several reasons for this. The two countries are neighbours, so they share similar history and religious/cultural heritage. In terms of economy, Serbia was far ahead of Romania at the end of 1980s when the Romanian transition began. Nevertheless, after the ousting of Milosevic (and ten years of lost wars and unprecedented economic decline), Serbia started its own transition path approximately from the same position where Romania was in 1989. Many people in Serbia compare the fate of former Romanian dictator Nicolae Ceausescu and his wife Elena with the Serbian president Slobodan Milosevic and his wife Mirjana - with a sick sense of disappointment that the Serbian ruling couple has escaped the brutal revolutionary justice that had been swiftly served on the Romanian leader and his spouse.

However, there is one major difference between the Romanian and Serbian experience in post-communist transformation of their media systems: Romania's transition happened in the era when the new media were not existent or widely spread, and their existence in Serbia's case was crucial to the demise of Milosevic. Therefore, one has to be very careful not to

automatically impose the Romanian trajectory onto Serbia.

A case study of the Romanian media transition, "Mass Media in Revolution and National Development: The Romanian Laboratory" by Peter Gross gives an account of the media before and after the revolution in 1989. The Romanian case has many unique features and contexts that cannot be converted into some kind of blueprint for transition towards democracy in other post-communist societies, including Serbia. But some of its trajectories and patterns of change, including behaviour of the media profession in newly created setting are very similar to those in Serbia.

It is fascinating how some observations by Peter Gross about the role of the media and its correlation with politics during the Romanian transition sound so true, vivid and valid - like they were written with the Serbian case in mind. His book was published in 1996, four years before the downfall of Milosevic and the symbolic beginning of the Serbian transition, and in the seventh year of Romania's post-Ceausescu life.

Gross immediately warns that prognosticating on the outcome of such a process is never easy, especially in East-Central Europe, where transition is complicated by the unpredictability of current development and the ever-present volatile legacy of the past. He points out that the growth of the mass media in Romania has been spectacular, yet the quantity has not been matched by quality. His main remark goes along the lines that uncritical application of Western models of mass media and journalism in Romania, their societal roles and solutions to news media problems were problematical, and thus produced only marginal and limited success. Gross argues that existing studies of development and/or transition from traditional to modern (and mass media in particular), provide little help in understanding or explaining the actual process, neither give any coherent model for the post-communist societies.

In retrospect, there are many valuable lessons that can be learned from the Romanian case and Gross elaborates fifteen:

1) Undemocratic "democracy" is served by partisan journalism, a pluralism of opinions and little information. Here Gross argues that

understanding of democracy by the media owners, workers and political elites are not the same as in the West;

2) Mass media are not-so-important institutions. In this lesson, Gross acknowledges the importance of the media for the success of Romanian transition, but claims that the media can not be the single most important variable that affects the speed and nature of the process;

3) News media have been transformed from lapdogs to attack dogs. The need to simply inform, thus serving the notion of the watchdog or so-called fourth estate, was lost in the exuberance of freedom, in egos and in the zeal, anger and goals of emerging socio-political battles;

4) Attempts at defining journalistic responsibility and media roles by laws carry a sense of déjà vu. The Romanian example demonstrates that the debate over regulation and re-regulation in broadcasting is a controversial issue, rife with possibilities for manipulating radio and television. Academics from other post-communist countries, like Splichal (1994) and Jakubowicz (2005) demonstrate that these issues are common in all transitional societies;

5) Local media are more useful than national media. Here Gross argues that the race for transformation (and influence over) national media, made it impossible to shape them into truly democratic tools. This is unlike less developed and financially less attractive local media, which have great potential to claim a pivotal role in aiding the transitional process;

6) The wrong premises guided the introduction of Western journalism. The rush of Western aid, aimed at facilitating Romanian transition towards democracy, although well intentioned, was based on the false assumptions of aid-providers. They mistakenly thought that Romanians shared the same values of democracy, freedom of press and the way the media should operate. So the aid effort was designed to be more technical (in providing modern equipment) and to provide training for its use;

7) More is not better. A sudden avalanche of journalistic freedom and citizens' possibilities to obtain information from numerous sources does not automatically mean a better and more democratic society. It can create confusion and cynicism, rather than stimulate active citizenship.

8) Retooling is a family affair. Here Gross states that the re-education of the journalist profession for the new era of democracy had to go via an autodidactic method of trial and error, rather than through direct introduction of

western-style journalism practices;

9) Training is necessary for leaders as well as for the rank and file. Again, here are exposed the shortcomings of the many seminars and trainings provided by the West to editorial staff, and which failed to include the rank and file of the Romanian journalistic profession. Because of this, the old habits, biases, traditions and educational background of the lower level media workers prevailed over new values that were supposed to be introduced by the re-educated editors, producers and publishers;

10) Education of media consumers is also necessary. Another example of wrong assumptions made by those who went to help the Romanian transition: Audiences, not only media producers/workers, need to be developed and educated to absorb the newly expanded media output – both in political and commercial terms;

11) Employment insecurity and the absence of an elite press to serve as a standard make professionalism difficult. This lesson from Romania is another consequence of the explosion of the number of media outlets. The advent of freedom and number of job openings in the media do not stimulate nor value quality, but make the market of professional media workers rather a circus arena;

12) Technology does not improve journalism. Again, here we have a case that technology does not per se improve the quality of the media. The packaging cannot be confused with the content and even the poorly educated consumers can tell the difference. Technology certainly makes the process of gathering news more fast and efficient, but the content still must have priority and a certain level of quality;

13) The transitionary concept of the media is a mixture of many concepts. Since there is no coherent formula for how to conduct the transition of society, the method used in Romania was a mixture of methods, trial and error and experimentation. The only general characteristic was that the process was inevitable and slow, while its outcome was not certain;

14) The economic and management dimension of the mass media has been relegated to the back burner. The absence of educated and skilled media managers/operators made the process even more unruly and improvisational, with nepotism, amateurism and lack of organization common features. Such a reality - the lack of proper professional structures - within the

media outlets made the Western aid programmes even more difficult to be focused and adequately targeted;

15) The transition proceeded along well-known lines. Despite all of the above-mentioned shortcomings and problems, the media certainly contributed to the overall process - no more and no less than in similar post-communist societies. The variety in the level of achievements in different countries can only be attributed to their levels of development before they embarked on the road to democracy.

It seems that Gross is torn between embracing the tradition and culture of his native country in transition and the Western concepts/values of democracy and media that are gradually, but inevitably, assimilating Romania's media system and practice. From his work it is clearly visible that reconciliation of those two rather different and divergent value systems is the very core of the transition process. It is this rift between expectations of the West and the deeply rooted national identity and pride of Romanians that makes the process of transition towards democracy so controversial and painful. This is not only the case in Romania, but also in virtually every nation caught in the process. Forces of globalization and democratization (Giddens, 2002), however, seem to be working regardless of the expressed consent or resistance of the nations in question.

1.8 Summary Overview of the Literature

The literature discussed in the previous section provides analytical tools and frames, which represent the theoretical foundation of this research project. I believe that such selection of literature, no matter how subjective and focused on the Serbian case, could be referential for an inquiry about mass media and democracy in any contemporary society in transition. Perhaps one day this could be helpful when countries like Belarus, North Korea or Cuba embark on the transition path - being the last remaining outposts of the old communist world that has gradually disappeared since 1989.

By far the most valuable perspective, analytical frames and interesting field data/findings for researching transition of the Serbian media come from works

of two outstanding authors who originate from Eastern Europe, but have made distinguished academic careers in the West - Karol Jakubowicz from Poland, and Peter Gross from Romania.

In 2003 volume "Business as Usual - Continuity and Change in Central and Eastern Europe", which he co-edited with David Paletz, Karol Jakubowicz in the opening chapter attempts to summarize all theoretical approaches, debates and angles in discussing social and media changes in the aforementioned region of the world. From the very beginning Jakubowicz tries to navigate through many often over-lapping theoretical models of transition in general, critically evaluating the enormous body of literature and authors. Jakubowicz calls them schools of "transitology". After establishing that not one model can deal with the process of transition fully and completely (Wnuk-Lipinski, 1995, pp.14-15), Jakubowicz finally states that socio-psychological and institutional approach, as proposed by Leszek Balcerowicz (1996) seems to be particularly suited for examining the role of the media in process of transformation and change in the media themselves (Paletz, Jakubowcz, eds. pg. 23).

In the next part of the chapter Jakubowicz reduces many approaches to changes in the media to four main ones, and goes into detailed explanation:

1) Prescriptive / Normative Approach;
2) Functional Approach;
3) Comparative Approach;
4) Institutional Approach.

With the normative approach, Jakubowicz refers back to his earlier work from 1999:

> "*It has been rejected, resulting in confusion, as there is no real agreement between the political class, the media, and the general public concerning some aspects of media definitions, and as a consequence concerning normative media theory and the media regulatory regime. Because of this, the real patterns of media operation fail to satisfy just about everyone. The gap between theory and practice has turned the media into one of the many yet unsolved problems of*

transition."

In discussing the functional approach, Jakubowicz describes it as an element of the normative approach, which concerns itself mainly with defining necessary and desirable changes in the role which media perform in society. On the roles that the media perform in society, Jakubowicz points towards views of Jurgen Habermas, Peter Gross and Virginia Gheorgiu, among others. However, he warns that the actual performance of the media can result both in functional and dysfunctional effects in terms of all the roles or expectations elaborated by the aforementioned authors. The functional approach should take into consideration the assumed and expected functions / roles and those that the media perform in reality as a result of their actual performance. (Jakubowicz, 1999, pg. 29)

When comparative approach in transition of the media is used, a researcher uses two sets of circumstances, as a frame of reference. The most obvious is historical approach, comparing the media systems before and after transition. This one in particular is well suited for my research of the Serbian media in transition. If we define transformation of the media as a process, comparative approach could illuminate it from the starting point, until the chosen cut-off point. Jakubowicz summarizes this approach in the following way:

> "*The comparative approach would therefore consist in analyzing developments in Central and Eastern European media with a view to seeing which of these processes are at what stage of advancement and how they are unfolding*." (Jakubowicz, 1999, pg. 31)

Finally, Jakubowicz discusses the institutional approach towards media in transition. He points at McQuail's (1994) position, which views media institutions as operating at the centre of three overlapping areas of influence - economics, politics and technology. McQuail, as well as several other authors emphasizes the questions of ownership and media economics, and their impact on the media operations. This is in line with the eminent Polish economist, politician and academic Leszek Balcerowicz (1996), whose institutional approach applied on transformation of the media system requires three things: a general overhaul of the legal framework, a general change of

institutional structures and finally promotion of new institutionally determined social mechanisms - that is a process of social communication in conditions of freedom of speech and of the press. Hamelink (1995) correctly notes that institutional approach towards changes of media system requires a rather large body of law and regulation.

The logical question that needs to be addressed after considering approaches to transition of media systems is when transition is over. Jakubowicz responds that it depends on the definition of the process of transitions and its goals (Jakubowicz, 1999, pg. 35). And depending on the approach one had chosen, the answer to this question has several variations. It seems fitting to start with the Balcerowicz's (1996) definition of transition as a "*shift from one stable state of society to another potentially stable state.*" However, once a new stable state of society and the media has been achieved, no matter what such state is, as Jakubowicz notes, transition will be over. At that point what needs to be evaluated is the difference between the old system and the new reality, while measuring the remaining distance from the ideal model envisaged in the original chart of changes (Jakubowicz, 1999, pg. 39).

In the previous section of this literature review, I have discussed and extensively quoted from Peter Gross' 1996 book "Mass Media in Revolution and National Development: The Romanian Laboratory", which analyses early phase of transition of the media system in Romania. I chose to do so since the social and cultural background, as well as political culture of Serbia were very similar. Therefore, the Romanian experience is relevant and applicable in the Serbian case much more than reflections and results from any other former East European country, including experiences from Slovenia and Croatia, who had also emerged from SFR Yugoslavia. At this point I would like to move onto Peter Gross' later work, "Entangled Evolutions - Media and Democratisation in Eastern Europe", which attempts to summarize[20] complex relations between media, civil society, political culture and democratization throughout former Eastern Europe after more than a decade from the start of transition.

20 I would not dare to use here word "theorize" instead.

> "*In the historical blink of an eye represented by the first post-communist decade, the media of Eastern Europe did not live up to their expected role as appropriate, effective facilitators of democratization. Yet, despite their less-than-professional journalism, their systematic, personnel, and legal problems, and their failure to conceptualize a well-defined and commonly accepted role, they registered progress on all fronts, from informing and facilitating political change to moulding public opinion and setting agendas.*" (Gross, 2003, pg. 158)

Peter Gross is sceptical about outlining typologies and theorizing on transformation of the media in Eastern Europe 1989-2000, as well as prognosticating, or perhaps speculating on their future development. He correctly notes that such typologies and prognostications are all reasonable and predicated on particular visions of political, social, legal and economic evolution. However, Gross underlines that all of them are derived from Western perspective (Gross, 2003, pg. 168)

He goes on to conclude that the on the road to achieving the ideals of liberal democracy - something implicitly assumed, but as we have seen vigorously questioned by authors like Sparks (2008) - as the goals of transition, the main impediment may be countries' non-democratic political cultures, and inability or refusal of their political and media leaders to provide the necessary leadership (Gross, 2003, pg. 170).

Gross' book, based on a wealth of field material - interviews with journalists and politicians, sociological and political data from national surveys and media audience studies - ends in a conciliatory tone, and with strong accent on the value of individual and societal freedoms achieved, which the media need to promote no matter in which country they operate:

> "*The media should reflect and serve their "imperfect" democracies, animated by idealism, but without illusions, prizing individual and societal freedom above all else*." (Gross, 2003, pg. 174)

No matter how different in scope, methodology and topics, the reviewed

books provide possible answers to many controversial and debatable issues that arise during transition process. In shaping own process of media transformation, newly emerging democracies like Serbia can certainly draw on many intellectual sources: Splichal's thorough understanding of East-European culture; tradition and institutions before and after the transition; historical developments of American citizenship, so vividly elaborated by Michael Schudson; current historical accounts of the transitional process in the region as impeccably analyzed and contextualized by Timothy Garton Ash; on very cosmopolitan and universally applicable theoretical considerations of John Street. Hallin and Mancini's typology and four dimensions provide a researcher with tools to compare their subject of study with other cases - establish and put in perspective similar and divergent features.

Jakubowicz's writings on nature of the transition process in Eastern Europe and comprehensive discussion of many different angles, theoretical positions and options that one can use are of unprecedented value for a researcher. Finally, Gross’s account of the changes in Romania and the role of the media in transition perhaps have the greatest relevance for Serbia - as much as his general overview of entangled evolutions that media transitions truly are.

2. ANALYTICAL FRAME OF THE RESEARCH

Before I turn to the actual research work and contextualization of the collected field material, it is necessary to address several theoretical concepts/notions that will be used throughout the work. Some of them are controversial and continuously debated in academic literature, but without engaging in such debates, I need to put forward workable definitions of such concepts, which are used in my research. Otherwise, the whole research edifice is standing on the shaky ground without a proper foundation. By clarifying these notions in advance, they become assumptions on which a researcher can base his work, without having to endlessly discuss them, focusing the actual work on the concrete subject matter. And finally, it is also necessary to establish analytical

approach towards the research topic, since several possible angles may be used.

2.1 Democracy, Transition and Political Culture

One of the most controversial and contested notion in political science is democracy. As George Orwell (1940) has cynically noted, "*Those who wish to defend a regime, whatever its nature may be, will call it democracy*". Democracy as self-description has been claimed by all sorts of societies, from the countries of the West, to the socialist republics of the former Soviet Union and present day China (Scammell, 2000).

After reviewing many competing definitions of democracy, I would define it as a political system (or type of government) either carried out directly by the people (direct democracy) or by means of elected representatives of the people (representative democracy). This would be a type of institutional definition - linking the notion of democracy to a system, which is a set of institutions. Even though there is no specific, universally accepted definition of 'democracy' (The Economist, 2007) there are two principles that most definition of democracy include. They are equality and freedom, according to the Greek philosopher Aristotle (2009). These principles, as reflections of democracy, are observed if all citizens are equal before the law, and have equal access to power, and freedom. As such, they are secured by legitimized rights and liberties, which are generally inscribed and guaranteed by a constitution (Dahl, Shapiro, Cheibub, 2003).

In the most simple and conventional sense, democracy is deemed to be a political system in which majority of given population exercises power, argue Raboy and Dagenais (1992). However, they also suggest a different approach: Democracy can be considered as a set of values which include equality, social justice and political mechanisms for people to participate meaningfully in making the decisions that affect their lives. All of these values, virtues and entitlements of citizens to meaningfully participate in governing their own state were denied to citizens living in former communist countries, or dictatorships.

These states (dictatorships) were run by one monopolist political party, group or individual in authoritarian way. In an authoritarian political system, majority of citizens were excluded from participation in political life. This is also the reason why people living under dictatorships had legitimate grievances against their rulers and eventually rose against such unjust political system and the individuals who governed them.

There are several variants of democracy, according to Nordenstreg (2000):

a) Direct or participatory democracy based on active citizens and republican government;

b) Liberal or representative democracy based on elected officers pursuing the interests of citizens;

c) one-party democracy based on a pyramid structure of delegative relationships;

d) Cosmopolitan democracy, going beyond the nation state and extending to regional and global levels.

The second variant (b) refers to most cases of democracy in operation today. (Jakubowicz, 2007). It is usually referred to as liberal democracy. The term "liberal" in "liberal democracy" refers to adherence to the ideology of political liberalism (Wiredu, K., Abraham, W.E., Ifeanyi, A. I. 2006). Liberal democracies feature constitutional protections of individual rights from government power (Blackwell Dictionary of Modern Social Thought, 2003, pg. 148), which were first proposed during the Age of Enlightenment by social contract theorists such as Hobbes and Locke.

Many use the phrase "democracy" as abbreviation for liberal democracy, which may include additional elements such as political pluralism, equality before the law, the right to petition elected officials for redress of grievances, due process, civil liberties, human rights, and elements of civil society outside the government.

With democracy defined in terms of values, in addition to a mere political system (technical organization of governance) in a certain country, we can

now move on to describe what is the true content and meaning of post-communist transition, including the Serbian case.

Transition can be formulated as the process of institutional and legal transformation from one form of governance (socialist/communist dictatorship) to a new one, which is called democracy. If we accept such formulation, democracy becomes the final station, or goal of the transition process, with its characteristics, both in institutional sense and in terms of values that the notion represents.

Most of the authors, who belong to the "transitology" school, focus solely on the political dimension of the process. They judge the process of transition by measuring how far along the imaginary trajectory towards democracy a country in question has advanced (Sparks, 2008). However, the critics of such simplified view of transition note that the process is far more complex, affecting not only the political system of a country in question, but its social fabric too.

If we try to dissect the content of the transition process, it has at least two distinct layers: one is political, which is commonly referred to as democratization, and the second one is economic, usually referred to as marketization. As a consequence, the original "transitology" paradigm, based solely on political component of the process, had to be amended to incorporate the economic dimension, too. This led to conclusions that these two parallel layers are interdependent and even theoretically impossible to separate (Przeworski 1991). In that direction, the revised "transitology" paradigm calls for evaluating certain country's progress towards democracy through measuring its achievements in democratization and marketization - as two inseparable and directly dependent components of the overall process.

As Karol Jakubowicz (2007) correctly notes, extensive literature on relationship between democracy and the media focuses on what could be described as chicken-and-egg question - whether it is the evolution of democratic institutions that enable free media, or whether it is free media that are precondition for meaningful transition to democratic institutions. Margaret

Scammell (2000) comments that media inquiry relies overwhelmingly on the classic liberal conception of democracy, but democratic theory rarely addresses the role and functions of media. Scammell stresses that the roles/functions of the media are the key components of the democracy and media relationship. The three principal roles of the media in democratic state are informational, representational and watchdog. She then puts forward several models of democracy, pointing out that each has different requirements (or perhaps expectations) from the media. Scammell follows typology of ideal models of democracy devised by David Held (1995):

- Classic liberal;
- Direct democracy (socialist);
- Competitive elitism;
- Pluralist;
- Neopluralist;
- Libertarianism (New Right);
- Participatory democracy.

Each of the above models of democracy has a corresponding set of media duties.

According to Scammell, an informational role for media exists in all democratic theory and models, and there is no argument about this. Certain variations in informational duties exist in connection with the manner of representation in democracy. In general, the more direct the democratic system is, the less the need for media to perform tasks of representation. Participatory models stress the media's informational role more than others. However, various models of democracy and theories differ when discussing the watchdog duty. At this point, I would not go into further discussion of various types of democracy and role of the media, only acknowledging the most important theoretical standpoints and treating them as base assumptions on which my research is standing.

A leading critic of the transitology school of thoughts, Colin Sparks (2008), argues that it fails to provide a satisfactory account of political and economic development, either at the general level of political science, or in the narrow field of media. As evidence for such claim he puts forward cases of Poland,

China and Russia, where transition developments have been different. First of all, the happy ending - liberal democracy reminiscent of political systems in "originator countries"[21] - is not a guaranteed outcome of the process. Then the two aspects of the process, democratization and marketization, do not necessarily advance at the same pace, nor have to be interlaced. Cases of improvement and deterioration in the overall process and in its separate segments are possible and have been evidenced. Authors like Carothers (2002) demand that theory and practice need to accept that unfinished transitions, or middle ground between authoritarian past and developed democracies, are the most common political condition of former Eastern bloc countries and in the developing world.

As an alternative to the mainstream (or "transitology") thinking about transition of the former Eastern European countries, Sparks offers own "Theory of elite continuity". It starts from social and economic factors, and considers the political arrangements as simply one mechanism for the exercise of social power amongst several. Sparks (2008) early on expressed a view that:

> [*...the events in Central and Eastern Europe in 1989 constituted political revolutions, but that they did not constitute social revolutions since the same institutions (police, army, broadcasting, etc) continued in the new order, and there was a strong continuity in personnel. On this basis, it was argued that the events could best be seen in terms of elite continuity and that the political revolution was necessary in order to create the conditions that allowed the old collective bureaucratic elite to transform itself into a new, individually property-owning, elite (in other words, a classical capitalist class).*
>
> *The political revolution, by allowing a plurality of parties in all cases, and what is unquestionably an electoral democracy in many cases, permitted the use of political power to transform state property into individual property, either through legitimising previous act of appropriation, granting exclusive and lucrative rights to individuals, or through privatization schemes that favoured the existing elite.*] (Sparks 2008)

21 By "originator countries" the author primarily means USA and Western Europe

Institutional continuity in most transition countries, as one of the principal pillars of the elite continuity theory, is easily evidenced and visible. This is especially true with the media. Influence over state-owned broadcasters, like RTS in Serbia, remained essential to the political system, and the key print media, like dailies Politika and Novosti, which kept substantial share of the market and circulation numbers. At the end of this research, we will see if the theory of elite continuity is adequate to explain the outcome of the Serbian media transition.

According to Price and Krug (2000, pg.4), "*at some point in every transition, a free and independent media sector is vital*." They go on to demonstrate that prerequisite for such media sector is what they call "*an enabling environment*", made of extensive legal framework to safeguard the freedom of the media, but before anything else commitment to the values of democracy and free media. They correctly underline that the law alone, or assistance (of material or intellectual kind), hardly ever play role in determining if the media are independent, pluralistic and free. What defines the outcome is a close interaction between legal-institutional and socio-cultural factors, interplay between legal norms and how they are interpreted and implemented, how they are respected and received (Price and Krug, 2000, pg.6). Good media regulations on their own do not create enabling environment. What Price and Krug *de facto* suggest is that successful transition, including reform of the media systems as precondition and key component of democracy, directly depends on favorable environment, or how I prefer to call it - political culture.

Here we need to briefly address another political science's eternally debated concept/paradigm - political culture. British author Dennis Kavanagh (1993) defines political culture as *"A shorthand expression to denote the set of values within which the political system operates"*. American political scientist Sidney Verba (1963) who first introduced this notion into academic debates, describes political culture as a "*system of empirical beliefs, expressive symbols, and values, which defines the situation in which political action takes place*." According to Lucian Pye (1995, pg. 965-969), political culture is how we think government should be carried out. It is different from ideology

because people can disagree on ideology, but still have a common political culture.

According to level and type of political participation and the nature of people's attitudes toward politics, Gabriel Almond and Sidney Verba (1963) outlined three pure types of political culture:

a) Parochial - Where citizens are only remotely aware of the presence of central government, and live their lives near enough regardless of the decisions taken by the state.

b) Subject - Where citizens are aware of central government, and are heavily subjected to its decisions with little scope for dissent. In general, this type of political culture is congruent with a centralized authoritarian state structure.

c) Participant - Citizens are able to influence the government in various ways and they are affected by it. The individual is oriented toward the system as a whole, to both the political and administrative structures and processes. This variant of political culture is congruent with a democratic political system (order).

From the preceding considerations of political culture, it transpires that each democratic society as the whole, with all actors and institutions that participate in political life, need to have certain shared beliefs and values about how the system should function. If we briefly return to the value-defined notion of democracy (Raboy, Dagenais, eds. 1992), which include equality, social justice and political mechanisms for people to participate meaningfully in making the decisions that affect their lives - then we see the symbiotic connection between these two notions. Of course, in authoritarian states, the political culture is not shared by all the actors involved in political life, but instead is imposed from above by those who hold reins of unconstrained power. Going back to the transition paradigm, it becomes clear that transformation of state and society from authoritarian into democratic, requires not only legal changes and development of (missing or inadequate) institutions, but also adoption of same or similar values of democracy - or participant political culture - by all individual and collective actors involved.

I will leave here this brief overview of democracy, transition and political culture concepts with words by Peter Gross:

> "*To become stable democracies, the nations of Eastern Europe must transform themselves by adopting certain beliefs, attitudes, habits, behaviors and values universally essential to the birth and sustenance of democracy.*" (Gross (2003, pg. 3)

2.2 Institutional Approach Towards Serbian Transition

The final undertaking of this researcher before actually submerging in the ocean of field data and evidence is to choose an approach or angle, which is appropriate for analysis of transition of the Serbian state and its media system from 2000 until 2006. If we postulate that the process of transition begins with change of governing structure through parliamentary election, it follows that legislative work of the new parliament should be viewed as a path to achieve changes through the existing institutions.

In the case of Serbia, it took the opposition political parties more than 10 years of participating in deficient elections, rigged and manipulated by the authoritarian regime, before they could finally take over power. From the very beginning of this struggle, the accent was on institutional change of power (through elections), as opposed to violent overthrow of the regime through popular revolution.

Symbolically, the final drop that overfilled the glass was the extraordinary federal (presidential and parliamentary) elections, called more than a year ahead of schedule for 26 September 2000. In the run-up to the election, Milosevic once again chose to use many times successfully tested strategy of monopolizing all the state institutions and misusing the state media for manipulation and propaganda. Much to the regime's surprise, such strategy could not work any more. Labelling the opposition as traitors and paid agents of NATO, who had bombed Serbia the year before, sounded ludicrous to a great majority of Serbian citizens, and even to those who had early on

supported Milosevic's nationalism that detonated the ex-Yugoslavian conflicts in 1991.

After surviving 77 days of NATO's bombing campaign in 1999, which was preceded by a decade of lost wars, economic calamity, international economic sanctions and state-generated hyperinflation, the citizens of Serbia could not tolerate more lies and propaganda that the Miloseic's media shamelessly carried. The citizens supported the united opposition DOS in such overwhelming numbers, that no rigging, or false counting could save the old regime. When Milosevic refused to acknowledge loss of the elections, the people took it to the streets and ousted him.

However, this was not a case of revolution, but a form of negotiated power transfer, which took place when the Milosevic's security apparatus decided to abandon him and secure for themselves new lease of life at the dawn of a new era (Bujosevic, Radovanovic, 2003).

The takeover of the federal institutions[22] was soon followed by the extraordinary republican parliamentary election in December 2000, which the united anti-Milosevic front DOS won in an overwhelming manner, with capture of 176 out of 250 seats in the chamber. This time DOS had adequate access to the media during election campaign, as well as the control over counting of ballots. So this was the final part of a legitimate and institutional transfer of power, which symbolically marked beginning of the transition process in Serbia. The old legal and institutional system was taken over by the new political forces that promised urgent structural reforms, but did not opt for revolutionary abolishment of it.

With the overshadowing legacy of dictatorial regime in Serbia since the end of Second World War, it is quite clear why using institutional approach seemed to be the only choice for political forces that presented themselves as "democratic". However, institutional and legalistic approach towards

22 Office of the Federal President, Parliament and Government.

transformation of the Serbian state became a mockery, when the victorious DOS coalition immediately started to fragment - and the work on transition became hostage of daily political bargaining and trade offs.

2.3 Definition of 'Institution'

At this point it is necessary to define what an institution is. As Peters states, the word institution is loosely used in political science to mean everything from a formal structure like a parliament, to very amorphous entities like social class, with other components of the socio-political universe, such as law and markets, also being defined as being institutions. In sociology it is often used interchanging with the term 'organization' (Peters, 1999, pg. 283).

March and Olsen have a different definition of institutions. According to them institutions should rather be understood as a collection of norms, rules and understandings, and perhaps most importantly routines. They define institutions as:

> *"Collections of interrelated rules and routines that define appropriate actions in terms of relations between roles and situations. The process involves determining of what the situation is, what role is being fulfilled, and what obligation of that role in that situation is"* (March, Olsen, 1989, pg. 21).

Reform of institutions or building of new and better social, political and economic institutions is generally considered to be the central problem that transitional societies face, as they emerge from their post-authoritarian and post-communist pasts. Institutions establish standards, both normative and cognitive, as to what is considered normal, what must be expected, which rights and duties are attached to which positions, and what makes sense in the community or social domain to which an institution is answerable (Grubovic, 2006).

Serbia, within former SFR Yugoslavia, was characterised by domination of state-controlled economy and single-party political system until late 1980s. The 1990s, after demise of SFR Yugoslavia, were characterised by a very different economic and political environment, which failed to develop either democratic political institutions, or market institutions. Indeed, that period was a specific form of post-modern dictatorship (Prodanovic, 2000), which was different from any other in the world. The main characteristic of this system was gradual weakening and decay of the existing state institutions and transfer of power from state institutions to private hands.

Offe argues that institutions play two major roles - perceptive and functional. The perceptive role means that "*good citizens make good institutions, and good institutions are 'good' to the extent they generate and cultivate good citizens or the 'better selves' of citizens, who at least get 'used to' and 'feel at home' in those institutions, develop a sense of loyalty, and come to adopt the cognitive expectations and moral intuitions from which the institutions themselves derive*" (Offe, 1996, pg. 200).

The functional role of institutions is called 'congruent socialisation', which assumes that institutions will function properly. If institutions are established properly and widely supported, they 'fly by themselves, due to the invisible operation of an autopilot' (Offe, 1996, pg. 200). Furthermore, Offe argues that both those function are necessary as criteria for the existence and viability of institutions, internal socialisation and external effectiveness, or the consolidation of beliefs, on the one hand, and purposive rational or strategic action on the other.

Stability of institutions, however, comes at the cost of rigidity (Offe, 1996). Democracy can only work under a framework of rights that are protected by independent courts, and must be immune from own contingencies. Crucial problem of transition from communism in former Eastern Europe is the lack of necessary rigidity for stability of institutions. Regimes that attempted to enforce such rigidity have broken down, and there is too narrow scope for

reasoned choice, as every actor has strong reason to believe that it cannot rely on institutional parameters, since they are subject of sudden changes.

According to Offe (1996), there are two major factors that create institutional stability. The first is a degree of freedom that institutions leave to individual behaviour and choice, and the more liberal the regime those institutions impose upon agents, the less vulnerable they will become to disloyal or attempted innovation. The other stability factor is the mechanism that institutions have in the form of rules for changing institutions (Offe, 1996). In Serbia, both of the conditions necessary for institution stability had not been fulfilled. There was neither freedom of choice, nor mechanisms for institutional protection (Offe, 1996). However, the success of newly built institutions is likely to depend more on people's trust, compliance, and patience in enduring the transition costs involved, than in the quality of those institutions themselves.

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CHAPTER 2

THE FALL OF TV BASTILLE
HISTORY OF RADIO TELEVISION SERBIA 1987-2000

2.0 INTRODUCTION

The state broadcasting corporation, Radio Television Serbia (RTS), had a dominating position among all the electronic media in Serbia long before the last communist ruler Milosevic rose to power in 1987. In this chapter I examine the role of RTS during the 1990s, when it functioned as the old regime's "iron fist", its gradual moral and professional decline and instrumentalization. In the subsequent chapters, I will discuss the need of institutional and legal transformation of RTS into a modern, public service broadcaster, following the change of regime on 5 October 2000. Choosing the appropriate model which fits the concrete circumstances and political environment was pre-requisite for such thorough reform. Achieved results, problems encountered and actors involved in transformation of RTS are discussed in subsequent chapters.

Although the great winds of change in 1989 swept through the whole former Eastern block in almost domino fashion, these colossal historic events had a rather different impact on former Socialist Federal Republic Yugoslavia (SFRY). Immediately after the fall of the Berlin wall, almost all former Warsaw Pact countries embarked on the road of transition towards democracy, while SFRY, formerly an example of a moderate and successful socialist country, non-member of the Warsaw Pact, disintegrated and completely collapsed in 1991. In the aftermath of such events, several new countries emerged: Slovenia, Croatia, Macedonia, Bosnia & Herzegovina. Serbia and Montenegro stubbornly held on to the name Yugoslavia and became a two-member federation, which survived until 2003. The emergence of new states from SFRY was not peaceful and democratic, but a rather tragic and dramatic process, which engulfed the region in series of civil wars, huge loss of human lives and suffering, along with material damage of monumental proportions (Lazic, 1994).

I chose to research Serbia and its media system for several reasons. Apart from being unique in comparison to other post-communist countries in transition, Serbia is the largest state of ex-Yugoslavia, with central geographical position, largest population and a great number of ethnic Serbs living outside its borders.[1]

Dispersion of Serbs outside Serbia and concern for their post-Yugoslavian fate was the reason why the Serbian state, instead of having a peaceful divorce with former federal partners, opted for the use of force in settling the outstanding issues.[2] Disputes and even armed conflicts ensued.[3] This messy "divorce" between former SFRY member-states, provinces and nations came to its final step with still controversial independence of Kosovo in 2008. The process of SFRY's decomposition took 17 years to complete.[4] However, the rights and wrongs of this highly politicized and acrimonious process are not part of this research, although understanding its complexity holds the key to exploring the transition of Serbia and its media - how they functioned during turbulent 1990s and later after the 5 October 2000 changes.

It was rather predictable and obvious that the transition in Serbia (including its media system) could not be fully completed in a rather short period after the change of regime in 2000. For example Slovenia, a very advanced post-socialist country that started its transition as early as 1991 and in May 2004 became a full member of EU, still has not completed the process of transforming its media system. In 2005, a state referendum was held in Slovenia to determine the future of its public service broadcaster.

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1 Serbia with its two autonomous regions Vojvodina and Kosovo made up approximately 40% of former SFRY in terms of territory and population.

2 A peaceful dissolution of a former federal state took place in Czechoslovakia, which became the Czech Republic and Slovakia.

3 In June 1991 Slovenia declared its independence from Socialist Federal Republic Yugoslavia and by the end of that year gained international recognition, alongside Croatia, Bosnia and Herzegovina and Macedonia, who also opted out of the federation. Such exit from the federation wasn't peaceful, but rather triggered series of inter-ethnic clashes and civil wars, which took international community several years to contain and stop.

4 Following the 1999 NATO military intervention against FR Yugoslavia, the Serbian autonomous province Kosovo was put under UN protectorate. In 2008, with the support from major Western countries, Kosovo declared independence, against protests of Serbia. This is the last remaining episode of disintegration of Socialist Federal Republic Yugoslavia.

Established as a state-owned (and party controlled) propaganda outlet, RTS had more or less similar history, practice and development as other Eastern European state broadcasters until the fall of the Berlin wall. Other republican broadcasters in SFRY also functioned along the same lines and principles (Djoric, 2002). One cannot say that party-controlled broadcasting system was democratic, since it never gave opposing views and political forces any room. Oddly enough, apart from political affairs, in many ways RTS produced content normally associated with genuine public service broadcasters: quality educational and scientific programs, ethnic minority programs, non-commercial dramas, national heritage features, culture and classical music. RTS was well financed through mandatory subscription, equipped with modern hardware, and employing educated and competent staff in every department - from news, network of regional correspondents and facilities, to production, advertising and market research units. RTS did not have any competition from private (or other government-owned) broadcasters. (Djoric, 2002)

Each of SFRY's six republics had their own state broadcasters, with RTV Novi Sad and RTV Pristina (in Serbia's autonomous regions Vojvodina and Kosovo) working as sub-divisions of RTS. On the federal level there was no central broadcasting company, but only Yugoslavian Radio Television (JRT) as an association of republican broadcasters, with no original programming, nor own transmitters. JRT was used for purchase of international programming (especially sport and entertainment events) distributed in all six republics, and for representing the whole country internationally. The only domestic JRT program was annual choosing of the Yugoslavian entry for the Eurovision song contest, hosted and produced every year by a different republican broadcaster.

Because of such dominant position that RTS held, its transformation into a public service broadcaster can be viewed as the central issue of the whole media sector reform in Serbia. In the same manner, transformation of RTS into public service broadcaster was also one of the key reflections in overall transition of Serbia towards democracy. For the Serbian opposition (citizens, political parties, non-governmental organizations and civic groups, emerging independent media sector) RTS throughout Milosevic's rule (1987-2000)

represented the main symbol of tyranny and instrument of governance, whose main function was state propaganda and lies. As Natasa Milojevic noted in the interview for this research:

> *"Regardless of the personality of the ruler, or the period of rule, the media in Serbia were means of governance used by the governing structure... If the question is whether the media are tool of governance, or preserving the power, the answer is both."*

Similar to other East European countries, opposition and pro democracy circles in Serbia towards the end of 1980s transformed into newly established political parties.[5] All of them aimed their criticism at ruling Socialist party's monopoly over RTS, and derided its Belgrade headquarters at no. 10 Takovska Street as "TV Bastille". This was done in remembrance of the French revolution, when on 14 July 1798 the disenfranchised citizens took over the Bastille fortress, overthrowing the king and abolishing dominance of the gentry. "Reformed" Serbian communists[6] in the shape of Milosevic's newly established Socialist Party of Serbia (SPS) formally allowed multi-party system, but never relinquished control of RTS.[7] Such strategic advantage over political competitors enabled them to keep the power even after the first multi-party elections held in 1990.

2.0.1 Orwellian Years (1990 - 1995)

The first massive anti-Milosevic demonstrations in Belgrade took place on 9 March 1991, when tens of thousands of citizens gathered on the Republic Square and marched on TV Bastille, demanding the resignation of RTS general manager Dusan Mitevic. At that time SFRY was still a functioning entity, and Milosevic (president of Serbia) asked the president of SFRY (Borislav Jovic) to

5 First political party to be formally registered in Serbia, after the communists lifted their political monopoly after the fall of Berlin wall in 1989, was Democratic Party. Many others quickly followed.

6 After the fall of the Berlin wall, Milosevic realized in 1990 that he must change the name of his party form Communist Alliance of Serbia into less suspicious sounding Socialist Party of Serbia (SPS).

7 In September 1987 Milosevic became President of the Communist Party of Serbia, but later took state functions/titles, like president of Serbia, and president of FR Yugoslavia (1997-2000). He remained president of SPS until death in 2006.

authorize use of federal armed forces (JNA)[8] against demonstrators. With approval from other federal presidency members from Slovenia, Croatia, Bosnia and Herzegovina, Montenegro and Macedonia, an elite JNA tank unit assisted the Serbian police to dispel the protests with brute force, tear gas and water cannons - at the price of two lost lives, hundreds of injured, dozens of arrested protesters and great material damage to the city of Belgrade. (Lazic, 1994)

In subsequent disintegration of SFRY, which started only a few months later in June 1991, when Slovenia[9] and Croatia formally declared independence, JNA had the role of a major perpetrator The history of conflicts in former Yugoslavia (1991-1995) always associated JNA with Milosevic and Serbia, although very few accounts mentioned that the citizens of Serbia and its capital Belgrade were the first victims of JNA's "patriotic work", before the arms of people's army were aimed at other non-Serb nations of former SFRY.[10]

TV Bastille (RTS) under Dusan Mitevic's[11] direction followed the old communist tactic in covering the mass unrest: Initially RTS chose to ignore the events in its news programs. Only with a great delay it was reported that several hundred anti-state protesters had illegally gathered in Belgrade and that the state organs reacted in an appropriate manner to restore order and apprehend the culprits.

According to RTS, hooligans and thieves who used the opportunity to commit

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8 JNA stands for Yugoslav People's Army, which was under federal jurisdiction. Its command structure (General Staff) was always carefully balanced between generals hailing from all Yugoslavian nations.

9 The political leadership of Slovenia and intellectuals circles realized that SFRY is not going to be transformed into democratic post-communist country in early 1980's. For many years, they were proposing political reforms that were refuted by conservative communist leaderships in all other Yugoslavian republics. Because of that, the Slovenians carefully prepared a reserve scenario - secession from SFRY. Appearance of Milosevic only reinforced them in pursuing this plan and made it achievable much quicker than anyone could have dreamed of.

10 Slovenian and Croatian declarations of independence from SFRY in June 1991 initiated short but bloody period of armed clashes between Slovenian and Croatian authorities and JNA, which suddenly became regarded as occupying force on what once was its home territory. A temporary cease-fire agreement was signed, leading to the September 1991 conference in London, where former British Foreign Secretary Lord Peter Carrington tried to find a lasting and peaceful solution for disintegration of SFRY. However, due to inability of the European Union to handle major crisis, along with US lack of interest in this matter, led to failure of the conference and eventually to collapse of Bosnia and Herzegovina in 1992 and three-way civil war that lasted until the end of 1995.

11 Mitevic was previously a journalist/reporter with RTS political news department and editor of the main evening news, rising to the position of general manager as a high-ranking member of the Central Committee of the Communist Alliance of Serbia. From 1987 until 1991, he was also a member of Milosevic's inner circle of advisers.

burglaries and theft headed the protesters. Even Milosevic realized that such Orwellian news coverage of the mass protests in Belgrade were only irritating the citizens and doing more damage to his case. So in a few days after the protests, Mitevic was replaced at the helm of RTS by Milorad Vucelic, a leading journalist and nationalist intellectual from the weekly magazine Nin. He went on to become Milosevic's close friend and vice-president of the Socialist Party of Serbia. Vucelic's way of handling RTS was even more ruthless and propagandistic. RTS became the chief instrument of intolerance, war mongering and nationalism during the 1991 - 1995 civil wars in former Yugoslavia.

Vucelic did not come from the "old communist" stock, but was rather a modern, shrewd operator. He master-minded Milosevic's (fake) makeover from the communist apparatchik of the 1980s into post-communist 1990s leader, quasi-democrat and protector of the Serbian nation and its interests - endangered by illegal secession from SFRY by former federation members Slovenia, Croatia, Bosnia and Macedonia. TV Bastille was not only the key instrument in this transition, but remained the main ideological tool of the regime. After secession of former SFRY republics, TV Bastille stirred, fuelled and directly incited ethnic conflicts outside Serbia (Croatia and Bosnia) in order to legitimize itself. Curiously enough, the sacked RTS director Dusan Mitevic went on to become one of the key anti-Milosevic figures. (Djukic, 2001)

Slobodan Milosevic (1941 - 2006) came to power in September 1987, and ruled Serbia until 5 October 2000. His rise and fall was closely related to the (mis)use of the media. Milosevic seized power by removing his party mentor Ivan Stambolic through a carefully planned inter-party coup in September 1987 (Doder and Branson, 1999).

A crucial point in this was prior installation of his loyalists as directors/editors-in-chief of state-owned media apparatus. Radio Television Serbia (RTS) was its “crown jewel”, along with the two most influential state-owned newspaper-publishing companies, Politika and Novosti. Once Milosevic controlled the media - he could discredit Stambolic in public and his subsequent removal was

only a technicality. "Manufactured" and planted news stories and editorials in Milosevic's media prepared the ground for his ruthless move against moderate and widely respected reform-oriented communist leader Ivan Stambolic.

Thirteen years later, when Stambolic was considered as a possible opposition candidate to stand against Milosevic in 2000 presidential elections, he was abducted and savagely murdered by the members of the Milosevic special police unit. His body was found only in 2003, when the members of the special police force were arrested following the assassination of Prime Minister Zoran Djindjic.

At the core of the Serbian Communist Party infighting in 1987 was the debate on the Kosovo problem. Kosovo is a Serbian autonomous province where inter-ethnic relations between Albanians and Serbs were tense and uneasy even during blissful Titoist years (1945-1980), long before Milosevic appeared on the political scene. Stambolic advocated a conciliatory, diplomatic method and cooperation with other SFRY republics in treating Kosovo, while Milosevic was proponent of heavy-handed approach, based on use of force (police and military). The moderate leaders of the Serbian Communist Party Ivan Stambolic and his associate Dragisa Pavlovic, who pleaded careful and non-violent approach in handling the Kosovo problem, were removed by Milosevic and his hard line supporters. It turned out that bullying was not an acceptable method not only for Kosovo, but also not for touchy inter-republican relations within SFRY. The political rise of Milosevic actually coincided with demise of SFRY. (Doder and Branson, 1999).

In the new post-cold war realities following the fall of the Berlin wall, the old multi-ethnic, multi-religious federation SFRY, needed thorough political and economic reforms to survive. However, despotic, nationalistic and heavy-handed Serbian leader Slobodan Milosevic was not an acceptable and trustworthy partner for other Yugoslavian republics and their leaderships, especially because they had their own legitimate aspirations and agendas. Moreover, his towering figure and influence over the Serbian minority in Croatia only generated the tide of nationalism in the second largest Yugoslavian republic, and eventually led to the election of another former communist-turned

extreme nationalist Franjo Tudjman as president of Croatia in 1990.

Democratic reforms with a promise of economic prosperity were proposed by the last elected prime minister of SFRY Ante Markovic (1988-1991). His work was a last minute attempt to salvage the faltering federation and it did not succeed. Not only Milosevic, but also Croatian president Franjo Tudjman and Slovenian president Milan Kucan also opposed Markovic's plan to save SFRY, although each for his own reasons. Milosevic wanted to save SFRY, but on his own terms and under his domination.

In his effort to foil Milosevic's monopoly over RTS, in 1990 Federal Prime Minister Ante Markovic initiated the start of YUTEL - a federal television news program independent from political input of the Yugoslavian republics and leaders.[12] Unfortunately, this was a short-lived effort, since YUTEL was soon forced to move its premises from Belgrade to Sarajevo and broadcasting time to very late hours (Carole, 1998).

It was the media, and especially RTS, that paved the way for Milosevic to become the Serbian leader. However, during 13 years of Milosevic's rule the political and media environment in and around Serbia dramatically changed. First, monopoly of the Socialist party was broken with emergence of the opposition parties, and Milosevic's credibility was severely dented when he could not prevent the demise of SFRY, but rather accelerated it. Second, the majority of Serbian citizens initially supported armed conflicts with its former partners in SFRY in which Milosevic drew in Serbia with his nationalistic rhetoric - but only briefly. The citizens quickly realized that their sons, husbands and brothers were being sent to fight and die in now foreign countries, for unnecessary, unclear and wrong reasons. Additionally, a dramatic drop in the standard of living was the price that the citizens had to pay for these wars.

12 YUTEL program was produced by a group of experienced political journalists and editors from all republics of SFRY. Its broadcasts were carried by republican broadcasters, since YUTEL did not have their own frequencies and transmitters. This is exactly why Milosevic, Tudjman and others could suffocate it through directing their republican broadcasters to push YUTEL's evening news broadcasts to late hours, when a few people could watch it and receive alternative to the propaganda of the republican broadcasters.

By the time that the citizens of Serbia realized where Milosevic was heading, it was too late. It became obvious to most people, as well as to the emerging political opposition that Milosevic's regime would never step down in a peaceful way, or through elections, and would cling on to power until the bitter end. Unfortunately, it took ten years and the NATO's military intervention over Kosovo in 1999, which inflicted further suffering and death on Serbia, to precipitate Milosevic's fall.

The remains of SFRY - renamed into the Federal Republic Yugoslavia (FRY) in 1992 and consisting of Serbia and Montenegro - were placed under UN sanctions and trade embargo in May 1992 because of its involvement in the Bosnian conflict.[13] As a result - Milosevic's economy with predominantly state-owned enterprises came close to a standstill and sources of state finance dried up. "Magic solution" was found in state-sponsored pyramidal bank schemes[14] and the printing press of the national bank, which worked overtime and generated hyperinflation of unprecedented scale. In 1993 and 1994 Serbian currency Dinar's devaluation surpassed the Great Depression era in Germany (1928-1930), which enabled Adolf Hitler to rise to power. The price of a loaf of bread was higher than a bag full of banknotes. Average salary in Serbia dropped from £300 per month in 1990 to £3 per month in those years.[15]

In order to secure financing of its propaganda machine RTS, the regime replaced subscription, which people could avoid paying, with unpopular mandatory tax collected through the electricity bill.

Some estimated 500,000 citizens of Belgrade, mainly young and educated moved abroad throughout the 1990s - to escape military draft and to find a

13 During 1992-1995 UN trade embargo against Yugoslavia, Milosevic and his financial advisors devised an elaborate scheme how to use off shore banking facilities on Cyprus in order how to bypass the embargo. A special division of the Belgrade Bank was incorporated in Nicosia, which administered the finances of the country under embargo. Throughout that period Cyprus was not member of EU, and its laws allowed such money laundering schemes.

14 There were two major (Dafiment and Jugoskandik) and several smaller quasi-private banks that had the blessing from the top of the regime to collect savings from citizens, promising them huge interest in excess of 10 percent per month. In times of hyperinflation and no work or hope in besieged, isolated Serbia, many citizens had no choice but to get involved in such pyramidal schemes and eventually loose their life savings.

15 Data quoted from the Federal Statistics Office (1995), Statistical Yearbook of FR Yugoslavia 1995, Belgrade: Federal Statistics Office;

better and safer life far away from Milosevic's totalitarian ghetto.[16] These people were not those affected by the armed conflicts in Croatia and Bosnia (refugees, displaced, destitute and ethnically cleansed persons), but those who did not approve of the way how their country was governed and saw no perspective, nor alternative.

The early 1990s were the beginning of a major technological breakthrough, dawn of a new media era - internet, computers, mobile telephoning, and cheap home satellite reception equipment. The media sector worldwide has grown enormously, and not only in terms of number of outlets, available channels and devices. Suddenly there was plurality of private owners - something that was not possible only a few years earlier when Milosevic seized power. Nevertheless, the Serbian ruler and his inner circle of advisors, entangled in conflicts both in “near abroad” (Bosnia and Croatia) and internally in Serbia, did not notice, nor understand these drastic changes. Milosevic’s model of governance was based on tight control of the state media outlets, and dissemination of heavy doses of propaganda onto the citizens through the channels of the controlled state media. However, he was caught unprepared by an avalanche of technological advancements, which enabled a sudden increase in numbers of private broadcasters and publishers, both on the national and local level. This is when the new media outlets began to grow like mushrooms after rain, and it became impossible to control them through old-fashioned socialist party mechanisms.

In 1993, there were around about one hundred registered private radio and TV stations in Serbia, and their number grew to more than 1,200 by the year 2000 when Milosevic was finally ousted (Djoric, 2002). They were mainly small, local, makeshift radio and TV stations, with amateur equipment and unskilled staff. Nevertheless, they were competing for the eyeballs and ears of citizens, offering them wider choice of programs and no insult on their intelligence, as opposed to the rigid state-owned propagandist machinery of RTS and daily

16 Accoriding to the data from the Federal Statistics Office, some 50,000 people from Serbia alone moved to the United Kingdom alone, while USA, Canada and South Africa were at the top of the favorite settlement destinations. Before 1991, the whole Yugoslavian (citizens of all six republics) Diaspora in UK was around 30,000 people.

newspapers like Politika and Novosti.

It is worth noting that two major media empires were born in 1994. Milosevic's associate, Bogoljub Karic[17] (a Serb from Kosovo) started his BK TV, along with the first analogue mobile telephony service (BK Telekom) and internet provider (Eunet). Zeljko Mitrovic, a former rock musician and recording studio owner from Belgrade, befriended the federal minister of telecommunications, and used this contact to acquire a temporary license for TV and radio station, which soon developed into a nation-wide broadcasting company. Mitrovic was not initially politically connected, but once his TV programming acquired high ratings and he realized how lucrative advertising revenue can be - there was only one way to proceed - to become part of the political establishment, as some kind of insurance policy for his business. He chose to pledge his allegiance to Milosevic's wife ultra-leftist party Yugoslav Left JUL[18] and at one point became their federal MP.

Initially, Milosevic allowed new and small private media to develop, thinking that he would actually have more outlets for his propaganda. Fortunately, the old style of intimidation, control and feudal loyalty to the ruler did not work in new surroundings because of the sheer number of media outlets. It was so great that there were not enough enforcers/gatekeepers to monitor and control them. According to the media laws from late 1980s and early 1990s, RTS as the state-owned broadcaster had a duty to give its recommendation/opinion for new broadcasters to begin their transmissions. In other words, RTS was forced to help and nurture its own competition. New private broadcasters with national coverage (RTV Pink and TV BK) rented transmission antennas/equipment and masts from RTS, and even lured many of their underpaid but highly experienced staff members to join their ranks for much better remuneration. The frequencies were given to these two “state-associated” private entrepreneurs on

17 Karic is the chairperson of BK Group of companies, where his three brothers and one sister act as directors. The Karic family hails from Pec (Kosovo) where their small manufacture of agricultural tools in early 1980s was a "pet project" of the Yugoslavia government, because it showed that Albanians and Serbs could live and work together. Bogoljub Karic was quick to build on their newly found fortune and political connections, and by late 1980s moved his business base to Belgrade.

18 JUL (Yugoslavian Left) was ultra-leftist party of Milosevic's wife Mirjana Markovic, who unlike Milosevic's "moderate" SPS advocated radical return to communism.

a trial basis, from a range of spare frequencies controlled by the military and police.

The technical aspect of broadcasting (management of the spectrum, allocation of frequencies, certification of transmitters etc.) was under federal jurisdiction. At that time FRY wasn't really an orderly and functional state, but a rump of the old federation, with the remaining two members not quite happy with such an arrangement. In terms of managing the emerging media outlets, the republican authorities were in charge of content, which the new media operators would have. The Federal Ministry of Telecommunications (FMT) was understaffed and incapable to function properly. This created a situation where enforcement of technical norms and standards was impossible. Such situation enabled entrepreneurs with political connections to start their broadcasting operations on temporary/testing licenses, which were easily obtainable from FMT for the regime loyalists. However, very soon other entrepreneurial individuals realized that in fact there was no enforcement of temporary licenses and started hundreds of local pirate broadcasting outlets in every city of Serbia, without any paperwork. The regime was only interested if the new broadcasters did not transmit news programs that opposed their official line, as set by RTS. As a result - most of the new broadcasting outlets stayed far away from politics and news programs, and only offered sport and entertainment.

In exchange for such "not rocking the boat" policy of new broadcasters, the regime's apparatus did not enforce the use of the spectrum, neither charged a single Dinar[19] for its use. During the times of economic calamity and hyperinflation, the tax authorities did not bothered to collect statutory tax from these business activities. The regime and its cronies were too busy using the war situation (1991-1996) and the UN embargo for smuggling, illegal laundering of money and amassing personal fortunes. The state budget and its welfare obligations (meaning salaries for state employees and pensions) were financed by printing tons of inflationary banknotes, which in some days lost up to 1,000 percent of their nominal value (Dinkic, 1997). Collection of taxes in

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19 Dinar is the name of the Yugoslavian / Serbian currency.

circumstance like that was more expensive than the revenue collected. Because of that, enforcement of laws was not the regime's priority, nor agenda. Their concern was only social peace and no distraction from lucrative "businesses".

Newly created media outlets broadcasted entertainment; pirated foreign movies, international sporting events and even hard-core pornography.[20] All were welcome as purveyors of social peace. Citizens were ripped off through hyperinflation, standing in lines to obtain bread, milk and gasoline, sent to die abroad as reserve soldiers, deprived of adequate electrical power supply and central heating, gasoline for their cars - but had a free world of illusions through entertainment, sports and pornography to keep them happy and in their homes, not on the streets protesting.

Under Milorad Vucelic as General Director of RTS (1991-1995), the state broadcaster not only remained TV Bastille, but became something like the Orwellian Ministry of Truth. Over one thousand staff members (editors, journalists, producers, technical and other support personnel) who did not agree with how RTS operated as the regime's propaganda outlet, were suspended, sacked or sent on indefinite unpaid leaves. They were replaced with Socialist party loyalists, people who were not ashamed or afraid to broadcast crude lies, hate speech and nationalist propaganda, with no qualifications, nor moral scruples.

Aleksandar Timofejev, renowned Serbian journalist, remembers this era in a following way[21]:

> *"These were crazy times. Listening to or watching state media was like reading fiction books or watching fiction films. It wasn't about reality at all."*

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20 Majority of the content was obtained illegally by new broadcasters through re-broadcasting of foreign satellite programs and without payment of any copyrights or licenses.

21 Timofejev's statement is part of the research interview granted to Vera Franz in May 2001, for her master's degree thesis on Radio B92, presented at London School of Economics and Political Science.

At the same time, after several years of poor management, international isolation and trade sanctions, RTS became eroded not only in terms of human resources, but also materially. Its production and transmission equipment was outdated, competent maintenance and production staff had left, and the state-enforced financing (collection system) began to dry-up, because of hyperinflation. The available advertising revenue started to shift gradually towards private broadcasters like RTV Pink and BK TV. Vucelic personally got involved in some dubious financial dealings, and eventually was sacked.[22]

At the end of 2005 the war in Bosnia ended. After having been initiated in Dayton, Ohio on 21 November, the full and formal peace agreement was signed in Paris on 14 December 1995 (daily Politika, 15 Dec. 2005) by Milosevic, Tudjman and Bosnian president Alija Izetbegovic, and witnessed by French Jacques Chirac, U.S. President Bill Clinton, UK Prime Minister John Major, German Chancellor Helmut Kohl and Russian Prime Viktor Chernomyrdin. Depleted RTS had a new task to depict Milosevic now as the indispensable peace broker, whose "wisdom and historic vision" was vindicated. Citizens of Serbia knew how untrue this was.

2.0.2 Eggs, Pots and Pans (1996-1997)

After the Dayton peace agreement, Milosevic was for a while treated by the international actors as the main partner in securing peace in the Balkans. Trade sanctions against FRY were lifted, and diplomatic relations with Belgrade restored. It is peculiar that the International Tribunal for Former Yugoslavia, established by the UN as early as 1993, did not indict Milosevic for his role in wars 1991-1995, since the political directive from the Contact Group[23] was that

22 As a general director of RTS Vucelic entered co-production of the movie Underground, by the award-winning director Emir Kusturica. Co-producer was a private Belgrade based company Komuna. After several years of shooting and editing, with more than 10 million pounds of state money spent, the movie was finally finished with the cash infusion from a French production company. The movie won the Golden Palm award at the Cannes film festival, but Vucelic was sacked by Milosevic's wife, and dismissed as SPS Vice-president. Immediately he became chairman of Komuna's board - which in any other place would be conflict of interests and would lead to criminal prosecution for embezzlement of state funds.

23 Contact Group is informal group of countries involved in finding diplomatic solution for conflicts in ex-Yugoslavia. It includes five countries: United States, Russia, Great Britain, France, Germany and Italy.

he was the key-player in the region for securing lasting peace in Bosnia and Herzegovina. His indictment, however, came in the middle of the 1999 NATO's bombing campaign against FR Yugoslavia over Kosovo, again more as a measure of political pressure and a policy tool, rather that a matter of impartial course of justice.

In 1996/1997 Milosevic's dismal domestic human rights record, embezzlement of Serbian state finances, curtailment of political freedoms and obstruction of political opposition did not matter much to the international community. Milosevic was even given blessing to sell 49 percent stock in the Serbian Telecom in 1997 to the consortium of Italian and Greek state telecoms for one billion dollars. His trusted broker/advisor in this deal was British bank Nat West Investments.[24] The funds from this sale were never fully paid into the Serbian state budget, but rather siphoned to Cyprus and on to other tax havens (Dinkic, 1997). At the time of writing (winter of 2007/2008), traces of these clandestine and illegal operations are still not fully uncovered.[25]

The political opposition and citizens in Serbia were appalled by such "key-player" treatment of Milosevic by the international factors. They thought that following the lost wars in Croatia and Bosnia, at the price of economic devastation of citizens and national economy, Milosevic was at the brink of falling. The aforementioned sale of the Serbian Telecom had given Milosevic a renewed lease of life. In a way, many freedom and democracy loving people of Serbia, who had suffered under Milosevic's tyranny for eight years, felt betrayed and abandoned by the international community. In spite of many years of citizens' protests, demonstrations and peaceful resistance to the ruthless regime, Milosevic remained in power.

At the beginning of this new post-Dayton phase of rule, in early 1996 Milosevic was confident that he can could continue to go on like that, with all the cards in his hands: international recognition; money from the sale of Telecom;

24 At the time Nat West Investment was headed by Lord Douglas Hurd, former British Foreign Secretary.

25 In March 2007 TV B92 aired several episodes of its award winning investigative program "Insider" that tried to uncover tracks of the 1990s financial schemes connected to Cyprus, used by the Milosevic regime.

domination over Yugoslavian Army; obedient and ruthless special police and state security; weak and disillusioned domestic opposition; continued control over RTS and other state-owned media.

However, Milosevic could only operate through provoking a conflict of some kind - internal, or external. In such circumstances he would invent an enemy, use RTS and other obedient state media to vilify the opponent, and than create an image of a decisive action after which he would emerge victorious. The formula worked in 1987 when he ousted Stambolic, than in 1990/1991 when he expelled "traitors" Slovenians, Croats and others from SFRY, in 1991 when he quashed anti-government demonstrations in Belgrade, during the Bosnian conflict (1992–1995) when he defended Serbdom against imaginary Islamist insurrection in the heart of Europe, aided by the Vatican.[26] In such “patriotic work”, communist-turned-nationalist Milosevic was supported by the ultra conservative Serbian Orthodox Church.[27] Systematic generation of rather vulgar nationalism by the church and its dignitaries has not stopped even after the changes of 5 October 2000 (Ramet, 2006).

But in 1996 the strategy of creating, pursuing and exploiting conflicts gradually began to fail Milosevic. The political environment had drastically changed. First, on the internal front: The impoverished citizens could not take Milosevic's lies any more and watch his family members, political allies, goon squads and cronies amassing huge capital and becoming *bona fidae* capitalists by ripping off the state and national resources before their very eyes. Also, the situation in tiny Montenegro, Serbia's junior partner in FR Yugoslavia, had drastically changed. The political party from Montenegro that helped Milosevic in 1992 to keep the rump FR Yugoslavia going, Democratic Party of Socialists (DPS) split in two factions.[28] One was led by Milosevic's trusted sidekick Momir Bulatovic,

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26 Obsession with Vatican and its (non-existent) influence over world politics is very common topic in Serbia, mostly due to the primitive and paranoid views of the Serbian Orthodox Church, which is in dispute with Catholicism for a millennium.

27 Conservative nature of the Serbian Orthodox Church is demonstrated through stubborn use of the scientifically wrong Julian calendar, which is running two weeks behind the official (internationally accepted) Gregorian calendar.

28 Democratic Party of Socialists (DPS) is the legal successor of former Communist Party of Montenegro, and just like SPS in Serbia, it changed the name, but kept the same leadership in the wake of disintegration of the communist movement in 1989.

who was the president of Montenegro, while Prime Minister Milo Djukanovic led the other. Djukanovic realized that it was time to distance his politics and country from Milosevic and lead Montenegro towards independence. Djukanovic defeated Bulatovic in the next year's presidential election and eventually led his country of 650,000 to full independence from Yugoslavia in 2006.[29]

Another great change of the environment was the advent of cheap satellite reception equipment available to individual households, mobile telephones and computers with modems and access to the Internet. It meant that the ruler did not own the truth about the world any more - even if he tried his best to control all the state and private media outlets. Both domestic and the world news became generally accessible, with very little effort and at minimum cost to any person who wanted to grasp it. When the dissemination of propaganda, especially through Radio Television Serbia, continued before and after the 1996 elections, it only got Milosevic deeper into trouble with his subjects. They had enough of crude state propaganda and lies and could see now the world in a different way. In addition to notorious RTS, the citizens of Serbia had alternatives.

Foreign news programming, like CNN, Sky News, BBC World Service, Deutche Welle, Radio France International, Radio Free Europe and Voice of America were easily picked up through thousands of home satellite receivers.[30] Such technological breakthroughs were eagerly embraced by people, who for many years could get nothing but the regime's lies. Additionally, the international community made an effort to produce programming that targeted Serbian audiences with special broadcasts in Serbian language, as the aftermath of war and part of the stabilization process in Bosnia. Some of the Serbian language services/broadcasts were newly established, while some that had existed

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29 In February 2003 two-member Federal Republic Yugoslavia was transformed into temporary confederation named State Union Serbia and Montenegro, which in May 2006 was dissolved after the successful independence referendum in Montenegro.

30 For example, BBC World Service radio program in Serbo-Croatian language and Slovenian existed for decades, but following demise of SFRY it got split into separate sections. Also, Voice of America and Deutche Welle had radio programs in Serbo-Croatian language for long time.

before were expanded in length, number of broadcasts, number of transmitters and staff that was preparing them. However, former Prime Minister of Serbia (2003-2004) and Mayor of Nis (1996-2000), in the interview for this research, believes that the foreign language programming and possibilities of Internet did not play a crucial role in emancipation of the Serbian citizens and articulation of anger against the regime, which initiated the events of 5 October 2000:

> "*Nowadays, six years after October 2000, the number of Internet users and consumers of satellite TV in Serbia is still limited. During the Milosevic era, this was even worse. Television (domestic broadcasting) has the information supremacy over all other media, and the person who influences the programming of a certain TV station, especially news programs, directly creates public opinion. This is the case with the largest number of citizens, who are prone to manipulation. It used to be like that, it is now, and I suppose it is the same everywhere else*."

After dismissal of RTS director Milorad Vucelic in mid-1990s, a rather unsophisticated Milosevic's appointee, Dragoljub Milanovic headed RTS. He was brought into RTS from the daily "Politika Ekspres", where he for many years edited the crime page, because of his insider's connections with the police. Originating from Kosovo, Milanovic did not have class, intellectual power and skill of "spin-doctor extraordinaire" Milorad Vucelic to resurrect the already compromised and technically depleted state broadcaster. Milanovic's only quality was absolute obedience to the boss, and in exchange for loyalty he was allowed to employ in RTS hundreds of his unqualified Kosovar relatives, friends and cronies. The number of employees at RTS exploded, while persecutions and dismissals of the in-house opponents continued. Milanovic even made his wife Ljiljana a presenter of the main evening news. Most of the professional staff members had been expelled or suspended, finances from the subscription/tax decimated, advertising revenue was poor because of the devastated economy. It caused RTS to reduce its output to political bulletins and re-runs of the pre-1990s culture, education and entertainment programs. In terms of programming and production, RTS quality was poor.

The first visible sign of the Milosevic's changed fortunes came in November of 1996, when the regime called federal and local elections. Fading RTS continued

to disseminate lies and propaganda, openly favouring ruling SPS and their parasite partner JUL, while systematically disqualifying opposition parties. However, the citizens/voters, opposition and civic groups and political parties could not be fooled any more. For successful campaigning and their bid to oust Milosevic, they now had new independent media at their disposal to spread the word, gain and exchange information, organize actions. The very nature of the new media outlets was not easily controllable, and things began to turn against Milosevic and his party commissaries installed as gatekeepers in RTS and other traditional state-owned media outlets.

The official publication of the 17 November 2006 election results were delayed, because it turned out that Milosevic and his allies were beaten, especially in major urban centres like Belgrade, Nis, Novi Sad, Kragujevac, Cacak, Kraljevo etc. In the second largest Serbian city of Nis, the election officials from SPS were caught red-handed staffing the ballot boxes with unaccounted supplies of ballot paper, and disqualifying ballots cast in favour of the opposition.[31] This was the point where the local media came to the forefront, to change the course of history forever. A local TV outlet in Nis called Belle Amie, owned by a dodgy entrepreneur Vitko Radomirovic, started live reporting from polling stations and streets, where citizens began to gather expecting results. The word of mouth that SPS is loosing badly against democratic opposition coalition called Zajedno[32] spread like a lightening, along with reports of unfair game by SPS and ballot rigging.

TV Belle Amie was conveniently operating from the top floor of the tallest building in Nis, hotel Ambassador, situated on the city's main square. This is where a mass of protesters began to gather and keep vigil, awaiting official announcement that the communists lost power and must step down - for the

31 The opposition representative in the local election commission was young lawyer Biserka Zivkovic from Democratic Party. She caught and exposed SPS representatives in fraudulent activities. In September 2000 elections that precipitated Milosevic's fall, she once again represented the opposition in the Federal Election Commission and once again caught them cheating. In the first post-Milosevic cabinet of Zoran Djindjic, she went on to become Government Secretary for Legislation.

32 The word "zajedno" in Serbian language means "together". The Serbian opposition has always been notoriously divided, even when the goal was to topple the common enemy. In 1996, leading two parties of the anti-Milosevic block were Democratic Party (President Dr Zoran Djindjic) and Serbian Renewal Movement (SPO) formed an uneasy election coalition Zajedno. Junior partner in Zajedno and peacemaker between two rival parties was tiny Civic Alliance of Vesna Pesic.

first time since 1945, when they seized power from the royal regime which collapsed and disintegrated during the German occupation 1941 - 1945. Curiously enough, Belle Amie's owner was one of the people who got temporary license to broadcast as a favour from previous RTS director Milorad Vucelic, and was never associated with any kind of dissent against the Milosevic regime. Vitko Radomirovic, TV Belle Amie's owner, was considered rather one of those who directly benefited from connections with the Milosevic regime[33]. Also, Nis was one of the Milosevic strongholds during the early 1990s and did not react at all to the protests in Belgrade on 9 March 1991. Nevertheless, five years later the wave of protest against the dictator started from Nis and spread like a forest fire all over Serbian cities.

The dictator and the state officials in charge of election proceedings would not admit defeat. Clumsy handling of the election fraud by the SPS in Nis, which was exposed by the opposition representatives in election boards, narrowed the turf for the regime, preventing it from using force to stop the protests. Another interesting process started to evolve: following example of TV Belle Amie from Nis, several small private broadcasters in other provincial parts of Serbia dared to begin airing real, uncensored news and cover mass protests in the streets of their towns, risking reprisals from the Milosevic apparatus, but clearly signalling the beginning of a new era. Two major private TV stations, RTV Pink and BK TV did not dare to follow the example of small local broadcasters, because their owners had much bigger stakes (state-wide coverage, huge advertising revenue) and interests to protect. They were located in Belgrade - too close to the Milosevic's levers of power.[34] In securing post-Milosevic future, they did join the ranks of the opposition, but more than three years later, when it was just a matter of days or hours until the end of the old regime.

Soon a kind of a stalemate situation developed: The regime was reluctant to

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33 The reason why Radomirovic decided to switch sides was that his political mentor Milorad Vucelic, was removed from RTS and Socialist Party of Serbia on orders of Milosevic's wife Mirjana Markovic.

34 During the course of 1996-1997 street protests, according to Bogoljub Karic, owner of the BK Telecom group and operator of the countries first and largest Internet providing franchise Eunet, he received a phone call from his next door neighbor, President Milosevic, demanding to shut down his Internet link to the world. Karic refused.

accept defeat in the election. Their representatives perpetrated fraud and manipulation, but did not have the courage to intervene against the citizens and opposition parties who peacefully protested for days and weeks without stopping in the streets of all major Serbian cities (Lazic, 2000). The regime also did not have adequate resources to use force, since the protest was not in one city, but everywhere. In the past, protests had usually been held in Belgrade for a day or two, and would eventually run out of steam. This time the mass protests and various street festivities lasted for a full 100 days, throughout the winter of 1996-97, Christmas, New Year and Serbian Christmas and New Year, until the spring of 1997. They became not only a sign of defiance, but the reclaiming of freedom and civility in an unprecedented way.

Some other developments surprised the regime. Chief of the General Staff, General Momcilo Perisic (1993-1998)[35] told the students and protesters that he would never authorize use of military against peaceful civic protests, and stood by that promise. Mayor of Belgrade Nebojsa Covic, a skilful and ambitious Socialist party operator, thought by many to be future successor of Milosevic, decided to resign because the regime would not accept election defeat. Both men had frequent and direct meetings with Milosevic in the course of their work and realized at that point that the dictator has completely lost his sense of reality and that his reign would end soon. Unfortunately, it took another four years for that to finally happen, and both General Perisic and Nebojsa Covic joined the opposition ranks, participated actively in the 5 October 2000 events, and served as deputy prime ministers in the first post-Milosevic cabinet of Zoran Djindjic.

During one hundred days of street protests against election fraud, throughout Serbia in winter of 1996/1997, the RTS' main evening news broadcasts at 19:30 were eagerly greeted by the citizens with unprecedented noise, produced by banging forks and spoons against pots and pans from their home windows and balconies - a symbol of disgust. For every day of street festivities in Belgrade,

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35 When in 1998 General Perisic advised Milosevic against the use of military forces to curtail Kosovo Albanians' uprising, he was sacked.

opposition activists would have a protest stroll/march through the downtown, passing by and around various institutions of the state, booing and cheering. The RTS headquarters in Takovska Street were always on the marching itinerary, and passing protesters would throw eggs at it.

The winter 1996/1997 protests in Serbia drew the attention of the international media, not only as a protest against one of the world's most infamous autocrats, but because its variety of forms and length (over 100 days) made it an unprecedented media spectacle. Milosevic had his hands tied and could not react with force, because of his recently acquired image as the key broker of peace in the Balkans. He desperately wanted to move away from four previous years of international isolation and UN sanctions. At the same time, with such international media coverage of protests in Serbia, the world leaders could not afford to play an ostrich game of putting their heads into the sand and not reacting to unacceptable electoral fraud by Milosevic, whom they recently promoted into a *bona fidae* partner. Therefore, no matter how much Milosevic disliked international input into his "domestic" affairs, he accepted mediation from Organization for Security and Cooperation in Europe (OSCE), a body that regularly monitors election procedures in its member states. Felipe Gonzales, former Portuguese prime minister, was appointed as the OSCE's special envoy to visit Serbia, to inspect the voting materials and speak with both sides in order to bring the crisis to a peaceful end.

The Gonzales report was published on 27 December 2006. As the special envoy, Felipe Gonzales reported to the OSCE chairperson that the political crisis in Serbia was caused by the dramatic break-up of the former Yugoslavia, war in the neighbourhood, grave economic situation, problems that come with the process of transition. Nevertheless, he added that "*there are other elements*" involved. Those other elements include "*structural failures of the election system which allowed forgeries of/or changes of the will of the people" and "obstacles facing independent media and serious obstacles in gaining free and equal access to the public media*" (OSCE, 1997)

Nevertheless, the regime tried to spin the content of the Gonzales report and make it look favourable. The speaker of the Serbian Parliament, Dragan Tomic,

a leading member of SPS, said: *"The report refuted the worst false accusation launched against Serbia from abroad recently" (Politika, 5 Feb 1997).* He did not elaborate such accusation. Independent weekly magazine Vreme's columnist Roksanda Nincic wrote following about the way state media covered the Gonzales report:

> *"On December 27, while protesters were shouting Victory, Victory in Belgrade, RTS reported that the OSCE had recognized only the leftist (pro Milosevic) coalition victory at the elections. Politika daily published the Gonzales letter under the title: Decision to Be Taken Within Yugoslavian Institutional System, a formulation Gonzales never used once. The editorial conclusion drawn in daily Politika's New Year's edition is that Gonzales is completely siding with the Serbian authorities and that even the Clinton administration lent support to that kind of report. "*

It became obvious that the regime would not accept defeat even after diplomatically formulated, but rather direct findings and recommendations of the OSCE special envoy. The title of the above mentioned Politika piece *"Decision to Be Taken Within the Yugoslavian Institutional System"* was de facto spelling of the Milosevic's exit strategy from the mess that he had created. It meant that the Supreme Court of Serbia would make the decision on election results and allegations of fraud. In normal states, the highest judicial instance is respected and independent institution, but that was not the case in Milosevic's Serbia, where judges were appointed to serve the puppet master's orders, not the interest of justice, law or the public. In this case, the lower courts turned down the claims by the opposition coalition Zajedno, and the appellate judicial instance was dragging its feet to give the final verdict, in an attempt to buy more time until the demonstrators give up, which they did not.

On 5 February 1997, Milosevic decided to back down and put an end to protracted street protests and situation that which he could not solve by any of the old tricks. From his office of the Serbian President, he sent a letter to the Serbian Parliament, demanding adoption of the so-called *lex specialis* which would give opposition Zajedno victory in disputed cities, because the judicial system up to that point wasn't capable of solving the case. He decided to lay blame on others, and come out once again as the nation's saviour. The

manoeuvre was done *"within the Yugoslavian institutional system"* - something that paints him as a legalist and proponent of democracy.

Columnist Nenad Stefanovic cleverly noted in Belgrade's AIM news service:

> *“In Milosevic's interpretation of Tito's political "skill", this is how it all looks: First, you beat up and bathe with water guns the "fascists" in the streets, and then you invent a law with which you admit to these same "fascists" that they have won in the elections.”*

In late February 1997, the Serbian Parliament adopted *lex specialis*[36] and the city halls of Belgrade, Nis, Kragujevac, Novi Sad, Cacak and other major cities were now in the hands of opposition. To use a special law to bypass already going court proceedings is certainly against the spirit of legality, since it abrogates the whole legal system.

Zoran Djindjic, leader of the Democratic Party became the first non-communist mayor of Belgrade since the Second World War. According to the strangely worded text of the *lex specialis*, it only concerned the results for local assemblies/city halls, although the elections were held for the federal parliament of SR Yugoslavia. It sounded almost schizophrenic that the local elections went to the opposition, while the same citizens/voters at the same time cast their ballots in favour of Milosevic's block of parties on the federal level. However, the opposition politicians were more than happy to accept this little piece of power in city halls, and did not pursue this matter further. Serbian parliament was not contested in the November 1996 election, so Milosevic retained the reigns of power. Apart from the annoying loss of the local councils/city halls - he continued to control the federal parliament and executive structures.

The street protests stopped, and Serbia returned to normality, although the political ambient had changed forever. With one foot in the door, the Serbian opposition got some real institutional power base in city assemblies, and could continue to exercise pressure on the fading dictator. In terms of media - many of

36 In legal terminology, this means a special legislation/law that is used only once to solve a specific issue. Laws in general are supposed to create a general framework for human behavior and set general patterns/norms, so this is why "lex specialis" is used exceptionally.

bigger Serbian cities owned local radio and TV stations, which central authorities in Belgrade could not prevent any more from broadcasting news and truth. So maverick station like Belgrade's Studio B, RTV Pancevo, Municipal TV Nis, Municipal TV Kragujevac and others even began re-broadcasting foreign and Serbian language news bulletins from BBC World, Voice of America, Radio Free Europe, Deutche Welle, RFI etc. Additionally, privately owned media outlets in "liberated cities" could broadcast own news with more courage, in addition to re-broadcasting of external and commissioned news programs.

2.0.3 TV Bastille Burning (1998-2000)

The remaining three years of Milosevic's grip on Serbia (1998-2000), including the 77 days of NATO’s military intervention over Kosovo in 1999, were only preparations of for the public to turn a new page of freedom and democracy - something that the rest of Eastern Europe did in 1989. Through charities like George Soros' Open Society Fund, independent Serbian media began to receive aid in various manners: from donations of equipment, education and training for personnel, funds for production of their own programs, even staff salaries. Western governments also devised and implemented many programs and grants to aid independent journalism and media in Serbia, as support to infant democracy in making.

The Milosevic regime did not like this and tried to prevent it in many ways, but the genie had escaped from the lamp, and return to the old era of total control over media and political life was impossible. Still, SPS-dominated Serbian parliament passed the draconian Public Information Act in 1998, which was used by the executive branch - Ministries of Information and Interior - to discipline and punish budding independent media. Federal Ministry of Telecommunication tried with little success in 1998 to bring some order into broadcasting and management of the spectrum through public tender for allocation of frequencies and broadcasting licenses (Djoric, 2002). The procedure was rigged in a way to allow media outlets that were cooperating with the regime to continue, and stamp out mavericks who did not want to bow.

In reality, the sheer number of new media outlets prevented the authorities from controlling them, and individual acts of intimidation, fines and equipment seizure/confiscation by the state organs could not change the course of the events. Even those broadcasters who unsuccessfully filed documentation for allocation of frequencies were not taken off the air and continued working.

The citizens and opposition parties could not accept Milosevic's despotic way of running the country any more. Memories of war, their country's isolation under UN sanctions, and economic hardship during the period of hyperinflation were too fresh. Continuation of the status quo was not acceptable for the vast majority of population, apart from the privileged few around the dictator and his security apparatus. On the other side, the new media explosion of mid 1990s made useless the old tools of monopoly over truth and information, which dinosaurs resembling organizations like RTS still used

It became crystal clear in 1998 that Milosevic desperately needed another conflict and must invent a new enemy in order to offset his loss of respect, credibility and influence on the domestic scene. The opportunity was there - the tensions in Serbia's autonomous province of Kosovo have been present since the end of the Second World War. Initiating and riding the wave of Serbian nationalism, Milosevic actually exploited the Kosovo problem to oust previous Serbian president Stambolic and seize power back in 1987. In 1998 Milosevic felt that with Kosovo he had a trump card in his hands to change his political fortune and stabilize his rule over Serbia. It turned out that it was the last card he had in the game that was already lost.

When deciding to escalate the Kosovo question in 1998, Milosevic did not realize that Yugoslavia, Balkans and the world were much different from1987 when he came to power. In 1987 the Kosovo problem was an internal matter of Serbia and Yugoslavia, but in 1998 it was an international problem. The fall of the Berlin wall had ended the cold war and the bi-polar world of two contending super-powers, and the world had been transformed into environment with a single super power (USA). SFRY had disintegrated into five states, through bloody civil wars in Croatia and Bosnia, which required decisive intervention of

international actors to calm down. During that period (1991–1995), Milosevic had earned a reputation of a nasty offender and villain who must not be trusted. He even managed to lose traditional support of Russia, when in early 1990s he had supported a failed communist attempt to oust President Boris Yeltsin.[37] After mishandling of the 1996/1997 protests in Serbia over election fraud, Milosevic not only had domestic opposition against him, but also lost every bit of international credibility he gained as the signatory and guarantor of the Dayton peace accord.

Additionally, the 1980s and 1990s were completely different eras in terms of development of both traditional and new media. Great technological advancements and subsequent arrival of new media of the 1990s made the world a true global village (McLuhan, 1964), meaning that treatment of ethnic minorities were no more internal affairs of one state. Continuous maltreatment of his own citizens (Serbs and Albanians alike) perpetrated by Milosevic during his time in power was well documented and covered by the international media.

During the last period of Milosevic's rule, RTS or TV Bastille was one of his last remaining governing tools, in addition to police and state finances. RTS not only hit the lowest professional level in its history, but paid the ultimate price for serving the dictator. On 24 April 1999, during the 77 days of military intervention against FR Yugoslavia over Kosovo, NATO airplanes bombarded the headquarters of Radio Television Serbia in Belgrade. The Canadian-based web portal Serbian News Network (SNN) reported the carnage in the following way:

> *"[...This deliberate aerial assault was one of the most controversial of the entire bombing campaign. Sixteen employees of RTS, mostly young people, died when a single NATO rocket hit the building Belgrade. Many were trapped for hours, only communicating over mobile phones. The television station went to air 24 hours later from a secret location. The hit remains one of the most controversial events in the 11 weeks of NATO air raids against Yugoslavia in 1999. The victims of the bombing were: Tomislav Mitrovic, Ivana Stukalo, Slavisa Stevanovic, Ksenija Bankovic,*

37 Russia refrained from stopping NATO's 1999 campaign against FRY over Kosovo. The Russians refused to supply powerful and modern SS-30 anti-aircraft systems to Serbia, which would make NATO campaign more difficult.

Jelica Munitlak, Milovan Jankovic, Dragan Tasic, Aleksandar Deletic, Darko Stoimenovski, Nebojsa Stojanovic, Slobodan Jontic, Dejan Markovic, Milan Joksimovic, Branislav Jovanovic, Sinisa Medic, Dragorad Dragojevic.]" (SNN Daily Report, 2 May 1999)

The attack on RTS happened around 2:00 a.m. when the news staff was not there, and only technical personnel were present - by order of director Dragoljub Milanovic, and under threat of dismissal. This bombing of a non-military target in the middle of downtown Belgrade and the death of innocent RTS staff members remains morally and legally debatable to this day. Even the hard-core opponents of Milosevic, who protested against the way how he used RTS for propaganda and lies, did not approve of NATO's decision to bomb it. Especially, as it did not stop RTS from broadcasting form reserve locations and transmitters within hours.

In my 1999 master's degree thesis "The Media In A Post Modern War - 1999 Yugoslavia Versus NATO Conflict" I wrote several paragraphs about the bombing of RTS, and I find it appropriate to include them here - not in order to discuss the legality of such action, but rather to point at the ways how this tragic event was spinned and used for manipulation of truth on both sides of the conflict. The governments of NATO countries were as guilty of manipulations with their national (public service) broadcasters, as much as Milosevic instrumentalized RTS.

"During the Kosovo crises, voices from inside the British government expressed dissatisfaction with reports by BBC' senior foreign editor John Simpson. He was reporting (Serbian) government views, but was interviewing plain civilians on the streets of Belgrade, whose defiant attitudes the unidentified British government insiders, apparently, did not like. The main complaint was "that Mr. Simpson does not sufficiently underline that his reports are being watched by the Yugoslavian censors". At one point, John Simpson, a veteran of nine different wars throughout the world, outraged by such criticism by unidentified sources, went so far to tell that his report was seen by the official censors, but had not been

tampered with."

"With such pretext, it was no surprise when NATO bombarded the central television studios of Radio Television Serbia (RTS) in the heart of downtown Belgrade. The attack followed a written promise issued by NATO to the International Association of Journalists that they would not target the studios. They said only transmitters would be hit, since they might have military use." (Stojanovic, 1999)

However, Clare Short, a British cabinet member and MP immediately justified such act by saying: *"The [RTS] propaganda machine is prolonging the war and is a military target".*[38] The sad score of 16 dead and many wounded was human tragedy and treated as "collateral damage"[39], which happened during the 77-day campaign.

It would be inconsiderate to make tragedy of media workers more important than any other war tragedy. However, the consequence of the attack on RTS headquarters was cultural and global information tragedy: John Simpson (BBC), Tim Marshall (Sky News), Brent Saddler (CNN) and other foreign TV crews stationed in Belgrade could not send their reports any more. Not because of censorship, but because the technical facilities of RTS were used for feeding the news to the world. The reports coming from Belgrade from journalist like Robert Fisk (The Independent), Tom Walker and Eve-Ann Prentice (The Times), to name a few brave and highly professional print journalists, were talking about human casualties and huge damage to the civilian objects, something that NATO spin-doctors wanted to hide and play down. However, without powerful TV images, they did not have the same impact. Even the RTS satellite broadcast, aimed at the Yugoslavian ex-patriot community worldwide was taken off the air several days into the bombing campaign, in a breach of a valid (and paid in advance) rental contract with a private company, because

38 Interview given to BBC news on 25 April 1999.

39 The term "collateral damage" for loss of innocent lives through the actions of NATO during the Kosovo conflict was coined by the NATO spokesman Jamie Shea.

such orders came from Washington.

If RTS was indeed a key tool of the Milosevic regime for brainwashing citizens, why did 20% of the homes in Yugoslavia (Federal Statistics Office, 2000) at that time had satellite dishes or cable that carry international news programs? It seems that the decision-makers in Washington and other NATO capitals, who approved bombing of RTS, did not bother to read reports about events in Belgrade from 1991. If they had done, it would be clear that RTS - TV Bastille had discredited itself so much that it did not have much influence, credibility or impact on the citizens of Serbia - apart from weather bulletins. The main claim of the NATO spokesman Jamie Shea that Milosevic is hiding the truth from his people was false, but rather a clear case of spin-doctored news planted by politicians aimed at their domestic audiences.

After the bombing of FR Yugoslavia ended on 8 June 1999, following Milosevic's agreement to pull out his forces from Kosovo and allow the UN to administer the province, RTS once again tried to portray him as peacemaker, and someone who bravely stood against NATO. The Yugoslav military was allowed to pull out its personnel and equipment from Kosovo without formal surrender, so TV Bastille used the opportunity to proclaim that as another great victory of President Milosevic.

The real reason why the Yugoslav Army came out of this conflict with minimal loss of personnel and equipment is that there was no direct head-to-head confrontation with NATO forces, but only an air-campaign.[40] The Yugoslav air force, with its outdated planes did not even attempt to engage in dogfights with the NATO squadrons. Its ground air defence could not do much about most the advanced NATO equipment.[41] Since there was no confrontation, loss or capitulation - RTS in its customary Orwellian manner proclaimed victory. In

40 Officially, NATO lost only one B-1 (invisible) Stealth bomber, which was hit by accident and downed in Serbia. A handful of other planes were hit, but made it back to their bases, without loss of pilots or aircraft.

41 The pullout of Yugoslavian Army from Kosovo was regulated by the Kumanovo Technical Accord, signed on 6 June 1999, which was the precondition for the UN Security Council resolution no.1244. This resolution still nowadays serves as the legal base for UN administration of Kosovo, until its status is permanently decided.

reality, Serbia was badly devastated by 77 days of bombing, its road infrastructure obliterated, and many industrial objects flattened. RTS lost most of its transmitters, including the symbolic TV tower on mount Avala near Belgrade. Attempts by RTS to proclaim victory and to lay blame for loss of lives and damage on NATO were laughed at by the citizens of Serbia. Everyone knew the truth and who was responsible for war and damage, except that person and his inner circle, who started believing in their own lies.

The atmosphere in Serbia after the NATO bombing in 1999 looked ripe for change. The regime's attempts to rebuild the country were inefficient, since its financial resources were exhausted. The state electrical power grid was working with great difficulties and could not supply enough electricity for heating of homes and industrial production, so in the winter of 1999/2000 power cuts were long and annoying the population already at the brink of economic survival. Average salary was around £30 per month, while industrial output in Serbia was at around 40% of output in 1990[42]. State-owned enterprises had approximately 75% of total capital, while their share in GNP was 30%. The small private sector with only 25% of total capital produced 70% of GNP. In addition to those economic figures, the population of Serbia also diminished for around one million people from 1991 until 2002.[43] The citizens had enough of the dictator and his rule, which had brought onto them only misery and suffering. But the opposition political parties in Serbia were still divided and quarrelling among themselves. Instead of focusing on bringing down the regime, their game was about securing positions in post-Milosevic Serbia, and getting a share of power and privileges.

The international community wanted to help Serbian people to get rid of the dictator who committed horrendous atrocities in Kosovo, and had to be stopped. Additionally, the international community also wanted to convince the Serbian citizens that the bombing wasn't aimed at the Serbian nation, but at the regime.

42 Annual statistics data from the Serbian Statistics Bureau for the year 2000.

43 Source for the figures above is the Statistic Bureau of Serbia, which conducts population census every ten years. The last population census in SFRY was in 1991, while the very first post-conflict census in Serbia was completed in 2002.

With Serbian political parties constantly bickering, it was difficult to find a reliable partner to lead the way. This is where a new political movement, but not a party, called Otpor[44] surfaced, as a leader-less, authentic grass-root, informal entity. It consisted mainly of young people who could not tolerate any more the life under dictatorship, terrible perspective of continued decay and humiliating life in Serbia. They were joined by liberal intellectuals and even older people who realized that opposition political parties were obsessed with themselves and could not initiate the change.

Once Otpor started doing many manifestations of resistance, civic unrest and protest against the regime all over Serbia in early 2000, the whole public gained confidence to get up and do something. When the regime wanted to crack down on this unregistered (and in that way illegal) organization, it was faced with a major difficulty: Otpor was not a party, had no official membership, nor program, no address, no phone number, apart from habit of gathering in apartments of its activists and city cafés. Occasionally, the police would confiscate some posters, badges, posters, buckets with glue and brushes - but there were no leaders to be prosecuted, just activists who could be only charged with misdemeanours. Western governments realized that they finally had a partner worth supporting in order to help Serbia become a democratic country. Activists of Otpor were given aid, training and advice on how to build up the momentum.[45]

The opportunity to oust the dictator in a legal way, through elections, came in July 2000, when Milosevic one year ahead of time, called federal presidential elections. He wrongly believed that his people loved him for the victory against NATO and great achievements in rebuilding the country - at least that was what RTS was telling the public. Elections for federal president and federal parliament were to be held on 24 September 2000, and Milosevic thought that bitterly divided opposition could not do much. Nevertheless, he underestimated the power of Otpor, who managed to energize disillusioned citizens to come out and vote, as well as bring together bickering opposition to unite against

44 Otpor in translation from Serbian means “Resistance”.

45 Because of constant prosecution of all opposition activities, training programs for Otpor activists was provided in Montenegro and Hungary, where they could be safe from Milosevic’s police.

Milosevic on one coalition ticket.

Zoran Djindjic and his Democratic party became the backbone of the DOS (Democratic Opposition of Serbia) coalition of 19 parties and movements[46]. Their candidate to run against Milosevic wasn't Djindjic, considered too modern and pro-Western for the taste of an average Serbian voter. The joint candidate was Vojislav Kostunica, leader of the conservative Democratic Party of Serbia, which did not play a major role in 1996/1997 events. Vuk Draskovic, leader of the Serbian Renewal Movement, the leading Serbian opposition party of the early 1990s did not join DOS, for two reasons. First - his party was engaged in some kind of cohabitation with Milosevic from 1997 until 1999, when Draskovic even served as Federal Deputy Prime Minister. He was sacked by Milosevic on the eve of 1999 NATO campaign, and in summer of 2000 when DOS coalition was being forged, he was widely considered compromised. Second - Draskovic miraculously survived two assassination attempts in 1999 and in summer of 2000, ordered by Milosevic, and was not psychologically fit to run, while demands of his party comrades tabled to the other parties in bid to fully integrate the opposition were considered too costly.

The great showdown between Milosevic and DOS went according to a predictable scenario: DOS had upper hand, TV Bastille was reporting another great victory of the beloved president, and SPS activists at polling stations were trying to do their usual tricks of rigging. When official results were supposed to be published, DOS cried foul - and the matter was referred to *"the institutions of the system",* as in 1996/1997.

First instance was Federal Election Commission, staffed with Milosevic's "*permanent non-party affiliated members*" and a few party affiliated delegates (from both DOS and SPS-led coalition). Exit polls and observers indicated very high voter turnout and absolute victory of Kostunica, but preliminary results from

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46 DOS was a very wide and ideologically quite diversified coalition of 18 parties, which only had in common desire to remove Milosevic. Once they got in power – the ideological differences began to show and severely impede the work of the coalition government.

the Federal Election Commission were delayed and misleading. Such behaviour triggered large-scale street protests all over Serbia, because people had enough. The protests continued and intensified in the next ten days. This time police did not dare to interfere. Milosevic pulled the last trick out of his hat and brought Russian Foreign Minister Igor Ivanov to Belgrade to mediate. He tried to convince DOS to accept a second round of election in two weeks time, with just Kostunica and Milosevic running. The results from the Federal Election Commission acknowledged that those two candidates were leading, but neither had an absolute majority. Since results from the Federal Election Commission were false, DOS leadership flatly refused the Russian initiative and called a march on Belgrade for 5 October 2000.

When the long caravans of angry protesters against yet another election fraud from virtually every major city of Serbia started to pour into the streets of Belgrade from early morning of 5 October - it was obvious that this time there would be no *"lex specialis",* or intervention from police to save the dictator. It turned out that even the state security structures (police) realized that the dictator has reached his sell-by date and that it was time for them to secure a future for themselves through not attacking the protesters and establishing the lines of communication with the DOS leadership (Bujosevic, Radovanovic, 2003).

Several hundred thousand protesters from all over Serbia swamped the city and the central gathering point was the huge plateau in front of the Federal Parliament building, where the Election Commission sat. The protesters stormed, ransacked and set the building on fire, met only by rather timid and sheepish response from the police, whose forces were positioned around and inside all major government institutions. The next target was TV Bastille - determined citizens marched on the dreaded building in Takovska no. 10, just around the corner from the parliament building. It was defended by the police and RTS' own security personnel, against the angry crowd led by a bulldozer of now legendary opposition figure Joe. The dreaded fortress RTS had fallen into the hands of protesters. Editor-in-chief of political programs, Milorad Komrakov, second in command after director Milanovic, was caught by the angry mob and beaten up, along with a few other RTS announcers who for years shamelessly

read lies and propaganda. Milanovic escaped at the last minute through a secret underground passage, before the TV Bastille was set alight. By late afternoon now liberated RTS was broadcasting from its detached production facilities in Kosutnjak, far away from the city centre and the headquarters that were set alight. The new personnel were brought in - made of those who were expelled from RTS and volunteered to return to their old firm and help its new beginning.

On 6 October 2000, at the presidential office, Milosevic recorded a short statement carried by RTS' main evening news, acknowledging the following:

> *“Institutions in charge have informed me that Vojislav Kostunica has won the presidential election and that I am going into retirement, which will give me a lot of time to play with my grandson Marko".*

This statement fell short of admitting defeat and surrender, but it meant that Milosevic has finally accepted the reality and was about to vacate the office and pass the federal presidency to Vojislav Kostunica.

2.1 CONCLUSION

From the history of RTS / TV Bastille 1987–2000 it is visible how this key state media outlet and its dominant position was instrumentalized and misused by the Milosevic and his regime to come to power, maintain their rule and cling on to it way after their time was up. The story of RTS proves once again how state control over media is dangerous and undemocratic practice, which is possible only in dictatorships, where citizens are reduced to frightened subjects, political process frozen and institution of civic life marginalized. However, it also shows how free spirit of citizens cannot be shackled, no matter how large doses of propaganda and intimidation are administered through subordinated media.

At certain point, the one who had relied on and authorized dissemination of blatant lies started to believe in own illusion, losing touch with reality, which he/she did not like anyway. That was exactly the breaking point, where the citizens and newly emerging alternative media outlets had enough of information terror, material poverty and deprivation of dignity – and ousted the

autocrat. The burning of TV Bastille and beating up of some of its key propagandists[47] on 5 October 2000 was not only a symbolic gesture of purification, but also an act of liberation on behalf of all the citizens who were for so many years subjected to the RTS produced and dispensed lies.

The independent media, together with Otpor and various civic (non-governmental) organizations were crucial in energizing the Serbian public to rise against the regime. They were partners with the opposition parties in achieving freedom after 55 years of uninterrupted communist rule. One of the first and most valuable achievements of the citizens and the opposition parties on 5 October 2000 was liberation of the TV Bastille – RTS.

At this point, it is necessary to look at what had been promised by the new authorities in regard to reform of the Serbian media system, and especially RTS as its backbone:

- Complete and quick legislative overhaul of the media system: Drafting of new regulation would be done in partnership between professional organizations, NGO and under supervision of foreign experts before the parliament places it on the agenda and adopts it. Proposed and informally accepted time frame for drafting of what was commonly referred "the set of media legislations" was one year;

- Transformation of the state-owned broadcaster RTS into a modern public service broadcaster. Immediate abandonment of the forced tax/subscription through electricity bills;

- Other state-owned media outlets (either on federal, state or local level) would be privatized as soon as possible, and forced to compete on the market;

- Restrictive 1998 Public Information Act would be repealed immediately,

47 RTS General Director Dragoljub Milanovic was later tried and convicted for death of 12 RTS staff members during the 1999 NATO attack, because he ordered them to stay in the building under a threat of dismissal, despite having sufficient information that the building would be bombed.

and the media (and individuals) fined during its implementation compensated;

- Temporary ban on all new electronic media going on-air, until a proper regulatory body is established, (analogue) spectrum plan made and transparent tender procedure for frequency allocation implemented. All those who illegally usurp frequencies (start broadcasting after this ban) would be disqualified from future tenders;

- Introduction of the third mobile telephony operator in order to foil monopoly situation where Telecom Serbia controlled both existing mobile operators;

- End Telecom Serbia's monopoly in fixed/landline telephony, internet providing – with an intention to transform it and eventually fully privatize;

- The journalistic profession (and all other professions connected to the work of media) should become self-regulated and establish own codes of conduct, professional ethic and standards.

Unfortunately, the events and enthusiasm of October 2000 did not mean immediate realization of idealistic dreams of democracy and bliss for all. The roots of the past had been planted deeply in every corner of the society, and a change in political and media culture was necessary for success of liberal democracy in making. Unfortunately, it takes long time to achieve structural changes and tangible results, not only a change of persons in charge.

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CHAPTER 3

Case Study:

NEW LEGAL FRAME AND TRANSFORMATION OF RTS

3.0 INTRODUCTION

From the moment the Democratic Opposition of Serbia (DOS) climbed to power in October 2000, comprehensive reform of the media sector was one of the priorities in the modernization of Serbia and the project to make it a liberal democracy. A promise to adopt comprehensive “Media laws package” was part of the DOS pre-election program. Later on, it turned out that not all of the politicians associated with DOS were truly committed to their election manifesto and its promises:

> "*Some of the politicians were serious about the media reform, but some were not. The same can be said about other parts of the DOS election program.* "[1]

In this chapter, I discuss the preparations and work of the expert group, which drafted the texts that after parliamentary procedure became the base of new media legislation in Serbia. The next section of this chapter addresses the theoretical concept of public service broadcasting, as the chosen model for transformation of the state broadcaster RTS. Then I analyze ideological and legal nature of the adopted acts. The next segment of this chapter deals with the introduction and work of the Broadcasting Council, which was introduced into the Serbian system as an independent regulatory body, but failed to act accordingly. Finally, I examine how the transformation of Radio Television Serbia (RTS) into a public service broadcaster (PSB) did not meet the expected target.

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1 Zoran Zivkovic, former Prime Minister of Serbia (2003-2004), quoted from the interview given for this research.

3.0.1 Preparations for Legislative Reform

The new DOS government convened in November 2000 a working group of media and legal experts, as well as representatives of non-governmental organizations, with the task of preparing draft texts of the so-called “Media Laws package”. The package consisted of: Public Information Act, Broadcasting Act, Telecommunications Act, Freedom of Information Act[2] and Advertising Act.

Such composition of the working group was a good sign of cooperation and mutual respect - government, journalistic profession and the civil sector working together in the process of drafting legislation. Deputy Prime Minister Zarko Korac, professor of Psychology at the University of Belgrade and an experienced TV personality[3] was responsible for coordinating the work of the group, and once the drafts were finished for presenting them to the government and parliament for adoption. The Federal Minister of Telecommunications, Boris Tadic,[4] proclaimed in December 2000 a temporary freeze on new broadcasting permits until new regulation was in place (VIP, 29 Dec 2000). Tadic promised no legal action against broadcasters who had already been on the air, even if they were illegal, and guaranteed that such outlets would be given preferential treatment once the allocation of frequencies was considered according to the forthcoming regulations. Some 1,200 media outlets[5] were broadcasting in Serbia in October 2000.

The working group was expected and briefed to produce drafts of “*contemporary media regulation*” – drawn from the best comparative regional

2 Actually this act in Serbian is called “Zakon o slobodnom pristupu informacijama od javnog znacaja”, which in English translation is “Free Access to Information of Interest to the Public Act”. In practice this legislation is referred to as Freedom of Information Act.

3 Throughout the 1980s Dr Korac was a popular presenter of TV Belgrade educational programs, long before he got involved in politics. During the 1990s, however, Korac was “persona non grata” on RTS because of his opposition credentials.

4 Boris Tadic became Federal Minister of Telecommunications in October 2000, then became Serbian Minister of Defense in 2003, and finally in June 2004 was elected as the first post-Milosevic President of Serbia. He was re-elected again in 2008. Tadic became president of the Democratic Party (DS) in January 2004.

5 Unofficial figure from ANEM puts the number at 400 TV stations and 800 radio stations.

and European experience and models. Two inter-governmental organizations, the Council of Europe (CoE) and Organization for Security and Cooperation in Europe (OSCE) and their permanent missions in Belgrade, provided expert advice and support to the working group in the process of drafting. Despite hopes from the media profession and citizens that the cluttered (broadcast) media scene could be rearranged relatively quickly, the work of the expert group was not exactly swift, exposing major differences in concepts and opinions from the political sphere.

> "*From the very beginning of DOS it became obvious that the new government wished to maintain state control over the media. This was obvious in their alterations of the proposed media laws, as they attempted to maintain state control*."[6]

Part of the public expectation was that the Milosevic-associated media outlets that prospered during 1990s, like Zeljko Mitrovic's RTV Pink, Bogoljub Karic's BK Telecom and Marija Milosevic's[7] TV Kosava would be scrutinized by the new authorities. People felt that such broadcasters should be punished for illegally obtaining frequencies, not paying license fees, and tax evasion scams that made their owners multimillionaires at the expense of the state, while the media which had opposed the regime were constantly pursued and prosecuted.

At the same time, independent broadcasters like Radio B92 and numerous regional and local stations[8] expected to finally legalize their status, frequencies, and coverage, something that had been "mission impossible" for them in the past. They believed that once the new rules were set, the market forces would punish or reward the competing players. Very few thought that he Serbian economy, severely depleted after 13 years of Milosevic's rule and with GNP reduced to African levels, could generate enough revenue for commercial life of

6 James Lyon, Head of the International Crisis Group office in Belgrade (2000-2007), quote the interview given for this research.

7 Marija Milosevic is the daughter of Slobodan Milosevic.

8 There were two competing associations of regional broadcasters in Serbia, the B92-led ANEM (Association of Independent Electronic Media) and SPEKTAR, whose leader was TV5 from Nis.

as much as 1,200 existing broadcasting outlets. Even the handful of broadcasters operating on the national frequencies could not know if the advertising revenue and the market could sustain their existence.

3.0.2 Why British Regulatory Model?

During the years of rule by Slobodan Milosevic, members of the country's civic society (intellectual, academic and opposition political circles) were dreaming of the day when Serbia will finally start its own transition journey. After the events of 1989, when the former Soviet block nations finally emerged from the decades of darkness, it seemed that emancipation of Serbia would follow in mater of months, or weeks. But unfortunately, it took almost 11 years and the whole tragic decade of 1990s. During this time in waiting, the members of the civic society were not sitting idle, but were discussing and contemplating future - through informal exchange of ideas, different conferences and gatherings, writing of academic studies and papers, writing for various domestic and foreign publications, preparing drafts of legislations for future parliament. The international actors were also keen in supporting, educating and developing the future political elite of Serbia, and provided numerous research grants, academic exchanges, scholarships for talented students, and internships for opposition parties' activists.

So when the time for change in Serbia finally came, the quantity of intellectual production, concepts and even written material regarding comprehensive legal and institutional reform of the devastated country was huge. In terms of the media reform, the most quoted and appreciated regulatory model was British. The 1996 Platform on Media Reform, put forward by the Independent Association of Serbian Journalists (IJAS) to the public and opposition parties was the first step to anticipate future (Veljanovski, 2009). By 5 October 2000 and the change of regime, several NGOs and civic groups already had fully developed legislative proposals for the reform of the media system - The Belgrade Centre for Human Rights, Yugoslavian Committee of Lawyers (JUKOM), Association of Independent Electronic Media (ANEM), IJAS and its subsidiary Belgrade Media Centre. Their collective initiative and proposal actually prompted the new authorities to form the working group for drafting the

new regulations, and many experts from the aforementioned NGOs were invited to join, along with the representatives of the state.

Fascination with the British media, especially the BBC, has a long tradition in this corner of the world, going back to the times of the Second World War. In those days the BBC Radio broadcasts, including the ringing of Big Ben - Chimes of Freedom[9] - symbolized the dream of liberation in German-occupied countries of Europe, including Kingdom of Yugoslavia. While Yugoslavia was occupied, its monarch and his government were operating from exile in London, and again, the BBC transmissions were the only way in those days for the citizens of an occupied country to hear their leaders, as well as for the leaders to communicate their ideas and work to the people, as Misha Glenny (1999) has written in his book about history of the Balkans.

After the Second World War, Yugoslavia became a socialist republic, following the Yalta agreement in 1945, when the victories Allied powers - USA, Great Britain and USSR divided zones of influence in new Europe. During the course of the war, the royal government of Yugoslavia gradually lost support from Britain and USA, so the communist anti-fascist leader Marshall Tito ended up not only liberating the country from Germans, with a decisive support from the Red Army, but winning the bitter civil war against the royalists (Glenny, 1999). During the next 46 years of the socialist Yugoslavia's life (1945-1991), BBC World Service Radio remained the principal voice of the free world for its citizens, in addition to broadcasts by the Voice of America, Radio France International, Radio Free Europe and Deutche Welle. However, the global dominance of the English language and Anglo-Saxon culture was the key factor which made BBC much more popular than broadcasts in other languages.

The BBC World Service Radio news broadcasts in English, and in native languages of many countries around the world, were and still are part of the

9 "Chimes of Freedom" is the title of the famous 1960s protest song by Bob Dylan.

Foreign Office's policy and paid from its budget[10]. But the production of high quality scientific, education and entertainment TV programs by BBC was one of the most successful British export products, which even the ideological opponents - socialist authorities of SFR Yugoslavia - did not proscribe, but instead bought for showing on domestic state-owned TV stations. For ex-Yugoslavian viewers even non-BBC productions like Thames, Granada and ITN represented the seal of quality and had distinct British cultural flavour, leading to the general fondness towards British TV and its intrinsic values.

In the run up to the actual beginning of drafting and adopting new regulatory system for the media in Serbia, the decision to accept the British model was made more on sentimental reasons, rather than on understanding the true nature of it. It seems that such claim was equally valid for the political actors, and for members of the media profession, experts and general public. There was no debate, nor opposing opinions on this issue.

3.0.3 Public Service Broadcasting

When the British Broadcasting Corporation (radio) was founded in 1922, it was a private (limited) company, and only in 1927 it became public company through adoption of the Royal Charter. Television service was added to the BBC programs in 1936. (Veljanovski, 2005). Its first General Director Lord Reith summarized the BBC's purpose in three words: educate, inform, and entertain. This remains part of the organization's mission statement to this day. It has also been adopted by broadcasters throughout the world, becoming a paradigm of a non-commercial service founded by state for the benefit of its citizens, controlled by the citizens and mainly financed by the citizens through taxes, or mandatory subscription.

In the United Kingdom the term "public service broadcasting" (PSB) refers to broadcasting intended for the public benefit, rather than for purely commercial

10 Since the number of countries which successfully completed their transition paths is getting bigger, especially in the former Eastern Europe, the number of BBC World Service broadcasts and personnel in native languages have been drastically reduced.

concerns. PSB and commercial broadcasters in UK are regulated by the law, whose implementation is overseen by an independent regulatory body Ofcom. The existing laws require that particular television and radio broadcasters fulfil certain duties, as part of their license to broadcast. All of the BBC's television and radio stations have the so-called public service remit, including those that broadcast digitally.

In the preface to the Serbian translation of the Toby Mandel's book "Public Broadcasting" it is written that the central idea of public service broadcasting is serving the needs and interests of the public. This main purpose is reflected in terms of ownership, financing and programming of such broadcasting organizations. "*Public broadcasting represents the public sphere where discussions are carried, various ideas exchanged and information disseminated, which is of crucial importance for functioning of democratic society. In that sense, such broadcaster is public, works for public and in the name of public*." (Mandel, 2001, pg. 2)

Discussing the background that enabled formation of the specific British organization of the media system, Serbian communicologist Miroljub Radojkovic points at long tradition of parliamentary democracy: "*All of that*[11] *produces specific arrangements for control of the information/communication system, which is perceived as provision of any other public service deemed crucial for the society*." (Radojkovic, 1984, pg.140). This analogy with other public services underlines the principle of access/provision for all citizens, and some form of public financing of such services.

Before we examine the concept of public service broadcasting (PSB), its meaning and content, we need to establish where and how it actually came into use. The public service broadcasting is an artefact coming from political culture and practice of contemporary democratic societies. It represents one of organizational models through which citizens in representative democracies can fulfil their communication needs, enabling them to participate meaningfully in

11 The author here means the tradition of parliamentary democracy in UK - remark by SS.

public life. All of the aforementioned notions like political culture, representative democracy, citizenship, communication needs and public life are here treated as predetermined (and unchallenged) postulations and staples of liberal democracy - a type of socio-political order.

Paddy Scannel (1990), one of the leading proponents of public service broadcasting from the University of Westminster notes: "*The essence of public television, according to Lord Reith, was to enhance formation of educated and well informed public opinion, as the key component of the political process in mass democracies.*"

In the introduction to this research project, I have clearly stated that further discussions of many contested paradigms from classical and contemporary political theory are not its purpose. However, several of such notions need to be used[12] in order to proceed. The concept of liberal democracy, which incorporates and/or includes all of the above mentioned controversial notions, has been previously named as one of several possible models of organizing socio-political life and relations in a certain state. When we discuss the process of post-authoritarian transition, liberal democracy is treated as the final destination, or idealized and chosen/preferred outcome of such process.

It is also not sensible to open here another inexhaustible debate on relations between democracy and the media. I will just acknowledge once again that the media and provision, circulation and dissemination of impartial and unbiased information to and among citizens living in contemporary states are pillars of representative (liberal) democracy. This is where and why an organizational model for satisfaction of communication needs, like public service broadcasting, appears.

Just like for many other concepts/paradigms of political science, there is no prevailing definition of public service broadcasting. Many authors and institutions have tried to define it through inventory of its main characteristics and duties. Public service broadcasters generally transmit programming with

12 Or perhaps accepted at their face value without deeper examination.

the idea to improve society by informing viewers. It is organized by the state for the benefit of its citizens (at their expense), but at least in theory PSB is envisioned as independent from the state's interference/influence. The purpose of commercial media outlets, on the other hand, is to provide popular content that attracts large audience, maximizing revenue from advertising and sponsorship. For this reason, the ideals of public service broadcasting are often hard to reconcile with commercial goals.

At this point, it is appropriate to propose a catalogue of the PSB's defining characteristics or duties. I have chosen six main ones, based on Eric Barendt's (1997) classification and further modified by Toby Mandel (2001, pg. 7). The actual order of characteristics is mine.

1) Neutral / unbiased / impartial provision of news;
2) Independence from the state and commercial interests;
3) Universal service coverage across the given territory;
4) Concern for preservation and nurturing of nation's identity, community and cultural values;
5) System directly funded by the corpus of users - i.e. license fee in the case of the BBC;
6) Catering for all interests and tastes, including racial and linguistic minorities.

Public service broadcasting may be nationally and/or locally operated, depending on the country and the station. In some countries, PSB is dominated by a single organization (such as the BBC in the UK and the Australian Broadcasting Corporation in Australia). On the other hand, some countries have multiple public broadcasting organizations operating regionally (such as in Germany) or in different languages (Brown, 1996).

Public broadcasters do not rely on advertising as the key source of revenue. This enables public service broadcasters to produce not exclusively profit-oriented programs, like public affairs shows, documentaries, and educational programs. Public service broadcasters not chasing ratings like commercial broadcasters opens door to the criticism that they are unresponsive to what their viewers want, but also to the positive claim that they can explore issues in

greater depth and with more complexity than what is possible in commercial media. By doing so, they promote cultural contents that have social values not supported by markets. (Veljanovski, 2005)

Proponents of liberal democracy argue that PSB supports democratic order, since public service broadcasters can engage in investigative journalism - in its "watchdog" role. In mature democracies, public service broadcasters are not under influence or pressures from political parties or the government of the day. This is especially true where PSB is financed by licensing fees, so theoretically they are not dependent on the government for any of its funding. (Veljanovski, 2005).

After this brief outline of what PSB stands for, and why the British model has been chosen in Serbia as the foundation of the new media system, we can now move forward to analyze the actual legislative output after during the 2000-2006 period.

3.1 IDEOLOGY AND THE NEW LEGISLATIONS

In drafting the media regulation for a new democratic Serbia, the working group had to agree on and lay down the values that would determine the very nature of future legislation. Once this matter of ideology was resolved, the actual drafting looked like a mainly technical undertaking.

The very first media legislation passed by the Serbian parliament was the Broadcasting Act in July 2002. The ruling DOS coalition was already divided, and the adoption came during the temporary absence of Kostunica’s Democratic Party of Serbia (DSS) from parliament, due to a major dispute regarding mandates with their DOS coalition partners. (VIP News, 27 Jul 2002)

Nevertheless, the Broadcasting Act, as a predominantly political and only marginally technical legislation meant to regulate the electronic media, could not commence its life. The appointment of members of the Broadcasting Council as the implementing agency was put off for another nine months, due to political misunderstandings among DOS members. Also, such an act could only function

in conjunction with the Telecommunications Act, which was its technical counterpart legislation.

The adoption of the Telecommunications Act had to wait another year for the change of jurisdiction – from federal to republican, when it finally fell to the parliament of Serbia once the old federal (FRY) bodies ceased to exist. The fact that the Telecommunications Act was passed during the state of emergency in Serbia was just a coincidence, since it had been placed on the parliamentary agenda before the assassination of Prime Minister Zoran Djindjic.

The Public Information Act was envisaged as one of those foundation laws, which enable citizens to be informed in an appropriate way, stipulates the duties of a democratic government in keeping citizens well informed, and lays down standards for the journalistic profession. Such legislations are typical for the continental legal tradition, as opposed to the common law system, which refrains from over-regulation.[13] Its nature is ideological, because it defines the values of a "democratic society", and attempts to secure the environment for democracy to function. It is bewildering that the Serbian parliament adopted two important media laws (Public Information Act; Telecommunication Act) and finally elected members of the Broadcasting Council during the state of emergency (13 March-23 April 2003). The answer why then and not before or after, is within the domain of political opportunism and marketing.

To determine ideological content of the adopted legislation, we need to dissect their introductory articles. The question of order is also important and such analysis needs to start with the Public Information Act, although it was passed as the second from the so-called "package" in April 2003. Then one needs to examine the Broadcasting Act, which had been adopted a year earlier (2002), and finally turn to the Telecommunications Act, which was passed two days after the Public Information Act. The Access to Public Information Act and the Advertising Act (the last two pieces of the "package of media laws") were

13 An English journalist, Patrick Prentice from The Times, who read advance version of this chapter, remarked that such legislation and imposition of regulation on the journalistic profession would be considered censorship in the United Kingdom.

passed with a further delay of two years. These acts are not included in this analysis, since they represent a logical extension of the already ideologically defined system.

3.1.1 Public Information Act

The Public Information Act contains roughly one hundred clauses, including many procedural norms. The Article 1 stipulates that this act regulates the right (of a citizen) to public information. This right is defined as freedom to publicly express an opinion, as well as the rights and obligations of actors professionally engaged in informing the public. The right to public information covers freedom of expression, freedom to collect, examine, publish and disseminate ideas, information and opinions, freedom of printing and distribution of newspapers and other publications; freedom to produce and broadcast radio and TV programmes; freedom to receive ideas, information and opinions, and finally freedom to establish public information outlets and publishing companies.

Such legal definition of public information seems to be encompassing and adequate to cover all of its possible variations and types. Public information is defined in Article 2 through unobstructed (free) access to facts and news for the citizens. This legal guarantee of unobstructed access is provided in the interest of citizens, without restriction (censorship). Interference of state and its organs is prohibited, either through direct acts, or through acts of undue influence/control over technical means for printing, broadcasting, or distribution that can endanger unrestricted (free) flow of ideas, information or opinions. This article establishes the mandate and duty of the judiciary system (courts) to solve disputes about freedom of information as an urgent matter.

Definition of information is given in Article 4. It covers ideas and opinions relevant to the public, and sets the limits of such entitlement, regardless of the way information is obtained. In spite of possible understanding of such definition as the legal base for censorship, in my opinion the Article 4 adequately defines information – at least in a legal tradition like Serbian - based on the continental law system. Stipulations of Articles 5 and 6 regulate protection of groups with

special needs (ethnic and other minorities, handicapped etc.), and foreigners. Monopoly over any type in providing public information is strictly prohibited by Article 7, while Article 9 defines restricted right to privacy of government figures, due to the overwhelming interest of the public.

A legal definition of what constitutes a publication including newspapers, magazines, radio and TV programs, agency services, and Internet information pages/services is found in Article 10. Such definition covers all means that through words, images or sound carry information, ideas and opinions meant for public distribution and consumption for unlimited number of users. Any domestic or foreign individual or enterprise can start a publication under Article 13. This article also bans the government and its agencies (from municipal to central level) from being the founder/publisher of publications if it is financed solely or mainly from public funds. However, broadcasting enterprises are exempt from this provision. In Serbia there are many state-owned media outlets, especially belonging to municipalities and not only in broadcasting. A time limit of one year was set by Article 90, forcing the state-owned media either to be privatized or cease trading. In subsequent implementation of this clause, the government and legislators extended this time limit several times, and at the time of writing (September 2008), privatization of municipal (state) media outlets still remains unfulfilled.

Article 14 proclaims distribution (dissemination) of domestic and foreign publications as free and unrestricted. At the same time, Article 15 prevents distributors from refusing to disseminate any publication, apart these for purely commercial reasons. Distributors are prohibited to set economically unreasonable conditions for distribution. These clauses were inscribed into the new legislation as a direct consequence of the communist era restrictions, which were used as legal ground by the previous regime to prevent distribution of opposition minded publications, as well as foreign newspapers, magazines and books[14].

14 Such provisions were contained in 1998 Public Information Act, which the regime used to obstruct, ban, fine and destroy all the media (print or electronic), which were not to its liking.

The basic rights and duties of the journalist profession are covered by Articles 20–24, with an idea to provide for self-regulation of journalists, editors and their professional association. The following group of articles (25–32) regulates special rights and obligations in the process of public information. They include temporary keeping of published materials, right of public offices and individual citizens to require a copy of the publication within set time limits. These norms also govern how presumption of innocence (until the court passes a verdict) must be treated in media coverage, provide protection of minors, prohibit hate speech and public displays of pornographic material.

Regulations on the rights of individuals about whom information has been published are contained in Articles 33–80. This includes publication of information on private life, private correspondence, right to reply and correction, principle of equality of published information and correction/reply to it. These clauses prohibit editorial intervention and comments on reply/correction; set time limits on publication/refusal of reply/correction; secure right of individuals to demand publication of the end of criminal proceeding (not guilty verdict, trial dismissal etc.); right to compensation as a result of incorrect public coverage. Finally, these provisions outline liability of the publication, editor and journalist.

To conclude analysis of the Public Information Act, I would like to observe that it creates an environment for unrestricted, but regulated public information flow. It adequately addresses most of the issues discussed in theory and practical debates on freedom of the media. The only norm that may be deemed as unnecessary and relict of the old era is Article 81, which endorses the notion of supervision of implementation of the Public information Act. The supervising authority is stipulated as “republican organ in charge of public information matters” - which is the Ministry of Culture and Media.

It seems that such a supervision clause reflects a certain dose of suspicion towards the media. It keeps open a possibility for interference in the autonomous work of the media. However, Article 81 does not give the ministry any specific powers to do anything. Such “supervision” has no meaningful instruments for punishment/sanction. In other words, the ministry can observe and have an opinion, inform the cabinet or public about it, but cannot order any

media outlet or independent regulatory body to do anything. Such legally impotent supervisory clause produced several public disagreements between the Ministry of Culture and the Broadcasting Council, especially over broadcasting licenses. In the end, apart from the minister's public outcries, the council's decisions could not be overturned by acts of the ministry.[15]

3.1.2 Broadcasting Act

The first article of this act outlines what is the object of regulation: conditions and modes in which broadcasting is conducted, in accordance with international conventions and standards; establishment of the Serbian Broadcasting Agency and institutions of public broadcasting service; sets conditions and procedures necessary to obtain licenses for broadcasting of radio and TV programs; and finally provides regulation of all other issues involved in broadcasting.

Ideological aspects of the act are outlined in Article 3, which proclaims that regulation is based on the following principles:

- Freedom, professionalism and independence of the broadcasting media as guarantees for democratic development and social harmony;
- Rational and efficient use of the broadcasting spectrum as a limited natural resource;
- Censorship and/or influence of any kind aimed at broadcasters is forbidden, providing independence of work for their journalist and editorial staff;
- Full affirmation of civic freedoms and rights, and especially freedom of expression and plurality of opinions;
- Implementation of internationally accepted norms and principles of broadcasting, and especially those dealing with observance of human rights in the area of broadcasting;
- Impartiality, prohibition of discrimination and full transparency of procedures governing procedure of granting broadcasting licenses;

15 When in 2006 the Broadcasting Council finally announced the list of media outlets which were granted national frequencies and broadcasting licenses, the Minister of Culture Dragan Kojadinovic protested over some of the council's decisions.

- Giving support to the development of broadcasting and creativity in radio and TV production sector of Serbia.

To properly understand and make sense of the act's specific terminology, Article 4 defines 15 key terms and notions used in the act:

1) *Broadcasting* – general notion for radio and television as electronic media of mass communication, achieved by analogue or digital transmission of text, speech, sound, still and moving images forming programming units for public consumption done over radio waves or through cable distribution system to adequate receiving units.

2) *Radio frequency* – the basic physical parameter of electromagnetic waves, or radio waves that transmit freely through the space, and whose conventional values are within the range of 3 KHz to 3000 GHz.

3*) Zone of coverage* – area around transmitter in which the minimal requirement of the signal intensity is higher than the other signals, making the reception possible without interference.

4) *Service coverage* – area around transmitter where quality reception of the signal is realistic; Service coverage in reality is always smaller than the zone of coverage.

5) *Intended zone of service* – geographical or administrative area for which the broadcasting service is meant. Intended zone of service, depending on needs, is the sole service zone, or the sum of service zones of different transmitters carrying the same signal (when transmitters are networked).

6) *Radio/TV network* – two or more transmitters or relays (or combination) carrying the same programming simultaneously.

7) *Networking* – establishment of temporary radio or television network through ground, cable or satellite links between two or more transmitters, in order to directly carry the programming.

8) *Broadcasting organizations* ("broadcaster" in further reference) – individual or company registered for production and transmission of radio and TV programming, who in accordance with this act possesses adequate broadcasting license.

9) *Public Broadcasting Service* – production, buying, processing and transmission of informative, educational, cultural/art, children's, entertainment,

sports and other radio and TV programming of general interest to the public. Such activity is meant especially for support of human and civil rights, exchange of ideas and opinions, cultivation of political, inter-ethnic and religious tolerance, sexual equality, and for preservation of national identities.

10) *Independent productions* – radio and TV programming meant for broadcasting and produced by individuals or companies registered for such activity, but who do not transmit the programming.

11) *Advertisement* – promotional message aimed at representing and drawing attention at certain product, company or service, or in other words persuading a consumer to use or buy such product or service.

12) *Advertising* – transmitting of advertisements for compensation (money or something else).

13) *Sponsorship* – any type of participation of an individual or a company not involved in broadcasting (transmitting or production) business, or audio-visual production, or involved in financing radio or TV programming for the purpose of promoting its name, reputation, brand, activity or products.

14) *Telesales* – radio or TV presentation of usage or other value attached to a certain product or service in order to enhance sale of it.

15) *Cable distribution system (CDS)* – mainly cable telecommunications network used for distribution of radio and TV programming, and for other telecommunication services.

An independent body – Broadcasting Council – is given power to run the broadcasting affairs (Articles 6-37), which is a regulatory model borrowed from the UK and some other Western European countries. Unfortunately, from its first day of existence in 2003, the Broadcasting Council was far from an independent and impartial regulator, due to flaws in its election and accountability procedure.

The Broadcasting Act in Articles 68-75 also outlines so-called “General Programming Standards”, applicable to all broadcasters and covering: station identification rules; networking; access to most important events; own language transmitting; original production; quotas of independent programming; and liability of broadcaster.

A large portion of the Broadcasting Act (Articles 76-96) defines public service broadcasting as the key concept inspired by the British (BBC) model. The idea behind choosing such a model was to lay a foundation for a comprehensive overhaul of the state-owned broadcaster Radio Television Serbia (RTS). I would add here another reason why such model was chosen: tradition of the old socialist state broadcasters included many features of PSB in terms of providing quality programming of culture, national heritage, non-commercial art, classical music and jazz music, sport, education, news bulletins for national minorities etc... The major difference between the old state broadcasters and the new PSB would be in news and political programming where there is no monopoly of one party, and (formal) independence from state organs and institutions.

Article 78 of the Broadcasting Act spells out the duties assigned to public service broadcasters, as opposed to commercial ones:

1) In addition to general programming standards outlined in Article 68, broadcasters must secure that the programming produced and transmitted, especially those of news nature, would be protected from any influence of the government, political organizations, or “centres of economic power”;

2) They must produce and transmit programming for all the segments of society, without discrimination, especially bearing in mind the specific social groups like children, youth, minority and ethnic communities within area of service coverage;

3) They must follow the language standards, not only of the dominant population, but also the ethnic and national communities within area of service coverage;

4) They must secure fulfilment of cultural identity (language, alphabet etc.) programming needs of the population, as well as the ethnic and national communities;

5) Secure programming time allocated for coverage of citizens associations and non-governmental organizations;

6) During times prior to elections, broadcasters must secure free and equal promotion of all the political parties, coalitions and candidates whose lists

have been verified for federal[16], republican or local election, while they are prohibited from broadcasting paid adverts if they are not connected to an election campaign;

7) They must secure in their annual programming plans to broadcast a certain quota of independent productions, which must be commissioned through public tenders;

8) If recommended by the Broadcasting Regulatory Agency, broadcaster must produce and transmit teletext service, either their own, or independently produced;

9) They must secure use of the latest technological devices and equipment in preparation, production and transmitting of programming, and according to adopted time scale and plan make preparation for switch to digital broadcasting;

10) They must observe traditional, spiritual, historic, cultural, humanitarian and educational role of religious organizations in society;

11) They must cooperate between themselves and exchange programming that is of interest to the citizens of Serbia.

Although the British model of public service broadcasting was used as the base for drafting the legislation, not all of its key features were faithfully copied. The main difference being is financing of pubic service broadcasters, which allows PSB to have (sell) commercial advertising time - which is not the case in Britain. On BBC1 and BBC2 TV channels, there are no commercials. Allowing advertisement-based financing for PSB, which is also financed through subscription, equals granting it privileges in comparison with commercial broadcasters (Veljanovski, 2005). By having an opportunity to seek advertising income, PSB takes away part of the available advertising revenue, from which commercial broadcasters are supposed to make a living.

Strict prohibition of commercial advertising is a unique feature of the British PSB model. In comparative practice of public service broadcasting in former Eastern Europe, there are examples where PSB is allowed to sell advertising time and

16 The Broadcasting Act still mentions federal elections, because it was adopted in 2002, several months before the federation (Federal Republic Yugoslavia) finished its legal life in February 2003.

supplement its revenue. But in order to prevent the privileged broadcaster (PSB) from suffocating the commercial competitors, it is necessary to set clear limits how much advertising time it may carry.

The Serbian Broadcasting Act has allowed the designated PSB broadcaster Radio Television Serbia (RTS) to use up to 10% of broadcast time (or 6 minutes per hour) for advertising. The commercial broadcasters, on the other hand, have legal restriction of up to 20% of broadcast time (or 12 minutes per hour) for advertising. I will return to this striking disbalance of the allocated advertising time and its consequences shortly, after I briefly recapitulate another important issue regulated by the Broadcasting Act.

Articles 97-103 deal with prevention of illegal concentration of media ownership, which is a common feature of most contemporary legislation in Europe. The presence of such norms reflects the concern of legislators over possible threats to democracy, which is a universally present topic in political, legal and public discourse of most functioning democracies. Whether the adopted norms of the Serbian media system are adequate, comprehensive and without loopholes - it is a question not only for legal theory, but also for political discussion. The normative part looks sound at first sight, but the implementation in Serbia is always problematic, especially with a newly established regulatory body, the Serbian Broadcasting Council.[17]

The Advertising Act was originally set to be part of the “Media Laws package”, promised to be considered and adopted within one year after the October 2000 changes. It was adopted as the very last part of the "Media Laws Package" only in September 2005, without much discussion in parliament or in public, since it was treated as just an auxiliary and complementary act in the already defined media system.

Basic norms regulating allocation of advertising time were included in the Broadcasting Act (Articles 104-112). These norms require special attention,

17 Introduction and formation of the Serbian Broadcasting Council as independent regulatory body will be discussed in subsequent section of this chapter.

because they *de facto* define functioning of the Serbian public broadcasting system and its relation *vis-à-vis* commercial broadcasters. The main sticking issue here is total duration of advertising segments during broadcasts. According to the adopted legislation, public service broadcasters can use up to 10% of the time[18], with certain restrictions, while commercial broadcasters can use up to 20% of the time. It is an extremely high allocation for both, which makes programming disrupted and fragmented, turning away listeners and viewers. The UK regulation governing the maximum advertising time for commercial broadcasters sets it at three minutes per hour, or 5%, while PSB can only use no more than two minutes per hour to publicize its own programs on non-commercial terms (Veljanovski, 2005).

There are several problems with such allocation of advertising time. First of all, such a great amount of time for both PSB and commercial broadcasters leads to dominance of state-wide broadcasters, who can pick up not only large corporate clients, but even medium-sized and local advertisers, since there is a vast amount of seconds to be sold. This spells death for regional and local media, who cannot find even small advertisers. With no potential economic base, this makes privatization of the media outlets owned by regional and municipal authorities, as the law has stipulated, something like a "mission impossible".

Under excuse that the former state broadcaster RTS needs additional funds (not only income from subscription and/or state budget's appropriation) in order to develop and achieve transformation into PSB, the government's expert group which drafted the text, and subsequently the legislators who adopted it, made a decision to allow PSB commercial advertising. Such choice was based on comparative practice of other post-authoritarian states, and did not face criticism from either public or international experts and consultants who were present during the preparation process. Since majority of the general public, as much as the Serbian MPs, do not know what are the standards of PSB elsewhere, nor they have ever lived in an environment where TV program is

18 It amounts to 6 minutes or 360 seconds per broadcast hour.

completely free of advertising - they allowed such a flawed stipulation (to allow advertising on PSB) to become a law without any opposing voices.

The mistake was made in allowing so much time (10%) to the designated PSB. Six minutes of advertising over one hour is disruptive for any type of programming, making viewers lose interest and change channel. The legislators correctly implemented the existing practice that commercial broadcasters should be allowed twice as much as PSB. But when PSB has six minutes per hour, which is already annoying and intolerable for continuity of any program, then the option to have 12 minutes per hour of advertising is not only wrong, but useless. No sane advertising agent or programming official would have 12 minutes of advertising per hour on his/her channel, since the viewing numbers would be permanently destroyed.

Additionally, such a lenient allocation of advertising time could lead towards depreciation of advertising prices in general, which means prolonged undermining of commercial broadcasters - making them poorly equipped, professionally incapable and underpaid. At the same time, this cannot make former monopolists like RTS more efficient, neither forward looking, but turns them into defenders of their privileged position - with income coming from both subscription and commercial sources. Commercial broadcasters, on the other hand, might not be able to afford capital investment for development and better salaries for their staff.

It seems that the Serbian legislators actually got confused between the two different organizational models for the broadcast media - public service broadcasting and the commercial model. In the long run, the allocation of advertising time which has been adopted can only perpetuate the dominance of RTS over commercial broadcasters, which are forced to compete in the commercial arena, but not on equal terms.

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Perhaps the optimal solution was to allow PSB to have no more than 100 seconds per hour for advertisements, and the commercial broadcasters up to 300 seconds (or less than 10% of time). It would make commercial seconds more valuable for both PSB and commercial broadcasters, allowing them to

keep the largest corporate clients and sponsors, while the program would not be so fragmented and at risk of losing the eye balls of the audience. At the same time, more balanced distribution of the advertising revenue would enable regional and local broadcasters to develop their marketing strategies and capture clients who cannot afford the national advertisement, nor need it for their products or services.

The remaining stipulations on advertising found in the Broadcasting Act are drafted in accordance with standards found in other contemporary media systems. These norms give adequate protection to consumers and minors, prevent interference of sponsors in programming and prohibit political adverts outside election campaign periods.

3.1.3 Telecommunications Act

The Telecommunications Act was finally passed in April 2003, following delays and change of jurisdiction. The legislation sets technical standards and provides competition under equal conditions for all operators. It also defines procedures and technical requirements for allocation of licenses to use (commercially exploit) limited natural resources, such as the frequency spectrum. The Telecommunications Act regulates “universal service” – a standard set of telecommunication services that must be generally available, as well as compatibility and inter-connectivity between various types of telecom networks and operators. One of the main features of this act is the set of principles for allocation of frequencies to interested operators and media (broadcasters).

The principles for regulation of telecommunications are defined in Article 3 of the Telecommunications Act:

a) Securing of adequate conditions for development of the telecom sector in Serbia;

b) Protection of users’ (consumers’) interests;

c) Providing conditions for fulfilment of (telecom services) users’ interests;

d) Enhancing of competition, efficiency and value-for-money in conducting/providing telecom services;

e) Securing maximum quality of telecom services;

f) Securing network inter-connectivity and compatibility under same and mutually acceptable conditions;

g) Securing rational and efficient exploitation of the radio frequency spectrum;

i) Synchronization of telecom services with the international practices, standards and technical norms.

In Article 4, the Telecommunications Act spells out 50 terms and notions applicable to the telecom sector. Since the act is of a mainly technical nature, these 50 terms represent an accurate translation of international standards and notions.

The Telecommunication Agency (RATEL)[19] as the regulator was to be formed immediately after the adoption of the Telecommunications Act, but as usual in Serbia, its formation was delayed.[20] Its first task was to draw a plan for allocation of available frequencies and it took RATEL around one year to finalize the plan, since it must be coordinated with the international telecommunications governing bodies.

Frequencies for electronic media are awarded through a two-tier procedure. First the Telecommunications Agency approves a telecom license for a certain frequency, based on technical requirements. Then the Broadcasting Council awards a broadcasting license, based on submitted programming scheme and requirements. Licensing of broadcasters in Serbia only began in 2006, and again became a highly politicized and controversial matter.

Since "*international standards and contemporary practice*" were proclaimed as guiding principles in drafting new media legislation, it is odd that the Serbian Telecom's monopolistic position was inscribed in the new law. However, it was established that such a monopoly would be only temporary, until the end of 2005. This came as a result of sale of 49% stake in Serbian Telecom in 1997 by

19 Acronym RATEL stands for Republican Agency for Telecommunications.

20 RATEL was officially established in 2005, almost two years after adoption of the Telecommunications Act.

the government of Slobodan Milosevic, who granted foreign investors[21] such a privilege - guaranteed until 2005. But when this legally sanctioned monopoly of Serbian Telecom came close to expiry, its management demanded that the government and legislators should grant them an extension on the grounds that it would increase the company's value in the run-up to privatization. Three years later (2008) Serbian Telecom still enjoys its monopolistic position, while full privatization has not happened.

Unfortunately, the Serbian Telecommunications Agency (RATEL), as a regulator, did very little to curb the monopolistic behaviour of Serbian Telecom, which in the past several times acted illegally against the interests of its competitors and end-users. Recent complaint (2006) of the Serbian Association of Internet Providers, who could not force Serbian Telecom to act in an unobtrusive and lawful way, despite court orders and verdicts shows that monopolistic behaviour is alive and well in Serbia.

RATEL's strange behaviour became even more controversial and created a public outcry in July 2008, when the regulator issued an order (without any legal basis, or public consultation) to all providers of the Internet to install at their own expense equipment that the government's security services could use (without obtaining a proper court order) to eavesdrop on Internet traffic. The Association of Serbian Independent Media (ANEM) and all of the country's non-governmental organizations and civil rights movements protested vigorously and issued a protest statement on 27 July 2008:[22]

> *"By issuing these directions, RATEL has exceeded its authority: the privacy of communication can be limited only by law, and not by the way of sub-legal enactments. This direction does not include any provisions on the protection of Serbian citizens' privacy, and it does not mention that Internet service providers are allowed to give information on their subscribers and their communication to state authorities only on the basis*

21 In 1997 Greek Telecom had bought 20% and Italian Telecom 29% share of Serbian Telecom. The Serbian government bought back the Italian share in 2003, becoming again majority owner.

22 The full text of the ANEM's statement on RATEL's abuse of privacy rights can be found on: www.anem.org.yu/cms/item/medscena/en/Aktuelno?articleId=10348&type=aktuelno&view=view

of a court decision. On the contrary, by the way of these directions, RATEL gives the keys to Serbian Internet to the Security and Intelligence Agency, at the expense of Internet service providers themselves, i.e. their subscribers. This kind of limitation of civil rights and freedoms would have been alarming even in the most developed democracies, and even more so in Serbia, whose security agencies were politically abused for decades. "

Following an avalanche of protests, RATEL backed down and withdrew this controversial order, saying that they did not want to breach privacy laws, but were concerned only with technical aspects. In any other democratic country, such an "independent regulatory" body and its members would be expected to resign for such gross incompetence and illegal order that infringed on constitutionally guaranteed civil rights and freedoms.

3.2 FLAWED MAKEOVER OF RTS

Attempt to reform Radio Television Serbia (RTS) and convert it from a state-owned and politically controlled outlet into a public service broadcaster (PSB) in a way epitomizes the whole reform process of the Serbian media. The new legislative framework adopted in Serbia from 2002 on, provided an opportunity to achieve a long overdue overhaul of RTS. However, solemn reform promises of the political actors, their legislative output, as well as understanding the nature of the PSB model, were not exactly in harmony.

In her country report on Serbia, made for the Open Society Institute's pan-European study "Television Across Europe", Snjezana Milivojevic exposes the initial problems of RTS's transformation:

"The Broadcasting Act foresaw the transformation of RTS into a public service broadcaster by 30 January 2003 at the latest. However, as this proved impossible, RTS has been operating in a legal limbo since February 2003. It cannot be considered a public service institution, but is also no longer a state-owned and controlled broadcaster. It will remain impossible to proceed with the transformation without a fully effective and legally established broadcasting council – that is the Republican

Broadcasting Agency Council – and properly appointed RTS management and governing bodies." (Milivojevic, 2006)

Here we stumble across the first obstacle in implementation of the newly passed legislation. The independent regulatory body (Republican Broadcasting Agency's Council) – as envisioned by the drafters of the Broadcasting Act – during the parliamentary proceedings changed its nature and became different in terms of its composition (appointed members), as well as in its nature. Its proposed provisions of independence were curtailed, while the number of members increased with additional appointees with political backgrounds.

3.2.1 The Broadcasting Council – Instrument of Obstruction

When the Broadcasting Act was eventually passed in July 2002, parliament could not agree about the names of the council members, and effectively obstructed the inception of the Broadcasting Agency's Council for the next nine months. Once the members were formally appointed,[23] it turned out that some of them were not eligible, and the legal procedure was not followed in a proper way.

As an act of protest against illegal the inception of the regulatory body, media law expert Vladimir Vodinelic and media scholar Snjezana Milivojevic immediately resigned from the Broadcasting Council's membership. Such scandal did not prevent controversial former director of the Belgrade University's Radio Index Nenad Cekic and several of his associates from becoming members of the already compromised regulatory body and acting like it had full respect and credibility. When asked about the concept of having an independent regulatory body for broadcasting in Serbia, former Prime Minister Zoran Zivkovic frankly admitted in the interview for this research:

23 Appointments were made during the state of emergency after the assassination of Prime Minister Zoran Djindjic (March – April 2003).

> *"That farce is something that we reluctantly accepted to implement because of pressures from EU. In many mature democracies governments still regulate the media scene*."

After the composition of the government changed in 2004 and Vojislav Kostunica's conservative cabinet took over from Zoran Zivkovic, Cekic and the Broadcasting Council remained in their positions. Following the 2004 and 2005 amendments of the Broadcasting Act they were re-appointed, but now as nominees of the DSS and their coalition partners.[24] Their failure to bring order into broadcasting, as promised by the politicians in 2000 and required by the Broadcasting Act from 2002, and failure to initiate proceedings for the allocation of frequencies and broadcasting licenses until 2006 was not good enough reason for the Serbian parliament to question the Council's work and composition.

Snjezana Milivojevic claims that such behaviour of the lawmakers indicates political reluctance to set up independent regulatory structures. The government and parliament tried instead to preserve their influence over the media by prolonging the dubious legal and market conditions inherited from before 2000 (Milivojevic, 2006). With such a compromised Broadcasting Council, and its president Cekic attuned and keen to comply with whispers from his political puppet masters, it was easy to do so. Even when the Broadcasting Council finally began to carry out its mandate in 2006 – considering and approving applications for national broadcasting licenses – it again turned into several scandals.[25]

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24 This researcher got personally sucked into the controversies over membership in the Broadcasting Council twice. In 2003 a group of non-governmental organisations unsuccessfully proposed me as a candidate for membership, based on my academic credentials. In 2005 I was again proposed as a candidate to the parliamentary committee in charge of media by the former journalist and SDP MP Ljiljana Nestorovic. At that time I was working as analyst with the International Crisis Group. I got "green light" from the ICG's headquarters in Brussels for possible appointment, since another ICG was a member of the Broadcasting Council in Kosovo. The reaction of the committee members from the Serbian Radical Party (SRS) and Democratic Party of Serbia (DSS) was that "foreign spies and George Soros' protégés" cannot hold any public offices in Serbia.

25 A nation-wide radio broadcasting license was granted to now privatized Radio Index, although it was only a local Belgrade station in the past. It immediately reminded the public that Mr. Cekic and three more members of the

The decision to award a national broadcasting license to newly established outlet like TV Avala, owned by Milosevic's former advisor and magnate Danko Djunic, who had no media experience or background whatsoever, created much turmoil. On the other hand, several applications, like the German media operator RTL's, to have a state-wide franchise in Serbia were dismissed on dubious formalistic grounds. Another suspicious decision of the Council awarded was to give a single frequency and broadcasting license to two outlets – TV Kosava and one more brand new operator, Happy Television. After the events of October 2000, TV Kosava, originally founded by the Milosevic's daughter Marija changed owners, despite an explicit legal ban proclaimed by the Federal Ministry of Telecommunications. The identity of TV Kosava's new owner was never revealed, although many suspect that RTV Pink mogul Zeljko Mitrovic is behind it. Since TV Kosava could not fulfil the legally prescribed programming requirements for a national broadcasting license, a compromise was found through awarding half of the broadcasting time to Happy TV, which proposed to produce an exclusively children's content during daytime. The owner of this outlet is former television and film producer Bojan Maljevic, while his actress-daughter Bojana is editor-in-chief. Similar sharing of a single frequency exists in European media practice with Cartoon Network and Turner Movie Classics - who share the same satellite/cable channel.[26]

More than two years (2008) after awarding the national broadcasting licenses on rather dubious criteria, no one publicly questions such decisions any more. The notoriously slow and partial Serbian judicial system has kept the curtain down on any legal challenges. Any public criticism of the council's work or decisions coming from the media outlets that felt unfairly treated, from the journalism profession, academic or NGO circles were vehemently dismissed by the regulator's president and his deputy as unlawful attacks on their independence. In the minds of Mr. Cekic and his team, such independence became an unlimited license to do whatever they wished, equal to divine

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Broadcasting Council had connections with the station in the past, although they formally relinquished them when they were appointed to the regulatory body.

26 Both Cartoon Network and Turner Movie Classics belong to the same owner – CNN's founder Ted Turner.

impunity for their acts. In reality, it only proved how much the council and its president were dependent on the political will of their masters. After Democratic Party (DS) returned to power following parliamentary elections in 2008, the council's president wanted to re-establish his position as the government's reliable media commissar. On his own initiative, Cekic initiated an attack on RTS through a paid advert, calling for the replacement of the broadcaster's governing body. To the contrary of his expectations, Cekic was left without political cover. The advert of the Broadcasting Council was recalled as a procedural mistake and Cekic was demoted to ordinary member of the council, while the representative of the Serbian Orthodox Church was promoted as its new president.

By the summer of 2008, the Broadcasting Council had still not finished the process of licensing the regional and local broadcasters in Serbia, something that was due to be done within one year after the adoption of the Telecommunications Act (in 2003).

3.2.2 RTS as National Instead of Public Service Broadcaster

Immediately after October 2000, RTS was put under a new management appointed by the DOS coalition, with the task of preparing the state-owned media giant for a forthcoming transformation. "New management" actually meant bringing in the old RTS personnel who had been purged during the 1990s by Milosevic's directors Vucelic and Milanovic. The new general manager was the former evening news anchor Aleksandar Crkvenjakov, while the position of the editor-in-chief of the news and political programs was given to another "old guard RTS" journalist, Gordana Susa, who in the meantime had become director of an independent TV production/enterprise. The rationale behind such a decision was that those people had an insider's knowledge of how the old RTS machinery functioned. And this was just a temporary measure, since the new legislative framework for the transformation of RTS into a PSB was eagerly awaited by both the general public and the media profession.

A debate how to reform RTS among the DOS leaders who considered themselves as knowledgeable about the media immediately began. Vice-

Premier Zarko Korac was in charge of the government-expert drafting group, which favoured and formally pushed for the PSB model. Former Television Novi Sad journalist and the leader Vojvodina Reformist Party (member of DOS) Mile Isakov[27] agreed, but warned that the only way for such a transformation to succeed was to fire everyone employed by the RTS, advertise for new positions and re-hire only those individuals who had not been compromised during the Milosevic's years. Such a model succeeded in France when their state broadcaster was transformed into PSB.

As a former journalist and the president of the Vojvodina's Independent Journalists Association, Isakov certainly knew better than the psychologist Zarko Korac. However, Korac's influence prevailed[28] - and all of the people who had worked in RTS during the 1990s remained, including the notorious editor of the political programs Milorad Komrakov[29].

The view of Mile Isakov was ridiculed as too radical, and he joined the Djindjic's cabinet too late to stop Korac from imposing his own views on the media reform and transformation of RTS. Unfortunately, the unsuccessful transformation of RTS has shown whose opinion was correct. The question of lustration, or cleansing of the state structures from non-trustworthy holdovers, haunts the Serbian transition to this day. It is not only the case in the sphere of media, but in all other aspects of governance and administration. Extremely watered-down and symbolic gesture like the 2003 Act on Lustration only perpetuates the prevailing political culture in Serbia of avoiding internal confrontations at all costs (B92 News, News, 31 May 2007).[30] However, such a phenomenon

27 TV Novi Sad was a regional (Vojvodina) subdivision of RTS and Mile Isakov worked there for 20 years, until he was fired in 1994 because of his anti-Milosevic views. Isakov was one of the DOS leaders, but joined the government as Vice-Premier only in 2002, following a re-shuffle of the first Djindjic's cabinet.

28 Korac's political party Gradjanski Savez was as marginal as Isakov's, but Korac had backing of PM Djindjic, who was his personal friend from high school days.

29 However, Komrakov did not work in the news operations any more, but was detetched to work as a clerk at RTS' antenna and broadcasting premises, outside Belgrade.

30 In 2003 The Lustration Act was passed by the Serbian parliament, but the commission in charge of this issue was never appointed. Source: News, www.b92.net, 31 May 2007.

deserves a separate study, beyond the scope and limits of this work. In my view, such empty, half-hearted and purely symbolic acts of political theatre support Colin Spark's (2008) claims of elite continuity in former-socialist countries.

In the meantime, international aid to RTS came in the form of donations for new equipment, as well as extensive training of its old and new staff provided by BBC professionals and other foreign experts. The OSCE's Mission to FRY even detached one of its media experts to sit permanently at RTS headquarters to assist the process. Once the new Broadcasting Act was passed in 2002, it looked as the scene was ready for restructuring of RTS. However, as pointed out earlier in this chapter, the Broadcasting Act could not be enacted until its technical counterpart - Telecommunications Act - was adopted a year later. After the assassination of Prime Minister Zoran Djindjic in March 2003, followed by the state of emergency and temporary censorship and media restrictions, the cabinet of Djindjic's successor Zoran Zivkovic did not have much time until the December 2003 extraordinary election. The elections meant a drastic change of political climate in Serbia. The reformist spirit of the fast-paced, liberal philosopher-turned politician Zoran Djindjic was replaced by the slow, nationalistic, backward looking and clerical conservatism of Vojislav Kostunica, who remained the Serbian prime minister for the next four years[31].

Not only in terms of media reform, but also in the overall process of legal, economic and social transition, Serbia was drastically slowed down. The conservative government verbally endorsed continuation of reforms, while in reality impeded it, wasting time on inflammatory debates about patriotism, the position of Serbs in Croatia, Bosnia and Kosovo; obstructing cooperation with the ICTY at The Hague and playing the old Milosevic game of quasi-patriotic resistance to the Western powers. ICG's report on Serbia from May 2007

31 Kostunica's first cabinet was formed in March 2004, and lasted until April 2007. In his second term, he lasted only one year, when the governing coalition dissolved over the issue of handling Kosovo independence. In May 2008, Kostunica finally gave way to the new cabinet formed by his former minister of finance, from the ranks of Democratic Party.

rightfully carried headline "Serbia's New Government: Turning from Europe Europe" (ICG Briefing no. 46, 2007).

The resurgence of Russia as an economic and political super-power during Vladimir Putin's presidency, after the period of decay under Boris Yeltsin, only reinforced Kostunica and his allies to further divert and delay the process of transition and preparations for future EU membership.

How much the new government cared about the transformation of RTS into a public service broadcaster was evident when Aleksandar Tijanic, former Minister of Information under Milosevic and close adviser to tycoon Bogoljub Karic, was appointed as the general director of RTS. A capable and intelligent journalist, Tijanic was always known for his strong links with the old regime's security apparatus. Although Tijanic was formally unqualified for the job,[32] for Kostunica and his conservative friends Tijanic had the best informal recommendation for the job - he had a major falling out with Zoran Djindjic during the early 1990s, while he was part of the Democratic Party's early marketing team. From that period originates Tijanic's personal loathing of Vladimir "Beba" Popovic, who was Djindjic's chief "spin doctor". It was Popovic who as the head of the government's Bureau for Communications personally oversaw and ordered the measures of media censorship during the state of emergency in 2003. At one point Tijanic was afraid that his adversary Popovic would get him arrested during "Operation Saber" for his vitriolic criticisms of Zoran Djindjic prior to the assassination. Once the political balance shifted, Tijanic got his appointment and immediately engaged in acts of personal vendetta against Popovic and his business enterprises.[33]

Although the Broadcasting and Telecommunications acts as a regulatory frame had been passed before Kostunica took over and the Broadcasting Council was finally staffed, the long overdue process of RTS's transformation did not start.

32 Tijanic only finished secondary education, which in the journalism trade is not a sin per se. However, the law requires certain (university level) qualifications from individuals who are appointed to state positions of such rank as general director of Radio Television Serbia.

33 Vladimir Popovic owns Serbian subsidiary of the British advertising agency Ogilvy.

> *"Rather than turning the State broadcaster RTS into a public service broadcaster, It (the new government) envisages RTS as Serbia's "national television". In practice, this means state television by another name. This reveals a misunderstanding – if not a rejection – of the very idea of public service broadcasting."* (Milivojevic, 2006)

This is how Snjezana Milivojevic described understanding and implementation of PSB concept by the RTS's new general director and his political mentors.

One of the first popular moves of the new government after October 2000 was abolishment of the mandatory subscription for RTS, which Milosevic's regime collected through electricity bills. In such a way, it was not possible to escape from paying a subscription, unless one wanted to get cut off from the electrical supply for non-payment. Dissatisfaction with RTS during the 1990s was so great that abolishment of the subscription in 2000 was greeted by the citizens of Serbia as a gesture of well-deserved punishment for the years of RTS's uncritical propaganda and war mongering. For the next five years, RTS remained financed directly from the state's budget, and to a lesser degree from its own advertising activities.

The conversion of RTS into a public service broadcaster also meant re-introduction of license fee required by the law to start in the summer of 2004. By November 2005 when the collection of the license fee was set to begin, the citizens could not see that any meaningful steps had been made towards transformation. RTS was still a very much state-owned and politically influenced outlet, whose general director was formally unqualified for the job and its Managing Board full of trusted political appointees, instead of non-partisan experts. Additionally, the legislators once again amended the Broadcasting Act in 2005 to postpone the transformation of RTS into a PSB until 30 April 2006. It gave RTS time for internal restructuring and separation of RTV Vojvodina as a regional PSB, but the collection of subscriptions commenced six months earlier.

The only legal requirement that RTS hesitantly fulfilled as a gesture of transformation was relinquishing its Channel 3 on 1 May 2006. That frequency was subsequently allocated to a commercial station by the Broadcasting Council. The stipulation of the Broadcasting Act that RTS must also divest its

ownership of RTS Records was never observed, or as an old Serbian proverb says – dead letter on a piece of paper.

Snjezana Milivojevic (2006) correctly noted how after years of not paying for television, and with the strong presence of commercial channels, the public was unhappy to accept the license fee again, without first seeing value for the money. The promised establishment of a genuine public service broadcaster was not delivered, RTS remained state-influenced, if not controlled any more, and its finances were not transparent to the public, as PSB must be according to the letter of the law. Instead, Aleksandar Tijanic could publicly boast about his football-style transfers of TV presenters from other commercial stations for undisclosed salaries, while the old RTS staff was kept on minimum pay. Tijanic managed to regain lost share of viewers in a commercial race with RTV Pink and RTV B92, but at the expense of producing non-commercial and educational programming. Such types of content are exactly what a proper public service broadcaster has a legal duty to deliver. A proper public service broadcaster, among other obligations, has a legal duty to provide transparent accounts of funds collected from the subscription and commercial sources, as well as its expenditure.

The transformation of RTS into a PSB was made - but only in its formal name and official registration with the Republican Agency for Business Registries under the rather awkward entry: “Media Public Service of Serbia”. This formal and certainly not substantive makeover of RTS was accompanied by a new visual identity and series of identification clips that tried to persuade the Serbian population of RTS’s new European style and structure.

With the change of government in May 2008 and Kostunica’s departure, the public expected that Aleksandar Tijanic would be one of the first figures associated with the previous cabinet, and Milosevic before that to be replaced. Unfortunately, advisers of the Serbian President Boris Tadic, who's Democratic Party (DS) took over from Kostunica’s Democratic Party of Serbia (DSS), protected Tijanic. One can only wonder if he remained the general manager of

RTS as an outstanding media manager and expert, or because of his lucrative business dealings with the Democratic Party's top brass.[34]

3.3 CONCLUSION

Despite delays in the drafting and prolonged adoption of five key legislations from 2002 until 2006, Serbia got a relatively modern and permissive normative framework for the media to operate. On paper, the aforementioned legal acts could provide an adequate environment for the media to exist, compete and support the process of Serbian transition towards democracy. However, the practical implementation of these legal documents is problematic, due to the nature of political actors/agents present.

Verbal pledges on democracy and a quick transformation of Serbian society and the state after its dictatorial past, proved to be pure demagoguery on behalf of those who craved to replace Milosevic. On the surface, the DOS coalition which after its October 2000 victory splintered into reformist and conservative wings, campaigned against Milosevic's flawed domestic and foreign policies, continuous election frauds, leadership cult, undemocratic control of the media and persecution of political rivals. In reality, one party's (Socialist Party of Serbia) political monopoly was replaced by several competing options – which is only the bare beginning of democratic change.

For a state and society to become truly democratic, it requires much more than regular and honestly executed elections and power handovers between political actors. The ruling philosophy and psychology of the legislators and the executive branch must also change. The political actors should not be obsessed with staying in power at any cost, but to advocate and implement a system of democratic values and beliefs as the foundation of a successful, peaceful and

34 The current Mayor of Belgrade and the head of Democratic Party's Belgrade organization Dragan Djilas, owns the largest advertising agency in Serbia (Direct Media / Ovation), and also produces several top-rated reality TV shows carried by RTS. During the previous Kostunica cabinet (2007-2008) Djilas held a position of a minister in charge of the National Investment Plan. President Tadic's personal adviser Srdjan Saper owns the Serbian franchise of the international advertising agency McCann-Ericsson. Both Djilas and Saper never relinquished control of their private companies while keeping state jobs. Unfortunately, such practice in Serbia is not deemed as conflict of interests.

prosperous society. They also must have courage to lead the state and its citizens through a phase of unpleasant economic reforms, at a risk of falling from grace and going into opposition.

Asked to comment on constant changes and amendments to the new media regulatory system, Belgrade correspondent of the German news program Deutche Welle, Ivica Petrovic expressed the following opinion: "*It is a proof that the media laws are being adapted to suit the politicians, and not to the needs of those (journalists) who must operate under such legal stipulations. Additionally, it is also a proof that even new institutions in Serbia are not democratic in their nature, especially the parliament. When we have all of this in mind, we can make a judgment of the true extent of democratization in Serbia*."[35]

To implement any legal system, it is necessary to have competent, independent and efficient judiciary. Serbia, which is not a unique case among the former socialist countries, did not have such judiciary before 2000 and following the October 2000 changes is still far from having it. If there is no legal remedy against acts of the government, or its representatives - no responsibility for illegal and damaging acts of those to whom welfare of the state and its citizens is entrusted through elections – then development of democratic society is not possible. The key flaw of the Serbian transition does not lie with the media and their still not attained position as the Fourth estate (Carlyle, 1841). Once the DOS coalition captured power, it failed to start the reform from square one – deeply compromised, inefficient, corrupt and politically dependent judiciary.

Since the disputes among the coalition partners started as soon as they rose to power, it seems that both sides (reformists and conservatives) wanted to preserve certain convenient levers of power (the previous regime's security apparatus and judiciary) in order to gain the upper hand over the rivals. Because of that, the parliament and the legislative work on the new legal system became peripheral in their internal power battles. In later stages of post-Milosevic political developments, both leading parties (DS and DSS) of the

35 Part of the interview Ivica Petrovic agreed to do for this research.

defunct DOS coalition found it appropriate to enlist secret or open support of the former dictator's political party SPS – as long as it merely served their purpose of capturing power, or remaining in office. The ideology or values did not matter any more.

In terms of the media, the system was slowly and hesitantly improved, to a minimal degree enabling relatively fair and unbiased work during election time and government changeovers. The designated public service broadcaster RTS, and large commercial broadcasters are left to find own ways of survival, but not in accordance with the theoretical normatives and ideals promised before ousting of the authoritarian regime. The much heralded and subsequently flawed transformation of RTS into a public service broadcaster is a fair reflection of changing power relations and interest machinations among the rivals on Serbia's political scene. Or, if we accept Colin Sparks' (2008) interpretation of transition, we are witnessing elite continuity at its work.

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CHAPTER 4

MEDIA REFORMS BETWEEN
DOMESTIC AND INTERNATIONAL ACTORS

4.0 INTRODUCTION

In the first part of this chapter, I go over domestic and international political environment and actors involved in the run-up to the events of 5 October 2000. The second part of this chapter deals with the presence, input and influence of various international actors in the Serbia's transition process, and its media segment – from inter-governmental structures, foreign governments, to international professional associations, non-governmental organisations and commercial investors in the media.

In the final part I discuss the activities of domestic political and other actors in connection with the media reform process. In conclusion of this chapter, I argue that neither domestic nor international actors, for different reasons, took all possible steps to assist and guide the promised reform of the Serbian media, which was quite possible and certainly necessary after 5 October 2000.

4.0.1 Politicians and the Media

Long before the dramatic events of 5 October 2000 and the change of regime in Serbia, opposition political actors in Serbia, as well as their international sponsors and supporters, agreed that democratizing the media through comprehensive legislative reform is *conditio sine qua non* in order to secure successful transition towards democracy. As explained in Chapter 3 of this work, Milosevic's rise to power in late 1980s was engineered through old-fashioned socialist monopoly and control over the state media. Such method of authoritarian rule, where tight control of the state-owned media was one of its key tools, gradually became ineffective in the second part of 1990s. It coincided with the world-wide explosion of new media technologies and private

entrepreneurship in the media sector, for which Milosevic and his commissaries could not devise efficient control or subordination mechanisms.

In addition to political actors, emerging independent media and non-governmental/civic organizations were at the forefront of a wide, all-inclusive opposition front that fought against the regime and eventually succeeded, after almost a decade-long struggle. In a way, the political opposition and independent media became partners in endeavour not only to change the regime, but also to normalize and democratize Serbia, which effectively became left out of the new, post cold war European order.

Milosevic rose to power in September 1987, and was virtually politically unchallenged until 1991, when his belligerent bullying nationalism brought former SFR Yugoslavia to the brink of disintegration. The very first meaningful demonstration of political opposition to Milosevic came on 9 March 1991. Under pressure from more than 200,000 protesters in the streets of downtown Belgrade, Milosevic used Serbian riot police and (federal) army tanks to dispel demonstrations (Glenny, 1996). For such a move he obtained tacit approval of the federal (SFRY) collective presidency[1]. It is worth noting that the protesters in the streets of Belgrade on 9 March 1991 rallied against “The Bastille” - which is a symbolic the nickname which the opposition used to deride state broadcaster Radio Television Serbia (RTS) - demanding replacement of its general manager and the abolition of one party’s control of state-owned media[2].

The reasons why it took the Serbian opposition so long to oust the autocrat were fragile structure of the opposition forces, political inexperience, lack of resources and coordination, as well as personal rivalry among several opposition leaders. Internal bickering between several contenders to the post-Milosevic leadership not only weakened the opposition political front, but also

[1] This first showdown with the opposition in Serbia happened before SFR Yugoslavia began to disintegrate in June 1991, when Croatia and Slovenia declared independence. The failure of this protest proves that the opposition forces in Serbia were quite aware of forthcoming calamity that would destroy the federation, but did not have adequate political skills and means to change the course of events.

[2] The party in question is Milosevic’s Socialist Party of Serbia (SPS).

had a demoralizing effect on citizens. Additionally, it prevented the outside (international) actors from identifying credible partners within the Serbian opposition ranks and providing them with adequate support (Glenny, 1996).

The advent and general spread of relatively cheap new media and related technologies[3] in mid 1990s also changed the media environment, where the state could not tightly control and manage flow of information any more. The outdated state apparatus became incapable of preventing citizens from receiving, exchanging and disseminating independently acquired news and information. Such significant change of the media environment also paved the way for renewed opposition efforts to challenge Milosevic's rule, now in conjunction with emerging new media. The floodgates were lifted, and it wasn't possible to suppress and manage the information flow through old techniques of control and propaganda. Journalist Ivica Petrovic, Belgrade correspondent of German radio station Deutche Welle, sees this process from his own angle:

> "*Possibility to hear, see or view different opinions was certainly very important for political emancipation of Serbian citizens. Majority of them, unfortunately, could very slowly progress towards political and media maturity, because of the long tradition of accepting information from the state media outlets as gospel truth. However, the communications technology boom of the 1990s, which affected even the very closed and isolated society like Serbia, managed to decentralize distribution of information and opened space for expression of critical thinking*."[4]

Five years (1991-1995) of civil wars that engulfed and destroyed former SFR Yugoslavia, which Milosevic and his regime initiated, had brought suffering, misery, humiliation and isolation to Serbia and its people (Silber, Little, 1997). Although these conflicts had not been fought on the Serbian soil, Milosevic used the country's material, economic and human resources to pursue his policy of support to the native Serbs in Croatia and Bosnia. The other ex-Yugoslav

[3] Here I mean computers with modems, Internet, satellite dishes, mobile telephony with its roaming capabilities and services like SMS etc.

[4] Quote from the interview given by Ivica Petrovic for this research project.

nations, despite the suffering inflicted on them, felt that the pain and sacrifices during the times of civil war were necessary and justified in order to achieve national emancipation and independence of their new states.[5]

The common feelings of frustration and humiliation carried by most citizens of Serbia, as well as miserable life conditions, were the foundation on which opposition political forces could build their anti-Milosevic strategy, although their actual political programs were rather divergent – from right wing royalists and nationalists, to moderate democrats and left-leaning modernizers. The dramatic fall in living standards, loss of jobs, constant currency depreciation, collapse of the banking system and breakdown of formerly well-organized social and welfare services could only unite all kinds of political forces against the regime which devastated its own country.

The next major confrontation between Milosevic and the Serbian opposition came in late 1996, when the ruling Socialist Party was caught in blatant election fraud. This time, more experienced, resourceful and underpinned through an alliance with the emerging new media outlets, the Serbian opposition held street protests all over Serbia for more than 100 days (Lazic, Nikolic, 1999). The result was a draw. Milosevic could not brush aside such a massive and persistent nation-wide protest, and under international pressure agreed to relinquish municipal assemblies to the opposition. Additionally, he did not admit the loss of the federal assembly and maintained all the reins of power at the republican level. However, as a consequence of such split result, the opposition forces for the first time had an institutionalized power base (cities and municipalities). Through operating several major Serbian towns and municipalities (Nis, Novi Sad, Kragujevac, Kraljevo, Cacak etc.) the opposition forces could further undermine and annoy the regime in Belgrade. This opportunity was also used by the opposition to train and develop their own staff for managing state affairs

[5] Disintegration of SFR Yugoslavia was a process from which all six former federation members became independent states, some through bloody civil war, some in a more peaceful manner and within different time frames – from 1991 until 2006. This process, with its rights and wrongs, justices and injustices, is not part of this work, but some of its aspects have direct impact on it.

in future, when the change on federal and republican level is achieved (Lazic, Nikolic, 1999).

A wide-ranging change of the regime was not accomplished at that time, but its authority and powers were significantly diminished, its ruling techniques became ineffective and financial and human resources substantially weakened. Some of Milosevic's trusted associates and advisors[6] began to jump the ship, realizing that the end of his reign was coming and it was time to secure their political future, as much as it was necessary to preserve their personal wealth in the new era.

Another three and half years passed from the spring of 1997 when the opposition took over the municipal assemblies, until 5 October 2000 when the change of regime was finally achieved. And it took 77 days of NATO bombing campaign against Serbia in spring of 1999 to precipitate the dictator's fall[7]. During this conflict the citizens of Serbia experienced war in their own yard, something they were spared from during the early 1990s civil wars in Slovenia, Croatia and Bosnia, in which Milosevic's regime was involved. Not only that Milosevic had lost another war that the Serbian nation did not need, nor endorse, but through enslaved state media he tried to portray the loss of Kosovo as a victory (Politika, 9 Jun 1999).

The United Nations Security Council Resolution No.1244 and Kumanovo Agreement singed in June 1999, called for a ceasefire and full withdrawal of the Serbian forces and administration from Kosovo. These documents were

[6] Socialist Mayor of Belgrade Nebojsa Covic, viewed by many as future Milosevic's prime minister for his managerial skills, resigned during 1996/1997 street protests, and offered his insider's knowledge of how the regime operates to his new political allies. Another example was Chief of the General Staff, General Momcilo Perisic. He refused to use military units to dispel 1996/1997 street protests, and in 1998 advised Milosevic against use of force against the Albanian insurgency in Kosovo, which prompted his dismissal. Kosovo Serb tycoon Bogoljub Karic, who amassed his fortune during the Milosevic years in construction, banking, mobile telephony, Internet providing and TV industries, tried to depart from his mentor, but faced with state pressure on his empire stayed on board. Although he initially survived change of the regime in 2000 and kept much of his assets, in 2005 Karic finally got under criminal prosecution for his past sins and fled Serbia.

[7] The NATO intervention against FR Yugoslavia began on 24 March 1999, and ended on 8 June 1999.

carefully worded to avoid explicit pronunciation of their real nature - capitulation. They were presented by RTS and other state media as Milosevic's peace initiative sanctioned by the United Nations. Such cynical lying completely outraged the citizens of Serbia, who were facing life in a physically and economically crippled country, with destroyed roads and bridges, shortages of food, medical supplies, electricity and heating oil, African-level salaries and living standards. Not to mention over one million refugees and "internally displaced persons"[8], who could find little comfort from being forced to live in "Mother Serbia".

Serious and institutionalized support of the so-called international actors for the anti-Milosevic front of political parties, independent media and non-governmental organizations came only after they won their first minor, but sweet, victory in 1997 by taking over the municipal assemblies. Before that, only isolated, mainly private sector efforts, like the one led by billionaire philanthropist George Soros and his Open Society Fund and Institute, were aimed at educating new political elite and the media for life in post-Milosevic democratic Serbia (Soros, 2006). Open Society's pro-democracy and educational activities were not aimed exclusively at the region of ex-Yugoslavia, but were present in all countries of the former Eastern Block since the fall of Berlin wall in 1989.[9] Many international organizations like Amnesty International, International Helsinki Federation for Human Rights, Human Rights Watch and Freedom House keenly watched and reported political developments in Serbia and engaged in various programs and activities, directly, or through their Serbian partner NGOs.

[8] This rather cynical term was devised in order to identify people who were forced to move out of the Serbian province of Kosovo. This is to distinguish them from people who had fled from Croatia and Bosnia, which are independent states, so people from there are labeled "refugees". Most of them are of Serbian ethnicity, although a lot of Roma people shared the fate of Serbian "internally displaced" and "refugees". In terms of social status of such people in Serbia, there is practically no difference.

[9] As part of Soros-sponsored program for young leaders from ex-Eastern European countries, I was chosen in 1993 to participate in a six weeks long seminar "Democracy After Communism" held in Budapest, Hungary. For the duration of the seminar, I was sharing a room with the current president of Georgia, Mikhail Saakashvili.

4.0.2 Partners for Change

The heroics of 100 days street protest during winter of 1996/1997 in Serbia not only resulted in the first small but sweet victory of the Serbian opposition, but also drew international attention at the importance of pro-democracy movement and necessity to provide it with support, training and resources. Several non-governmental organizations and professional journalists associations devised various aid packages/programs for the emerging independent media in Serbia. Numerous international seminars, round table discussions, consultations and symposiums were organized amongst academics, policy makers and media professionals in order to map the democratic future of Serbia, with recommendations and legislative models proposed.

Governments of leading Western countries (USA, Britain, Germany, France, Italy, Canada, Holland etc.), however, chose to support Serbian pro-democracy movement rather late. Until the opposition's limited election success in 1996, Milosevic was viewed by the Western governments as the key player and ally for securing peace in Bosnia, no matter how unpleasant such "business partner" was.

In order to foil Milosevic's information monopoly, Western governments expanded their external news broadcasting operations aimed at Serbia. Voice of America, BBC World Service, Deutche Welle and Radio Free Europe changed their schedules to include Serbian language bulletins and hired Serbian journalists - in direct proportion with the spreading of conflicts in the Balkan (Goldsworthy, 2005). They also increased the number and power of transmitters and re-broadcasters around and in Serbia. In such way Milosevic's domination over Serbian media was successfully foiled, with citizens having choice between crude state propaganda and international news not only in foreign languages but also in Serbian.

> *"BBC needed more then ever Serbian voices like mine. A belief on which expansion of the Serbian programming was done - that common people would wake up as soon as they receive impartial information and abandon the previously held positions, that had been formed under the influence of*

their evil leaders – seemed based too much on intrinsic goodness of the human race." (Golsdworthy, 2005, pg.166)

However, re-broadcasting of foreign stations and accepting aid in equipment and training was a risky activity for the emerging independent media in Serbia. In November 1998, the regime passed infamous Information Act, which outlawed re-broadcasting of foreign programs and gave the Serbian Ministry of Information extraordinary powers to prosecute "unpatriotic" media outlets. Verdicts against independent media were passed within 24 hours from indictments through swift magistrate court procedure and without legal remedy that would suspend verdicts pending appeal. Broadcasting equipment was confiscated and draconian fines as high as £200,000 were imposed with mandatory collection from business accounts, or against company's property – at a time when a journalist's salary was as high as £15 per month. In the run up to the Kosovo conflict, the regime wanted to pacify voices of reason and dissent (Curguz-Kazimir, 2001). But the times have changed and, despite constant prosecution of independent media administered by the Ministry of Information, judiciary and police, many brave individuals and outlets dared to defy the regime and continue to work and fight.[10]

Colin Sparks underlines a clear distinction between the media in bourgeois democracies and authoritarian regimes through how they allow the media systems to function: *"The direct and extremely close supervision of the mass media, and the extent to which the whole range of the mass media is part of a single socio-political project, are two factors that mark totalitarian societies out sharply from bourgeois democracies."* (Sparks, 1998, pg.27)

The reason why some of the emerging independent media outlets could operate despite the Ministry of Information's persecution was remarkable. By early 2000 in Serbia there were more than 800 broadcasting entities, mainly local and far away from Ministry reach (Djoric, 2002). The independent media outlets in and

10 For examples of the independent media plight against the regime from 1991 until 2000 see the historical chapters of this work.

around Belgrade were under great pressure indeed, but already in Nis and Novi Sad, second and third largest Serbian cities, there were tens of broadcasters, which were not officially registered, nor within the Ministry's iron grip. The deeper one went into provincial Serbia; there were more and more local broadcasters that the central authorities did not know about.

At this time, Radio B92 organized ANEM network of independent stations around provincial Serbia, and enabled wide dispersion of unbiased and professionally prepared and presented news. The dreaded ministry did not have the human or technical resources to monitor rogue broadcasters. Additional difficulty for policing budding new media outlets was jurisdictional confusion – the frequency spectrum (allocation and monitoring) was in theory within the federal jurisdiction of FR Yugoslavia, while the Serbian (republican) Ministry of Information was in charge of ideological matters (the broadcast content). Such divided jurisdiction in practice meant confusion and chaos, which was difficult to sort out for several years after the change of regime and the arrival of systematic regulation (Djoric, 2002). Inside the state that had been under international pressure for many years, with majority citizens opposing the regime and whose governing structures were not independent in the execution of their duties and competencies, it was rather difficult to police the maverick media, despite threats of heavy fines, confiscation of equipment and closures.

From 15 until 17 May 2000, the British Association for Eastern and Central Europe (BACEE), a Foreign Office supported think-tank/charity, convened a session of its New Serbia Forum in Budapest, Hungary, to examine the problems in the media sector. The purpose of the New Serbia Forum, which had several sessions and topics from 1999-2001, was to map the democratic future of Serbia through discussions among Western policy makers and diplomats, experts/academics on the one side, and the Serbian opposition party leaders, non-governmental sector representatives and media professionals on the other side.

Following the New Serbia Forum's session on the media, a work group prepared a summary report of the discussions and policy recommendations.

This report, published only a few months before the 5 October change of the regime, analyzed the state of affairs in the Serbian media, and also suggested the direction for comprehensive reform.

> *"The participants agreed that it will be essential to have an effective institutional framework to guarantee the independence of both the public broadcasting service and the independent media from state interference."*[11]

Two aspects of media/government relations were highlighted by the Serbian media experts as especially critical - the distribution of licenses and frequencies, and the overall control of the public broadcasting service. Subsequent developments from 2000 until 2003 and since have proved them right. The regulatory model for broadcast media, suggested by the international experts and immediately adopted by the Serbian media professionals was public service broadcasting, was based on the BBC practice.

> *"Pro-democracy media experts agree that a new government should introduce legislative and institutional reforms to transform RTS into a truly public broadcasting service, and guarantee the freedom of independent media."*[12]

The experts and media professionals pointed out that *"... new government will need to consider how best to ensure a vibrant and high quality media in a competitive commercial environment.*[13] However, certain reservations were expressed by both international and Serbian participants in regard to politicians' commitment to initiate and pass urgently the new legislative framework for the media.

Serbian media professionals, experts and opposition politicians participating in the panel agreed that in order to initiate and pass new media legislation, a substantial lobbying and educational effort should be directed at both opposition

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[11] Quoted from: The New Serbia Forum, Conference Report on the Media, British Association for Central and Eastern Europe, London, 2000. available on: www.bacee.org.uk

[12] Ibid.

[13] Ibid.

political parties (future government) and at citizens. The choice of an adequate regulatory model must come from public deliberations between political actors, media professionals and citizens, as well as a thorough understanding of its concepts and values. The forum also concluded that the journalism profession must change in order to cater for new, democratic environment. Changes could be achieved through adoption of a new professional code of ethics and self-regulation of the profession.

By the time the changes came, there were several expert drafts/proposals on how to overhaul the Serbian legal system, starting from the constitution and including a set of media-related laws. It is worth noting that the Western support for democratic political forces in Serbia also included commissioning and funding of draft legislation from domestic expert groups, non-governmental organizations, professional associations and think-tanks. Young political activists from Serbia were given practical training and financial support in order to prepare for the forthcoming events[14].

When in the summer of 2000 Milosevic unexpectedly[15] called federal and presidential elections for 24 September, the opposition political parties, non-governmental organizations and independent media were ready for the final showdown. The notoriously fragmented Serbian opposition political parties finally united, inspired by the new civic movement Resistance[16]. The Democratic Opposition of Serbia (DOS) was formed and committed to take over power from Milosevic, through election and not through violent means. Ideological differences and party calculations were temporary put aside, and a simple anti-

[14] American National Democratic Institute (NDI) and International Republican Institute (IRI) were given task and funding by the US government to train and educate Serbian political activists.

[15] His term wasn't expiring for another year, but Milosevic wanted to surprise the opposition and ride on the wave of post 1999 bombing reconstruction of the country. He wanted to present reconstruction as his achievement, forgetting that the 1999 calamity was caused by his ill-advised handling of the Kosovo crisis.

[16] Civic movement Resistance was a grass-root initiative from mainly younger opposition activists in Serbia, who got disillusioned with permanently bickering opposition political parties. It wasn't formally registered, nor centrally structured organization, and as such was a complete mystery to Milosevic's secret police. It operated through completely independent cells in various Serbian cities.

Milosevic manifesto adopted. Comprehensive constitutional and legal reform was its main feature and declared priority, with solemn promise that comprehensive media reform would be imminent – as one of the cornerstones of emerging democracy.

Cooperation and partnership between the Serbian opposition parties and the independent media, forged during a decade (1991–2000) of fighting against dictatorship, looked like an unstoppable wave of change that would submerge and wash away the dark clouds that had covered the Serbian sky for such a long time. With guidance and generosity from the international supporters of all kinds (governments, private charities, various professional associations etc.), Serbia was about to reclaim its place in the European family of democratic nations.

4.1 INTERNATIONAL INVOLVEMENT - BLESSING OR CURSE

The international actors were involved in preparation of the reforms in Serbia long before the events of 5 October 2000, with various motives, policy priorities and means – delivering expertise, different forms of financial aid, technical help and training programs. Monitoring the reform process for some of them had strictly political meaning, for others scientific exercise and professional challenge, and for some of them commercial prospect, or even handy public relations opportunity.

The long expected change of the regime was finally achieved on 5 October 2000. The victorious DOS coalition forced extraordinary republican parliamentary elections on 24 December 2000, which were necessary to secure a governing majority in Serbia and complete transfer of power. By winning 176 out of 250 seats in the Serbian parliament, DOS secured more than two-thirds majority[17] necessary for constitutional change. Dr Zoran Djindjic, the leader of Democratic Party, became the first non-socialist Prime Minister of Serbia since

[17] Majority of two thirds (or 167 MPs) was the legal requirement for amendments of constitution.

the Second World War. The horizon for comprehensive legal and institutional overhaul of the Serbian state seemed open.

At the beginning of the new era for Serbia, enthusiasm, dedication and optimism was visible at all levels – from international actors, domestic political parties, non-governmental sector, and professional associations - all the way down to the citizens. Everybody could feel and experience the new air of freedom of expression and participation in political life for the first time since the Communist party in 1945 extinguished all traces of the past democratic practice.

The international community was eager to welcome the emerging democracy into its ranks, and several weeks after 5 October 2000 FR Yugoslavia was re-admitted into United Nations (UN), Organization for Security and Cooperation in Europe (OSCE), Council of Europe (CoE) and numerous other international organizations and associations which suspended or refused FR Yugoslavia's membership during the 1990s. The three aforementioned inter-governmental organizations opened their field missions in FR Yugoslavia in order to facilitate, assist and monitor the transition process. Many other foreign governmental agencies, professional associations and non-governmental organizations also established local offices in Serbia, bringing their programs, expertise and funds in order to show the citizens of Serbia that a decade in isolation was over and that the sanctions and exclusion measures were aimed against the dictator and not against the population.[18]

4.1.1 Support versus Intervention

The nature of international involvement in reforming post-Milosevic Serbia is something that needs to be critically examined. Since this research is aimed primarily at the media and their role in the process of transition towards democracy, I would like to discuss the international involvement in reform of the

[18] Many Western governments decided to implement their own aid and assistance programs. For example, United States International Development (USAID) agency came in with various local governance, community reconstruction and educational programs, alongside several EU agencies and programs; British government commissioned BBC professionals and experts to train and advise local broadcast media; Dutch government funded Press Now foundation; Japan donated new buses for the Belgrade's ailing public transport etc.

Serbian media in terms of helping or obstructing democracy in making. By doing so, it should be easier to understand the effects of this involvement, and the limits of the achieved results.

There were two possible approaches or positions that the international community (or actors) could have taken in the Serbian media affairs after the events of 5 October 2000 - direct intervention, or indirect (on-demand) support. Monroe Price and Mark Thompson, leading proponents of international intervention in media sector, consider such action as one of the tools for forging peace in states that had been involved in military conflicts (Price, Thompson, 2002)

In introduction to their book, Price and Thompson claim that not enough academic work has been done on the engagement of the international factors with the local media in conflict affected countries: *"Much less study has been devoted to the relationship between the international community and local indigenous media before, during and after conflict."* (Price, Thompson, 2002)

Referring to the early 1990s interventions in Bosnia and Cambodia, followed by the late 1990s international involvement in Kosovo and Rwanda, Price and Thompson admit that *"[...As information management became central in the run-up to wars and in post-conflict reconstruction, a decade of costly experiments commenced]*". In my opinion - not always with enlightening results.

Although these authors have bona fidae academic credentials, both have rather pragmatic views on intervention in the matters and affairs of other states, no matter how dysfunctional (or undemocratic) they are. Working under the auspices of US State Department,[19] inter-governmental organizations like UNPROFOR and foreign policy think tanks like the International Crisis Group[20]

[19] Monroe Price is American scholar with close connections with US administration, enabling him to obtain financing for his various projects that give intellectual foundation for policies pursued by his government.

[20] Mark Thompson is a British author, who held senior positions with UNPROFOR and International Crisis Group as an expert for media in Balkans.

certainly do not make their writings impartial and agenda-neutral. Even attempts to describe and define “Information intervention”, giving it theoretical foundation fall short. In their own words:

> *“The term is novel, with no automatic meaning assigned to it; rather, there is a set of practices or conditions from which a tidy definition has yet to emerge.”* (Price, Thompson, 2002)

In translating it to the language of ordinary people, Price and Thompson are simply toying with a quasi-scientific notion like “information intervention” purely to justify (foreign) policies which they favour, or have attached interests.

After the ousting of Milosevic, virtually all of the international actors involved agreed that an interventionist approach in handling Serbia (and its media) was neither acceptable, nor practical option any more. That included even those governments who engineered[21] or enthusiastically[22] supported NATO’s 1999 legally dubious intervention against FR Yugoslavia over Kosovo[23].

The new political leadership in Serbia had been supported in their plight to overthrow Milosevic and once it was achieved, they were subsequently given all kinds of moral and material support to embark on the road to transition. At this point, direct foreign involvement (or intervention) was gradually transformed into on-demand support. For such a change of approach, the implementing bodies/organizations were replaced, too. Instead of direct involvement and exposure of certain states and military alliances (like NATO), inter-governmental and other international organizations took centre stage.

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[21] Here I mean the government of USA, as the main force behind NATO military alliance, backed by Great Britain, France, Germany and Italy, which are informally reffered to in diplomatic circles as "The Quint".

[22] On the other hand, some of the NATO members, like Greece, did not show great enthusiasm in intervention against FR Yugoslavia, demanded by USA. Their reputation of good neighbors who understand complexities of Serbia – Kosovo relation as not black and white was constantly challenged by NATO top brass and their loyalty to the alliance questioned.

[23] The 1999 NATO’s military intervention was not sanctioned by the UN Security Council, which was conveniently bypassed in the decision-making process. However, the ceasefire and post-conflict administration of the Serbian province Kosovo was returned into jurisdiction of the United Nations.

Here we need to divide the international actors into three distinct categories:

1) Inter-governmental organizations;
2) Non-governmental and professional organizations;
3) Individual governmental programs/agencies.

By doing so, it is easier to examine mandates, means, agendas and goals of the international actors, in order to determine the scope of their influence on the process.

In the first category, there were two inter-governmental organizations that became involved in the process of media reform – Organization for Security and Cooperation in Europe (OSCE) and Council of Europe (CoE). Following FR Yugoslavia's accession into full membership in late 2000, both organizations signed bilateral agreement with the new Yugoslavian authorities to establish field missions in FRY from March 2001. The presence of these missions was designed to give host country advice and support in post-conflict rehabilitation, building of institutions, training for civil servants and parliamentarians, expertise in drafting of all kinds of legislation and to monitor the reform progress. The United Nations (UN) also established a field mission on the ground, represented through its specialized economic development program (UNDP).

The concept of the OSCE's and CoE's engagement (or "terms of reference" in diplomatic parlance) was agreed in advance between those two organizations and the government of FR Yugoslavia.[24] It meant that, unlike in Bosnia and Kosovo, these organizations were deployed not to interfere and intervene into the affairs of a sovereign member state, but to be called upon for pro bono advice, support and guidance when and if the host government asked for it. The mutual understanding was that such presence can be only beneficial for FR

[24] Despite removal of federal president Slobodan Milosevic from power on 5 October 2000 it became clear that FR Yugoslavia's tiny republic Montenegro does not intend to participate in the federal structures any more, and would seek its own independence. Because of such development all diplomatic missions in FRY had to be careful to have parallel presence both in Belgrade (capital of Serbia) and Podgorica (capital of Montenegro), although they were formally posted to FRY and not to its member-states.

Yugoslavia and that the missions' work would be politically neutral, unbiased, balanced and in good faith.

The OSCE Mission to FR Yugoslavia[25] established in 2001 employed around 30 international and more than 100 domestic staff members, working to fulfil its mandate, while its Media department employed three international members/experts, in addition to domestic personnel of 10 people. Despite such a great number of dedicated staff members and substantial financial provisions contributed by the OSCE's central budget, the results were rather appalling. The mission's Media department sent its staff members to sit and watch the process of transformation of RTS through trainings and seminars, which were outsourced from other organizations (like the BBC) and contributed marginally with donations of new equipment. The OSCE Mission's staff members also participated in sessions of the Belgrade Media Centre's Legislation Work Group, which was preparing drafts for submission to the parliament. This is how Nebojsa Spaic, former Director of the Belgrade Media Centre described involvement of OSCE in reform of the Serbian media:

> *"[…The head of the media program of the Organization for Security and Cooperation in Europe, Giovanni Porta, was intensely involved in the preparations for setting up of the (Broadcasting) council, then resigned and accepted a senior managerial job with TV Pink in Bosnia. TV Pink is still broadcasting nationally in Serbia without a license, while the Broadcasting Council remains in idle mode. As Pink accumulates financial and political power, the organizational and financial transformation of the national broadcaster (RTS) into a public service has not even started, and it is steadily going under." (Spaic,2004)*

The only visible contribution of the OSCE mission's media department was a daily digest (in English and Serbian) of media-related events in Serbian media, distributed through the Belgrade Media Centre on their web site. Such an exercise certainly did not facilitate media reform, but only showed to the

[25] The same mission later became OSCE Mission to Serbia and Montenegro and eventually only to Serbia when Montenegro declared independence in May 2006.

paymasters in Vienna[26] and other capitals of donor countries that some kind of work was being conducted.

It is obvious that usefulness and influence of the OSCE's mission in the reform of the Serbian media was rather limited, since the bureaucratic nature and operating mode of such an organization constrained its efforts, despite having substantial financial and human resources designated for such work. Field experience of various OSCE international experts and "seconded personnel"[27] from work in Bosnia and Kosovo proved useless - because inter-governmental organizations (UN and OSCE) have powers to govern and impose their will in Bosnia and Kosovo, rather than advise local authorities. Since more or less the same people were engaged by OSCE for its mission in FR Yugoslavia, their actual contribution was marginal.

At the end of his term in Belgrade, Ambassador Stefano Sannino, Head of OSCE Mission to FR Yugoslavia (2001–2002), chose vague diplomatic language to describe the issue of media reforms:

> *"The situation created during the Milosevic period was extremely complicated and needed to come to an end and, in a way, be settled. There was a need to support the transformation of RTS into a public broadcasting service, to provide a legal framework for the whole media, and to provide a degree of independence. The Broadcasting Act specifically is an advanced law, especially when compared with many other pieces of legislation in other countries of the region and Europe in general. The text that was originally drafted by the working group is different in the section you have mentioned concerning the composition of the (Broadcasting) council since it provided more room for representatives of the civic society. But we have to be intellectually honest - no one is absolutely independent since even the representatives of civic society*

[26] Vienna is where OSCE has its headquarters.

[27] This term comes from the diplomatic practice and refers to individuals who are employed by their state ministries of foreign affairs, who are dispatched to work for various inter-governmental organizations or bodies. They remain responsible to their ministries, rather than to the organization for which they temporary work.

have their own opinions and preferences when it comes to party affiliation. So, if this was the overall agreement of the political forces in the country then I think, once again, the outcome was positive because it provides this legal framework. It could have been better…maybe. But then this is also part I think of the internal democratic control of society."[28]

When asked about the unresolved situation regarding the continuing limbo in which independent broadcasters in Serbia remained almost two years after the change of regime and the slow adoption of the media legislation, Sannino commented:

"I think that the independent media in Serbia have to reconcile itself with the idea that the role of the independent media is not just to fight against someone, but to provide a service for society and to be able to compete in an open market economy. This is the other point – how to now transform those media into qualitative, competitive systems."[29]

The Council of Europe (CoE), unlike OSCE, maintained only a limited field presence in Yugoslavia/Serbia, with a small staff (less than 10 people) whose work method was based on monitoring and referring the relevant issues to the organisation's headquarters in Strasbourg where they have adequate human and material resources. In terms of the media reform, CoE did not employ dedicated media specialists in their Belgrade office. With such narrow scope and limited resources available for field work, the CoE mission in FRY mainly engaged in giving (legal) expertise and opinion to the bodies (governmental or professional) who were engaged in drafting of reform legislation, in addition to hosting various Serbian governmental and non-governmental delegations and individuals on study trips to Strasbourg.

When we examine the impact and influence of international actors on the media reform process in Serbia, it is appropriate to add to the category of inter-

[28] Interview given to RTV B92's Irena Milojkovic on 1 August 2002, edited and translated for publication by myself (Srdjan Stojanovic), as part of my work with the OSCE Mission.

[29] Ibid.

governmental organisations the Delegation of European Union (EU). Although the EU cannot be classified as inter-governmental organisation, neither as a super-state, it maintains a diplomatic mission at ambassadorial level, just like its individual member-states. The issue of the EU's unified and/or coordinated foreign policy is not a subject of this research, but lack of theoretical and policy clarity on this matter confuses not only political actors in Serbia, but also actors within EU ranks.

The question of future EU membership of Serbia and the conditions and necessary preparations for accession can be viewed as part of the overall transition process. The proximity of the EU and this uncertain and vague prospect – EU membership – is the most controversial and polarizing issue debated in Serbian post-Milosevic politics. It also represents the dividing line between political forces associated with the previous regime (against EU membership) and those who took over after 5 October 2000 (pro EU membership). However, nine years after the demise of Milosevic and his politics, it seems that political forces in Serbia nowadays are re-positioning themselves, and not along the old lines. For example, Milosevic's party SPS is since 2008 junior partner with Democratic Party (DS) in what is called pro-European coalition.

In terms of presence, influence and support to the reform of the media in Serbia, EU has played the role of a key donor. Coordinating various programs of its member states, or implementing own initiatives through dedicated funds, the EU has contributed more than 17 million Euros since 2000, according to the Head of the EU Commission delegation in Serbia, Jose Lloveras (B92 news, 16 Oct. 2007). Since the EU delegation in Serbia does not have dedicated program officers, the implementing institution for media affairs is European Agency for Reconstruction (EAR). Ambassador Lloveras also stated that the EU Commission's report[30] on Serbia especially stressed improvements in the field of media. The EU also sponsored a major staff training program provided by

[30] EU conducts own monitoring and produces reports on the state of reforms in Serbia, with the view towards its future membership.

BBC experts. Their professionals will train 250 employees of RTS from November 2007 until April 2010. This donation is funded by EAR with 900.000 Euros (Danas, 17-18 Nov. 2007, pg.5).

The second category of international actors involved in the Serbian media reform process is various non-governmental and professional organizations. Their presence and work is directly dependent on financing provided by governments or private sponsors, to whom they submit their programs for funding. Such organizations are ideal implementing partners for inter-governmental organizations and individual governments unwilling to get involved in the details of program implementation and follow-up. Organizations in this category are: IREX-Pro Media, Freedom House, Westminster Foundation for Democracy[31], Press Now, Foundation for Peace and Conflict Resolution, Baltic Media Centre, Danish School of Journalism, Open Society Institute, Friedrich Ebert Foundation[32], Konrad Adenauer Foundation[33], etc[34].

The professional expertise and involvement of the aforementioned organizations was aimed mainly at training and educating Serbian journalists, organizing conferences, conducting scientific studies, business-related research and other activities that supported development of media. The very fact that so many international organizations expressed interest in getting involved in various aspects of the media reform reflects the importance of the media in both the political and economic life of Serbia and the region. An example of philanthropic involvement, which led to subsequent commercial venture, is the case of George Soros. His Open Society Fund and Institute have been present in FR Yugoslavia/Serbia since mid-1990s, through various educational and media-related programs. Here is how George Soros writes about his personal involvement in setting up charitable foundations around the world, aimed at

[31] British charitable foundation associated with the Labor Party.

[32] German foundation associated with the Social Democratic Party (left-wing).

[33] German foundation associated with the Demo-Christian Party (right-wing).

[34] The list of such organizations is not exhausted, but contains those whose presence and work was most prominent.

promoting the values of open society, as he had understood the legacy and teachings of his mentor at the London School of Economics, Karl Popper:

> "[...*I offered scholarships in the United States to dissident intellectuals from Eastern Europe, and this was the program that led me to establish a foundation on my native country Hungary, in 1984.] [...I went to Moscow in 1987 as a tourist, and ended up setting a foundation on the Hungarian model, with Cultural Foundation of the USSR as my partner.] As the Soviet empire disintegrated, I continued to set up foundations in other countries.] [...By 1991, I had a network of foundations covering more than twenty countries. I never bothered to explain what I meant by open society. People understood instinctively that it meant the opposite of the closed society from which they wanted to free themselves*.]" (Soros, 2006, pg. 54-57)

Research data and market knowledge gathered through Soros-funded media projects were also used as a basis for investment. After the change of regime in 2000, one of Soros' commercial arms became major stakeholder in Serbian Broad Band Company (SBB), the country's largest cable operator.[35] Rupert Murdoch's News Corporation, certainly not a charitable organization, successfully used much of the publicly available research data and published findings to prepare an application for a national broadcasting frequency for its Fox Television franchise in Serbia.

The third type of international actors involved in the Serbian media reform process includes agencies and programs belonging directly to governments of individual countries. Some of the foreign countries prefer to express solidarity with the Serbian people and institutions by managing their own assistance and support programs. Countries like Norway and Japan, for example, are not part of EU, which coordinates different programs and donations from its member-states. It is part of a public diplomacy that some countries conduct in order to make themselves distinguished from other international donors.

[35] Detailed information on SBB company can be found on its web site: www.sbb.rs

4.1.2 Obstruction of the Media Reform

After 5 October 2000, a consensus existed among representatives of DOS, journalists and non-governmental sectors in Serbia to start immediate reform of the media system. Such (extremely rare) agreement in Serbian political practice was beyond any question in the days following demise of Milosevic. The new DOS authorities nominated their own federal ministers of telecommunications (in charge of broadcasting spectrum) and information (in charge of foreign media accreditation), as well as an interim republican minister of information. This interim minister served only until the 24 December 2000 elections, after which the infamous Milosevic's Ministry of Information was abolished.

Not wanting to waste any more time, on 7 November 2000 all the parties interested in swift reform of the media convened at the Belgrade Media Centre, for a round table symposium on the subject. This event symbolically marked the beginning of the real work. More than 100 participants attended the round table, along with representatives of the international community. In an unprecedented manner, all three incumbent ministers[36] participated in the proceedings, and generously accepted the proposition to form a working group that would start drafting a set of media laws to be presented to parliament. This working group, under the auspices of the Belgrade Media Centre, consisted of representatives from the journalism profession, media scholars, legal experts, government representatives[37], as well as international consultants and observers. The findings and conclusions of the round table served as the guidelines for the working group's future activity.[38]

Analyzing the problems of the Serbian media in transition, the round table participants concluded that they can be divided into four categories/baskets:

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[36] Interim Serbian Minister of Information Biserka Spasojevic; Federal Minister of Information Slobodan Orlic; Federal Minister of Telecommunications Boris Tadic.

[37] Various government ministries dealing with the media were represented in the working group by civil servants.

[38] Round table/conference report was published only in Serbian under title: Proces tranzicije medijske sfere – utvrdjivanje problema i nacini resavanja. Novembar 2000. Beograd: Medija Centar.

1) general problems;
2) legal framework;
3) journalism profession;
4) education.

In order to properly discuss each of the “baskets”, the round table plenary gathering was divided into sub-committees, which each produced a separate report and recommendations, presented at the final joint session. All participants agreed that future media regulatory acts must be drafted in accordance with comparative European and regional practice and models, but adapted in a way to accommodate the Serbian socio-political environment.

Once the so-called "Media Working Group" started its work, it planned to complete consultation, discussions and drafting within one year. And indeed, finding adequate regulative models and formulating draft legislation was done according to the initial expectations, but the next step – getting these drafts on the parliamentary agenda, proved a rather difficult challenge. The so-called “package of media laws”, contained five separate acts: 1) Public Information Act; 2) Broadcasting Act; 3) Telecommunications Act; 4) Access to Information of Public Interest Act; 5) Advertising Act (S. Stojanovic, 2005). The first one was adopted more than a year after its submission, the next two were passed by the parliament during the state of emergency in 2003, following the assassination of Prime Minister Zoran Djindjic, the fourth one was passed in late 2004, while the last one was not passed until 2006.

It was not the actual slow tempo of adoption that was problematic, but the content of acts that eventually became official regulation. Many of crucial draft stipulations and solutions presented to the parliament by the Working Group were substantially changed and some were dropped, much to the surprise of the professional media and legal circles. The Broadcasting Act was amended three times from the time of its adoption in 2002 until 2006.

“Good spirit of the Serbian opposition”, cartoon artist Predrag Koraksic Corax, whose brilliant work published in daily Danas and weekly Vreme inspired and enlightened the anti-Milosevic struggle, grumbled in late 2000 that there would

be no work for him after the changes. Fortunately, he was quickly proven wrong. Soon after politicians of the DOS rose to power, they forgot about "partnership" with the independent media and non-governmental sector, forged during times of struggle against Milosevic. Along with that, the politicians forgot their pledges to quickly deliver new media regulation as a corner stone of an emerging democracy. Instead, they engaged in what they do best - internal partisan quarrelling, instrumentalization of state-owned media for own purposes, attempts to enlist private media for their causes, advancing their own priorities over public interests.

Natasa Milojevic - with her politician's hat on - elaborated[39] on the true nature of relations between former partners, politicians in power and the media:

> *"The media and politicians - partners in revolution, yes! But the guillotine must start working sooner or later – I refer here to the French Jacobin leaders, Maximilien Robespierre and Jean Paul Marat. There is always good excuse, reason or opportunity to create a new ideology: OK, you are the heroes, but now get lost, back to your work and earn your money - that is if you know how to do it. From the media angle, this sounds like this: We have brought you up, fought against the regime and its monopoly, and where is now our reward – monopolistic position? Nevertheless, it is only normal and natural to think in such a way for actors in pre-political society, which is morally and educationally dilapidated. Should that be accepted? No! Was it possible to do it in a different way? Yes! Would Zoran (Djindjic) still be alive if he knew how to decipher messages from the media? Most likely yes!"*

Such development prompted Veran Matic, the founder and CEO of RTV B92, to publish an open letter to the Serbian public on the occasion of the first anniversary of the regime change. Matic rightfully criticized the new Serbian authorities:

> *"One of the first immediately noticeable results of the political changes of 5 October 2000, was opening up of the state and quasi-state broadcasters and print media in Serbia to the representatives of former opposition block*

[39] Quote from the interview given by Natasa Milojevic for this research.

> *and NGO sector. High hopes raised in the aftermath of the October changes - that the media field would be efficiently and swiftly reformed in a just manner, that political influence on the media would be largely eliminated - have nonetheless proved to be overly optimistic. Quite the contrary, twelve months after the political changes it appears that more substantial system changes have bypassed the media sphere."*(Matic, 2001)[40]

However, even the pro-democracy leaning public did not understand why Matic was so critical and attributed such harsh words to envy at competitor like RTV Pink, with whom his station could not compete on level terms. But Matic was completely right and principled, and he was not referring specifically to his arch-rival RTV Pink. Delay in passing of new media regulation perpetuated RTV Pink's market domination, inherited from the Milosevic era, preventing development of a real media market. The same applied to the further postponement in reforming the state-owned RTS, which remained a party-dominated instrument, and not a proper public service broadcaster, as it was promised to be.

> *"Even more worrisome is the suspicion that utter absence of any changes in the media field is not the result stemming from the concurrence of adverse circumstances but conscious determination of the new people now wielding political power in the country to retain certain mechanisms formerly used as a convenient vehicle by the Milosevic regime to exert pressure on the media."* (Matic, 2001)

It turned out that the new ruling elite in Serbia had different priorities for and understanding of the media in democratic society from their former "partners". Before engaging in internal bickering and power struggles, the DOS made sure to give the public some kind of pretence that they were doing something about the media. Immediately after taking over the power, the new authorities decided to abolish the mandatory RTS subscription fee, collected by the National Electrical Company. Then, following induction of the new republican cabinet of

[40] Full text available on www.anem.org.rs

Zoran Djindjic, the Serbian Ministry of Information was disbanded, and its competences were transferred onto the Ministry of Culture. Additionally, all the media outlets fined by the previous regime for non-compliance with the 1998 Information Act, were given their money back and confiscated equipment was returned. In another act of pure demagogy, none of the 1,000 plus unlicensed broadcasters were closed down, pending passing of the new regulation, which did not materialize for another few years. Even the proclaimed moratorium on opening of new broadcasting outlets before new regulation is passed was not enforced.

By taking all of the aforementioned “public pleasing” measures, the new authorities achieved three goals:

1) Buying enough time to procrastinate real media reform;
2) Neutralizing outcries by the media profession and NGO sector that the promised media reform was derailed and sabotaged;
3) Divided and turned at each other competing media outlets.

People were too busy sorting their own lives in the new transitional political and economic environment, so no citizen’s action on behalf of the media profession and NGOs could realistically succeed. “Dangers from delayed and compromised reform of the media” certainly was not an attractive or understandable banner for the public to rally behind. Because of such cunning tactics used by the new authorities, Veran Matic’s outcry not against RTV Pink but against delayed reforms could not find much support.

However, despite delays in adopting the media legislations, and parliamentary amendments to the proposed legal texts, position of the media in Serbia has dramatically improved in comparison to the Milosevic era. According to the Freedom House's annual scores of media freedom around the world, Serbia in 1999 had score of 81, just above Turkmenistan and below Belarus, while in 2006, after six years of reforms, received score of 40, just one point behind

Croatia, five points above Bosnia and Herzegovina and nine above Macedonia, former partners in SFR Yugoslavia.[41]

4.2 CONCLUSION

If we carefully examine the actual work done on transformation of the Serbian media system after the changes of October 2000, it is obvious that the actions were protracted, adopted legislations rather diluted, and their implementation is still far from successful. In this chapter, we have identified the domestic and international actors who were involved in the reform process, their pledges and tactical approaches. It is appropriate now to evaluate their results.

At this point, it is obvious that media reform expectations were different for politician, citizens and the media, since their interests in this matter were not the same. From the post-Milosevic political practice, we can see that politicians ignore to accept the media as the fourth estate, but continue to consider and use them as mere propaganda means. For them, the media are just convenient promotional outlets, if not the governing tools they were during Milosevic's times. In that sense, abstract (and empty) pledges to transform the Serbian media system into a democratic one were cheap way of presenting themselves as modern and proactive political actors. In reality, all of the politicians on both sides of the spectrum[42] tried to establish working relationship with certain media outlets (electronic, or print), which they could treat as allies or encourage to be supportive to their goals. The new political order established after 2000, however, forced politicians to accept that plurality of media outlets means that old school of control over media output is not possible any more, and that there will always be some "unfriendly" media outlets. This is the reason why the new political elite relegated media reform to the bottom of their priorities, deliberately

[41] Source: Freedom House annual reports on media freedoms.

[42] Here I don't use the notion of political spectrum in its traditional meaning of left and right, but applied to the Serbian situation as division on pro-Milosevic and anti-Milosevic sides.

slowed down the legislative process, and, for the outside view of the domestic public and international actors, more or less faked the reform.

International actors who became involved in the restructuring of the media system in Serbia, on the other hand, had poor understanding of local political culture and habits. Their insistence to adopt “public service broadcasting” model for transformation of Radio Television Serbia (RTS), was certainly principled and appropriate. As such, this initiative was supported by the Serbian professional journalists. In practice, when the international actors were supposed to lobby for this matter and support it, it turned out that they did not have adequate mechanisms at their disposal.

The matter was made even worse when it turned out those different inter-governmental and other organizations, which promoted and aided transformation of the Serbian media, were led on the ground by individuals coming from different Western countries whose media models and traditions were democratic, but slightly different. John Lloyd (2004) compares media practice in France, Britain, Italy and Sweden. He exposes how understanding of professionalism and democratic media can vary from country to country in environments of different sensibility and culture. Yet, all of those countries are certainly mature and functional democracies. To illustrate this point, applied to the Serbian case, I bring the example of the OSCE Mission’s Media department. Established in 2001, it was originally led by an Italian, then by French, and lately by a British/Serb expert. As the heads of this department were changing, so did the institutional attitude and priorities of the OSCE's Mission in providing support to the new media system in Serbia.

Additionally, involvement and influence of the international experts has been also plagued by half-hearted, uncoordinated and rather confusing instructions from their capitals, which always try to control their national experts seconded to inter-governmental and other organisations. Because of that, experts in the field depend on day-to-day policy requests from their capitals, rather than engaging in the long-term improvement of the Serbian media system. This is why the

results of the international involvement in transformation of the Serbian media system were rather limited.

The media profession in Serbia also has to bear its own share of responsibility for limited results of the reform process. Despite having two professional associations (at war with each other since the Milosevic era), the profession did not engage in public lobbying and promotion aimed at both politicians and public to explain the desired normative models and standards. Having spent most of the 1990s in material poverty and under prosecution by the former regime, the media profession in Serbia quickly embraced numerous individual and corporate aid and training programs given by the foreign donors – and enjoyed the small material benefits coming from that - forgetting the big picture and the necessity to fight for higher values within their own profession.

Education of politicians and citizens by the media profession on how to understand, accept and function in a new democratic media environment was not done properly. Occasional seminars and round table discussions organized by the professional associations were mainly held in-house and for the members, with support and solidarity from foreign colleagues and funded by the already mentioned inter-governmental and other organizations. Nevertheless, such discussions and their proceedings failed to reach wider public and explain the need for the media reform, along with theoretical and practical problems associated with it.

This is why the journalistic profession could not enlist the general public to help them when the politicians deliberately slowed down and sidetracked the reform of the media. “Tycoonisation” or “de-tycoonisation” of the Serbian media - a much discussed and hot topic among Serbian journalists - requires not only pressure from the journalistic profession on the legislators, but also need active support and engagement of both civic society and general public. Only a wide front of active and articulate citizens, advised and helped by the media profession, can exert adequate pressure on the political elite to legislate and implement meaningful media laws, which would secure an adequate environment for further development of democracy in Serbia.

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CHAPTER 5

Case study:

THE MEDIA IN PRESIDENTIAL ELECTION 2002

5.0 INTRODUCTION

The first major test of new political, media and social realities following the events of 5 October 2000 came in autumn of 2002, when Serbia held its first post-Milosevic presidential election. This chapter examines the work of the Serbia's media during this presidential elections.[1] The election had two failed cycles, on 30 September and 8 December 2002, but in terms of establishing the standards and practice of procedurally fair elections - it was successful

As much as the media had been instrumental in precipitating the change of regime in Serbia, it is crucial to establish if the media execute their duties and role in an emerging democracy, especially if they function as the fourth estate (Carlyle,1841). During the period leading to an election, it is possible to see the media at work – if they cover the candidates and campaigns in a fair, balanced and deliberative manner, or they take sides and fail democratic standards they are supposed to set and observe in democratic societies.

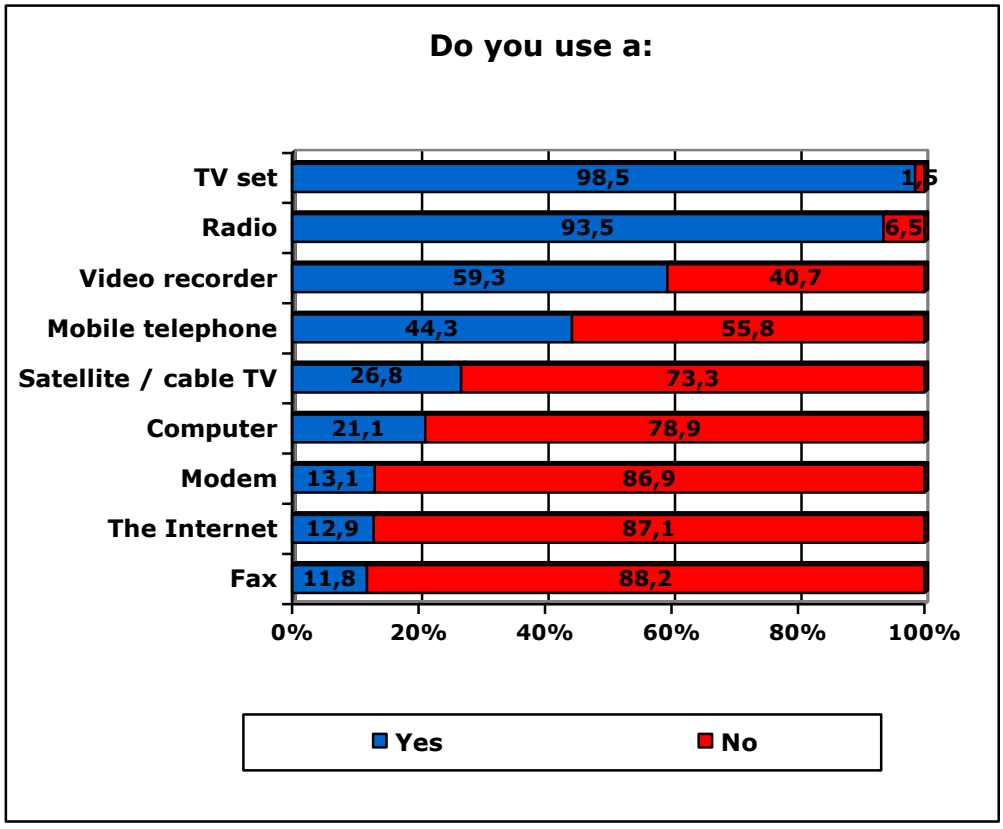
The first post-Milosevic presidential election in Serbia, could also be viewed as a kind of litmus test, indicating if the society in transition is on the path towards democracy, or the old patterns of political practice still prevail. It was interesting to see where were the Serbian media two years after the demise of the former

[1] This chapter in particular is chronologically the very first finished piece of the whole research, since it was written for, and originally presented at the London Doctoral Symposium1 held at the University of Westminster on 12 December 2002. In preparing this chapter for inclusion in the final version of the thesis five and half years after its writing, I tried to preserve it as it was at the time of presentation. Only a few minor changes were made in reference to points in time, and some linguistic adjustments of present to past tense. Its findings about the role of the media in 2002 presidential elections are preserved without any change.

regime, and if their practice at the time could be viewed as progress, or conversly if the "early fruits" of their transformation were yet not adequate to warrant a “democratic” label. For example, for the first time in the history of Serbia this election featured a live, televised duel between two presidential candidates.

A public opinion poll, conducted in November 2002, conducted on behalf of the OSCE Mission to FR Yugoslavia,[2] shows that the citizens of Serbia at the time had adequate sources of information to form their voting preferences, as opposed to the pre-2000 era. Charts 1, 2 and 3 paint picture of the Serbian electorate as well-informed, salient in the use of the media at their disposal, and with refined tastes and interests in various segments of social life. In general, despite relative material poverty, the electorate in Serbia was more than capable of participatiing in political life.

Chart 1



[2] Full results are found in Appendix III.

Chart 2

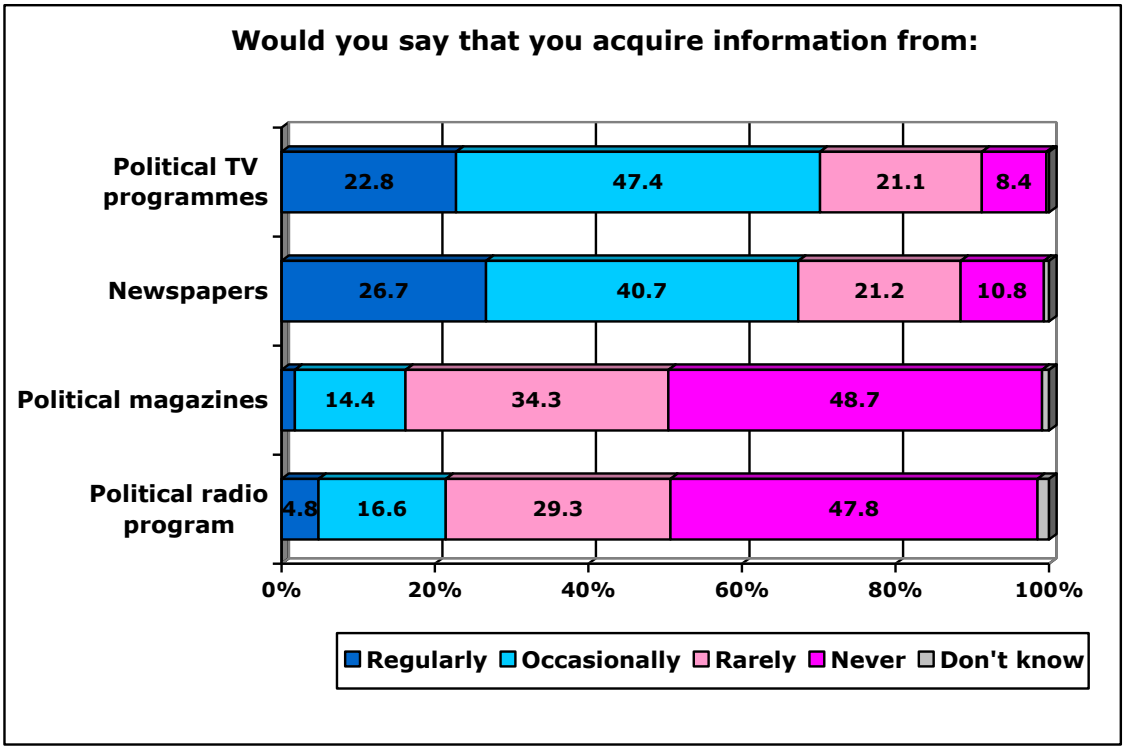
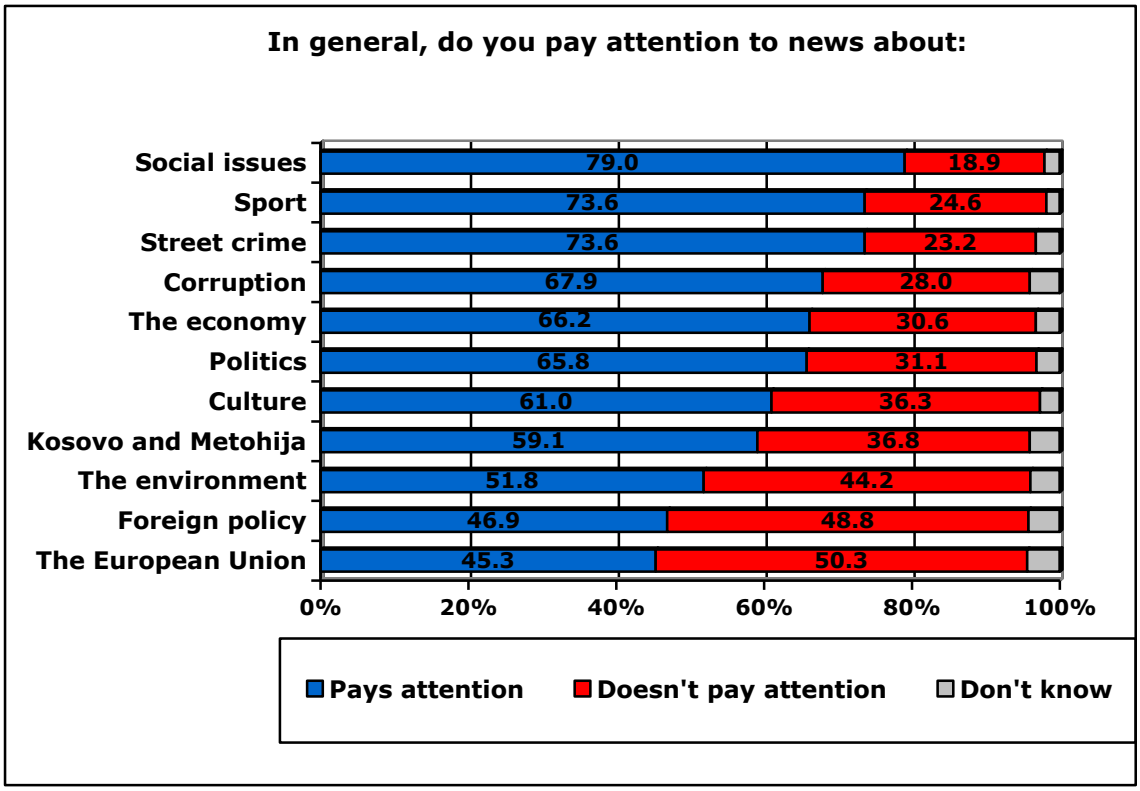


Chart 3



During the 2002 presidential election a new legislative framework for media had barely been established - with the passage of the Broadcasting Act as the very first of the so-called “media regulation package” on 18 July 2002. I argue here that despite unfinished legislative/normative frame and still non-exitent regulatory bodies, the media performed well, emulating the role of media in mature democracies. If there were some minor deficiencies, not different from shortcomings and criticism of the media in old democracies, they could not tarnish an overall positive evaluation

However, such a statement requires a warning. The two leading DOS parties, Democratic Party (DS) of Prime Minister Zoran Djindjic and Democratic Party of Serbia (DSS) of the Federal President Vojislav Kostunica, were treating this election as a transitory, and did not field their strongest candidates. According to their understanding of the political momentum, the scene was not yet ready for the decisive battle between the former partners, and this presidential election was used to test their strenght, ability to design and manage campaigns, as well as to prevent possible resurgance of the canditate from the extreme right – Serbian Radical Party. The rules that were valid at the time of this election required turnout of “50 percent plus one” from all the registered voters for the results to stand. With such a high treshold, both parties knew that it would be very difficult to elect a president, without abolishment of such requirement.

At the time of writing I worked full time as political advisor with the Organisation for Security and Cooperation in Europe (OSCE), with its mission to the Federal Republic of Yugoslavia (FRY). This gave me a unique perspective over the electoral process, since my employer/organisation had the mandate not only to monitor elections, but to oversee and facilitate the whole process of transition in political, legal, economic and cultural sense. In the run up to the 2002 presidential election, the OSCE mission initiated and commissioned monitoring (content analysis) of the media.[3] In addition to that, the Mission also

[3] Please see Appendixes I and II for the content analysis of the media in the run up to the election.

commissioned and designed a public opinion survey entitled “Media in Serbia”[4], which produced plenty of useful quantitative general data on the media, political and economic environment in Serbia. I used the findings of these two OSCE-commissioned projects were as evidence to augment my findings in this chapter.[5] Additionally, most of my analysis and arguments in this chapter are derived from own notes and reports I was making at the time for internal use at OSCE Mission. However, my conclusions do not reflect official positions and statements of the OSCE and its mission in FRY.

5.0.1 Political Background

A leading Serbian media scholar Snjezana Milivojevic in an interview for a daily newspaper briefly described history of the Serbian media during the 1990s in the following terms:

> “*Freedom of the media is one of the greatest democratic and social achievements, the only tool that the public has in order to control political power, government. We in Serbia had chance to see what happens when the inter-society communications were blocked – when there were no communications in the media, when it ceased even in the parliament . People took it to the streets, or as in antic times to the city square - the space dedicated for articulation of individual opinions. It took many centuries for city squares to be substituted by different institution (media).*” (Blic, 10 Dec.2002, pg. 12)

Following the events of 5 October 2000 the complete power takeover[6] was achieved in two phases. In October 2000 the new federal (FRY) and local

[4] Please see Appendix III for the OSCE public opinion poll data.

[5] It seems appropriate to quote these finding in my research because I was part of the OSCE mission’s political department that commissioned and guided the work of the polling agency, which gathered and processed the quantitative data.

[6] FR Yugoslavia was a federal state, consisting of republics of Serbia (90% of the Yugoslavian territory) and Montenegro. So there were three levels of government – local, republican and

authorities took over their responsibilities, but the election for republican (Serbian) parliament took place on 24 December 2000. The new republican government was sworn in February 2001. Immediately after the downfall of Milosevic, the two main political parties within the DOS coalition started with division of the “loot” – ministerial positions, ambassadorial posts, memberships in managing boards of public enterprises etc. In such arrangement, Vojislav Kostunica, leader of the conservative Democratic Party of Serbia (DSS), clung on to the predominantly ceremonial federal function, while the Republican Prime Minister Zoran Djindjic, leader of the reformist Democratic Party (DS), took the lead and responsibility for managing the whole process of transition in Serbia. The remaining small 16 DOS parties chose a strategy of siding with one or the other political pole, in exchange for political favors (again appointments to different functions).

The original DOS manifesto, which united all the opposition parties against coalition of Milosevic’s Socialist Party of Serbia (SPS) and Vojislav Seselj’s Serbian Radical Party (SRS), called for immediate return of the country into the international system, urgent constitutional reforms (both on republican and federal level), a quick start of economic reforms and privatization, combined with comprehensive welfare programs for much of the population exausted by 13 years of life under Milosevic (Bujosevic, Radovanovic, 2003).

Only the first proclaimed goal (return to the international community) was achieved promptly, while the rest became the source of permanent disputes among the anti-Milosevic coalition. It soon proved that those disputes were not only about the tempo of the reforms, but about their content too. As a result, the rivalry between the two leading parties - that can be ideologically viewed as the classic case of modernizing versus conservative political discourse - slowed down the tempo of transition, filtering through into the work of every state institution, from the Parliament, through judiciary, on to the executive branch.

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federal. From 1997 Montenegro held strong reservations about its participation in the federal structures, and initiated the process of redefinition of relations among the two republics.

Even the international actors became concerned with Belgrade's lagging reform (ICG Europe Report No. 126).

The ongoing dispute was also clearly visible in positions that the two sides had taken regarding the future of the Federal Republic of Yugoslavia: Republican PM Djindjic had a good personal and working relation with the Montenegrin President Milo Djukanovic, who advocated independence for the southern republic, while keeping only minimal ties with Serbia. On the other side, FRY President Kostunica was in favour of maintaining stronger ties between Serbia and Montenegro, hoping to preserve the federation as the only subject/entity of international law. For his concept Kostunica had strong support from the Montenegrin Socialist Peoples Party (SNP), which was in opposition within its home republic, but participated in the federal structures that were completely shunned by Djukanovic.

The European Union had mediated in the process of reforming the federation, and despite many deadlines set for finalizing the talks and preparation of the Constitutional Charter – it was agreed and passed only in February 2003, a few weeks before Djindjic's assassination. The Council of Europe, another important association of the European states, viewed by many as the first step towards full EU membership, had postponed ascention of FR Yugoslavia into its ranks several times - awaiting outcome of the constitutional reform talks mediated by the EU.

In such circumstances, the mandate of the incumbant Serbian president, Milan Milutinovic, who had been indicted by the International Criminal Court for Former Yugoslavia in The Hague during his term, was about to expire on 5 January 2003. He was a member of the Socialist Party of Serbia, elected in 1997 as a close associate of Slobodan Milosevic. Immediatley after his presidential term, immunity from prosecution expired, so Milutinovic volonteerly surrendered to the ICTY.[7] His mentor, Slobodan Milosevic, had been extraditied to the ICTY by a brave decision of Zoran Djindjic's cabinet on 28 June 2001.[8]

[7] In 2008 Milutinovic was cleared of all charges by the ICTY and released.

[8] Milosevic died in his prison cell in March 2006 before his trial was completed.

The extradition of Milosevic remained political and legal controversy in Serbia – something like a dividing line between the reformist and the conservatives.

The power to call (republican) presidential election in Serbia is vested with the Speaker of the Republican Parliament, and it can be done six months before expiry of the office holder's term. President is elected by direct vote, with a two-tear procedure. In the first round all qualified candidates may run. If nobody captures an absolute majority of votes, the second round of election is organized within two weeks, with only the top two contenders placed on the re-run ballot. For the election to be valid, it is necessary to have 50%+1 turnout of all registered voters. If such turnout is not achieved, the results are declared invalid and a fresh election cycle must be called within 60 days. In such a case, the whole candidacy verification, campaign and voters registration starts again from the beginning. If a new president is not elected before expiration of the incumbent's term, the Speaker of the Parliament becomes acting aresident, until the new one is elected.

This is exactly what happened in Serbia, when the 2002 presidential election failed to deliver a winner, and such temporary arrangement lasted for almost a year and half. When in 2004 the election rules were changed, turnout of 50%+1 registered voters abolished, Boris Tadic was elected. By that time Zoran Djindjic was already dead (killed in March 2003), and the previosly elected president Milan Milutinovic was in his prison cell at The Hague (ICG Europe Briefing no. 32, 2004). The care-taker president, Speaker of the Parliament Natasa Micic, had steered the country through the state of emergency imposed after Djindjic's assassination and paved the way for a proper election of the president. Due to the state of emergency and extraordinary parliamentary elections held in December 2003, Micic was forced to postpone the presidential elections several times.

5.0.2 The Media Environment

The first cycle of presidential election that took place on 30 September 2002 had ample voter turnout (circa 55,2% of all registered voters, or 3,6 million in absolute terms), but none of the 12 verified candidates could capture an absolute majority (50%+1 of all those who voted). The second round, which took place on 14 October 2002, had the two front-runners from the first round, but it was declared invalid due to insufficient voters turnout (45,5% of all registered voters, or in absolute terms around 300,000 votes short).[9]

The second attempt at electing the Serbian president (still on time before formal expiry of the incumbent's term) took place on 8 December 2002, but this time with participation of only three candidates, all of whom also ran in the first failed contest in September. This time, the election failed in the first round, with only 45,2 percent of all the registered voters (slightly less than 3 million in absolute numbers) turning out, again around 300,000 votes shy of the required threshold.

In contemporary democratic countries, voters rely on the media to acquire necessary information about the issues and candidates participating in elections. However, consumption of the media content requires a certain level of skill and knowledge on behalf of citizens/voters. Snjezana Milivojevic calls this media literacy, necessary for voters to decode the messages carried by the media :

> "*The media always construct reality. The media products (outputs) are just another type of product, in the same manner as knitted jerseys, or printed books, where one can trace human work and hand. Raising of critical consciousness is aimed at recognition of certain type of human work, which should not be taken for granted and a priori trusted as truthful and correct. All types of information passed around are constructs of human creation, product that one needs to learn how to read (decode). That is why the media consumption requires high level of literacy*." (Blic, 10 Dec. 2002, pg. 12)

[9] All election statistics were acquired from the web-site of CESID, a Serbian NGO specialized in monitoring elections. Its web-site is: www.cesid.org

The response of the Serbian voters at polling stations proved that they are rather literate and articulate. The electorate digested election campaigns, candidates programs and promises – a deluge of media adverts and messages - and decided that they were not convincing enough. It seemed that the electorate correctly read the implicit message that the two leading parties were not interested in electing the president and called their bluff. This is why the two cycles of presidential elections in 2002 failed, as written by James Lyon in his report on Serbia for the International Crisis Group (ICG Europe Briefing no. 32, 2004). Such a course of events also proved that the highly ceremonial post of president, with little executive power, was not something that voters considered important. The real power in Serbia was vested in the post of prime minister and his cabinet.[10]

The Serbian voters correctly concluded that the state would not perish if the replacement president was not elected on time. When the leading party of the reform block, Djindjic's Democratic party (DS) did not field own candidate for president,[11] it certainly sent an obvious message to the electorate how meaningful the office of the president actually was. Only a year and half later, when DS went into opposition, the federal institutions ceased to exist and the election rules were changed, Djindjic's successor as the party leader Boris Tadic ran and eventually captured the Serbian presidency (ICG Europe Briefing no. 32, 2004).

By the time the 2002 presidential election was called, the work on reforming the media system had barely moved from the square one. From the proposed set of five media-related laws, only one had been passed - The Broadcasting Act, in July 2002. The second one, the Telecommunications Act, had only been placed on the parliamentary agenda in December 2002, when the election cycle

[10] This is also the reason why the incumbent president Milutinovic was politically irrelevant figure, whom everyone ridiculed for not interfering in his job.

[11] The candidate who was half-heartedly supported by the Democratic Party was its first president Dragoljub Micunovic, whom Zoran Djindjic had gradually marginalized. Micunovic went on to set up his own political party Democratic Centre, which remained loosely associated with the Democratic Party. After Djindjic's assassination, Micunovic re-joined Democratic Party as its honorary president, which he remains to this day.

finished in failure. Drafting of the three remaining laws from the package (Public Information Act; Access to Information Act; Advertising Act) was far from being finished at the time.

In her analysis of the Serbian media and elections, political scientist Jovanka Matic explained the need to have clearly set rules of the media engagement during election times:

> "*The need of precise regulation of media during election is especially important in countries without developed democratic culture and non-existent tradition of autonomous media. It became unavoidable in post-communist countries, at the times when first pluralistic and free elections were organized. The media regulation on one hand, must secure optimal education of voters, familiarize them with the main campaign topics, with variety of parties' offers, with basic distinction in what is offered – in such way that the voters can decide to whom to entrust leadership of their country in future. On the other hand, the media must give equal chance to all the contenders - so they can persuade the voters about their advantage over the opponents*." (Matic, 2002)

It seems that the first post-Milosevic (republican) presidential elections in Serbia were staged in a partially regulated environment, that could possibly endanger the proper, impartial and just role of the media during this time of heightened political tensions and mutual accusations of the competing (and even non-competing) parties[12]. For example, despite adoption of the Broadcasting Act in July 2002, the independent broadcasting regulatory body had not been appointed for another nine months, although the election procedure legislation stipulates its important monitoring role during the whole election process.

In one of her studies on democracy and the media, the former LSE and currently Harvard University professor Pippa Norris describes the notion of

[12] Democratic Party (DS) of Serbian Prime Minister Zoran Djindjic did not have own candidate, and for that got accused of boycotting the election and quietly campaigning against the process by the Democratic Party of Serbia (DSS). DSS fielded their not very popular Vice-President Dragan Marsicanin as the presidential candidate in the first cycle, who was at the time the Speaker of the Serbian parliament.

public service broadcasting during election times by interpreting the words of the BBC's first chairman Lord Reith:

> *"[…In democratic theory the most basic function of news coverage of campaigns is to serve the public interest. In Lord Reith's classic phrase, the guiding mission of the BBC since 1922 has been to 'educate, inform and entertain'. he public service tradition in British broadcasting, embodied in regulation influencing the ethos and standards of all major television channels during election campaigns, emphasizes the provision of news and current affairs to enhance the quality of political debate* (Blumler and Gurevitch 1995; Humphreys 1996)*. Yet critics charge that the news media fell far short of these standards in their coverage of the (1997 British general) election. Far from informing and mobilizing the public, commentators claim that news coverage encouraged public cynicism and political apathy."]* (Norris, 1998)

If one makes similar accusations about the role of the media in two failed cycles of Serbian presidential election in 2002 – she/he would be greatly mistaken. The failure to elect the president can only formally attributed to the insufficient number of voters casting their ballots and missing the census prescribed by the election rules. Although the environment for the media to fulfil their duty and enable politcal debate among the candidates was not institutinally finished, the media were actively involved in covering the campaigns and the issues. However, the media could not hide the real game plans of the major political parties, who only half-heartedly participated in the election. Blaming the messenger is often used trick in politics, and it is certainly not a Serbian specialty.

Public cynicism and apathy - resulting in low turnout and failure to elect the president - could be taken as a logical consequence of several factors: low public appreciation of the presidential office, unconvincing attitude of the major political parties and fielding weak candidates. The repeated electoral cycle, with the same candidates and pretty much same political discourse being offered again to the same (already bored and dissatisfied) voters could not motivate the citizens to come out in numbers required by the law.

5.0.3 Analysis Of The Media Activities

One can argue if globalization of media, economic life, cultural and other values promotes democracy (Dalpino, 2001), or democracy represents just another fashionable buzzword. However, apart from Belarus, it seems that a great majority of European states, with Serbia as late addition, have some form of democratic government and fair electoral systems in place. The practice of international participation in monitoring elections, however, did not start with the Conference on Security and Cooperation in Europe and its 1975 Final Act in Helsinki, but only with its 1990s successor institution, the Organisation for Security and Cooperation in Europe (OSCE). Such major change in international relations and practice was only possible after the remarkable changes in the former Soviet block.

Elections in a post-communist states nowadays are not just the concern of the countries in question, but of the international actors as well. In addition to OSCE, many other organisations like the Council of Europe (CoE), European Union, diplomatic missions, domestic and international NGOs actively monitor elections in Serbia, but also in other parts of the world. It seems that only elections in countries like Belarus, North Korea and Cuba are still conducted without either domestic or international monitoring.

Bearing in mind the recent undemocratic history and the beginning of the transition process, it is not surprising that several aforementioned organizations and institutions, alongside many NGOs keenly monitored the first post-Milosevic election proceedings in Serbia. Although the whole exercise in the end did not deliver the first post-Milosevic Serbian president, valuable empirical data were gathered, leading to inferences about the election procedures, voting patterns and the functioning of the media.

The joint ad hoc OSCE / Council of Europe election monitoring mission, present during both attempts to elect the new president, gave elaborate explanation why they failed, as well as the evaluation of the role of the media. However, their main point of concern was legality of the election procedures/regulations, with concrete suggestions how to improve the election legislation in future. In this

work, I wanted to highlight only their findings regarding the media in the second cycle of elections on 8 December 2002:[13]

- As required by the law, state-owned Radio Television Serbia (RTS) media outlets provided free time to all registered presidential candidates, and provided a range of predominantly balanced and neutral coverage of all the contestants. In general, the media were unbiased. However, the level of coverage of candidates and the campaign was much lower then in the previously staged 30 September/14 October) election.
- There were no amendments to the legislation regulating the media during the elections. It remains brief, lacks sufficient provisions to ensure equal access by candidates, and it is limited to the public media only. The mandate of the media supervisory body (Broadcasting Council) during elections must be clarified by law.
- An agreement on the representation of candidates on the state-owned Radio Television of Serbia (RTS) was signed on 25 November 2002, two weeks after the legal deadline. Thereafter, the three candidates received equal access to free airtime and advertisements. However, the agreement did not regulate other media outlets.
- Private electronic media generally gave a low level of coverage to the campaign and the candidates, often leading on other news items such as the activities of the Serbian Government and parliamentary sessions. When reported, the tone of the coverage was predominantly neutral, although candidate Kostunica received proportionally more coverage because of his current official role (Federal President).
- The print media offered a wider variety of views and served as a more comprehensive source of information. Generally, the level of coverage was balanced, although candidate Kostunica was portrayed in a more positive tone than the other candidates.

[13] This evaluation was based on the observation of 22 election experts of the OSCE – Office of the Democratic Institutions and Human Rights, based in Belgrade and three regional centres throughout Serbia, as well as Kosovo, who had been deployed since 17th November 2002. It also incorporated the election day findings of121 short-term observers from 31 participating states, who reported from 621 out of 8,630 polling stations.

In evaluating candidates' campaigns preceding the second failed election cycle, the international monitoring mission concluded:

- Three candidates took part in the election, but they did not reflect the complete political spectrum in Serbia, and offered voters a limited choice. Important political interests did not field candidates, nor supported others, in effect discouraging their supporters to turn out and vote.
- Despite all indications of significant public apathy towards the repeat elections, each candidate pursued a low profile campaign, with relatively few public meetings, advertising, or media appearances[14].
- All sides failed to motivate public interest in this election campaign. In advance of the holding of further repeat elections, the OSCE/ODIHR urge all the political parties and civil society to hold constructive dialogue in order to identify methods to strengthen public confidence in the democratic institutions of Serbia, and to ensure greater levels of public participation in future elections.

The OSCE Mission to FR Yugoslavia, through its specialized media department, had monitored the output of main daily papers and principal TV stations during the second round of the first cycle of presidential election between 3 and 11 October 2002[15]. The content analysis of the media coverage, which included TV and print media outlets warrant a conclusion that the media in general had been unbiased and fair in reporting the candidates and their campaigns.

[14] In the second round of the first election cycle, in October 2002, the two candidates participated in a head-to-head live TV debate - first in the history of Serbian democracy and the media. In the December cycle of the elections, since there were three candidates, there was no debate. After the collapse of the first round, there was no second round and there was no attempt to organize a televised debate.

[15] Please see Appendixes I-II with the quantitative data (content analysis) collected during the process.

5.1 CONCLUSION

If we consider the content analysis data of the Serbian print and TV media[16] during the two cycles of presidential elections in fall of 2002, it is clear that the media performed in a satisfactory way. The first failed cycle of the election was covered with a great detail, with an appropriate care and balance by both state and the private media outlets. However, when both the electorate and the media realised that the repeated election cycle would not be successful, a dose of fatigue and loss of enthusiasm was visible.

Despite the lack of full media regulation – with only the new Broadcasting Act adopted, and without the Public Information Act[17] - for the first time in political history of Serbia the media rose to the occasion and presented the citizens with an opportunity to hear, see and evalute the presidential candidates. The print, as well as the broadcast media, could finally operate in a non-prohibitive environment, where one centre of power did not dictate the rules, nor impeded political opponents from receiving an adequate coverage.

The plurality of media outlets did not necessarily guarantee plurality of opinions, but plurality of competing political parties certainly guaranteed that no-one could excersize control, or censor the media. Once the media escaped from the iron grip of the previous regime, there was no going back. It took the media too long to acquire freedom, and it would be wrong to relinquish it at the very first turn. And that was true even for those media outlets which were not exactly independent and brave during the previous period – like daily papers Politika and Novosti, weekly Nin, or RTV Pink and TV BK. Some of the aforementioned media outlets used this oportunity to regain lost credibility and establish a new reputation as impartial and balanced.

If we look at the data from the Appendix II, we can see that the coverage of the private media formerly associated with the regime of Slobodan Milosevic, like

[16] Ibid.

[17] The Public Information Act is the base legislation, which outlines the boundaries of the citizens' rights to be informed and the work of the journalistic profession.

RTV Pink and TV BK, was exemplary unbiased and neutral. Same can be said for the election coverage of still not legally reformed state broadcaster RTS, whih was at the time receiving substantial technical aid and practical training from several international organisations in preparations for transformation into a public service broadcaster.

The Appendix I brings content analysis of the print media. And again, it seems that the overall coverage of the election was balanced, impartial and fair to all the candidates. Formerly state-owned daily Politika, which was a key propaganda tool of the Milosevic regime, after the events of 2000 became a joint venture between German publishing house WAZ Media Group and the state of Serbia. The German partner decided to take care only of the economic (business) side of things in the joint stock company, while giving the Serbian partner full liberty to appoint editors and oversee the content. Early on, this seemed to be a functioning model, so Politika managed to regain credibility lost during the Milosevic era years. During the 2002 presidential campaign, Politika acted as an example of neutrality and balanced reporting.[18] Same can be said of the daily Vecernje Novosti, which remained state-owned enterprise. Leading private dailies, Blic, Glas Naroda and Danas were also acting professionally and fairly, but in accord with their established political preferences - Blic being moderate rights wing oriented, Glas Javnosti leaning more towards the conservative nationalist cirlcles, while Danas stayed true to its roots of being liberal, pro Western and modernizing.

Despite the absence of complete and clear media regulation in Serbia, the bottom line was that the media performed well during the 2002 election period. Even the candidate, who pursued legal remedies against certain minor procedural mistakes (disorderly list of voters), did not question the role of the media, their impartiality and autonomy, and possibilities to get his message across to his voters.

[18] Please see the data in Appendix I

Is it then fair to accuse the media for the failure of the election process in Serbia? To blame the messenger for the so-called “Television and Civic Malaise” as Pippa Norris (1998) calls it in one of her studies? Certainly not. In conclusion to this chapter on the role of the media during the 2002 Serbian presidential election, I’d like to revisit the aforementioned writings of Pippa Norris.

> “*Popular commentators frequently blame television, and TV news in particular, for political coverage that produces a more cynical and disenchanted public and a half-empty ballot box. The growth of tabloid television has therefore commonly been singled out as a major problem for the health of modern democracy.”* (Norris, 1998)

The Norris’s findings about the media and voters’ behavior in the USA and Great Britain, and the data from Serbia actually converge. Only a superficial reading of the voters’ behavior and performance of the media during the two failed presidential election cycles in fall of 2002 could diagnose this as the “civic malaise”. On the opposite, the low turnout of voters was a logical reaction to the behaviour of the political parties, who underestimated the electorate.

Norris maintains that the long-term effects of exposure and attention to television news are probably largely beneficial for civic engagement. People who regularly watch television news (in the UK and USA) posses above-average political interest, efficacy and knowledge. The evidence which Norris presents, while far from conclusive, strongly suggests that we cannot blame the messenger for the symptoms of apathy and disengagement of voters. Here we see again the findings from her analysis of mature democracies and my findings from Serbia meet:

> “*In these nations (advanced industrialized societies), the more time spent watching TV, the slightly lower the level of social trust, organizational activism, political support for the regime, and political participation. Yet this pattern was not evident in developing societies. Moreover using this evidence we could not establish whether this pattern was the effect, or the cause, of watching television. After all, if we don’t trust other people, if we don’t enjoy community meetings, if we’re bored by politics, it makes*

> *sense that we might well decide that we prefer to spend the evening in the company of Frasier, Oprah and Seinfeld*." (Norris, 1998)

Based on all of the above, it is important to note that after only two years in new, institutionally and legally still unfinished political and economic environment, the citizens/voters in Serbia adopted behaviour of citizens in mature democracies in regard to elections and the media as the main arena for political battles. After so many years in total political deprivation and heavily obstructed access to the sources of information, it seems that the Serbian citizens, or perhaps we should call them Schudson's monitorial citizens[19], have eagerly embraced the liberated media environment.

Additionally, performance of the media during the 2002 presidential election points at one other interesting phenomenon. If the general socio-political atmosphere in society is optimistic than there is no need to coerce or police the media to perform their duty. And during the first two years of post-authoritarian life, the citizens of Serbia were still enthusiastic about the changes and goals that need to be reached. But they were not foolish to be manupulated by calculations of the main political rivals on the scene. On their own, the media very well understand the obligation to be objective and maintain standards of decency and respect in dealing with the political affairs. The media clearly understood that if they betrayed this duty, their own credibility and market position would at stake. Especially when they were trying to cater for such a politically articulate public, and when there were so many competing media outlets to choose from.

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CHAPTER 6

40 DAYS THAT SHOOK SERBIA
THE MEDIA AND ASSASSINATION OF ZORAN DJINDJIC

6.0 INTRODUCTION

Serbia's transition towards democracy symbolically started on 5 October 2000. At that time, nobody could set a precise time frame for such a process; nor was a successful outcome by any means guaranteed. The political actors, as well as the citizens, were full of optimism that a new era had finally started. Everybody was hoping for a peaceful and calm transition, because too much history and drama had happened to the country and its citizens over the last decade of the XX century. Unfortunately, the events of 5 October 2000 were not the last dramatic moments of contemporary Serbian history, and smooth and speedy transition - with ascension into European Union membership as a symbolic approval that the process is finished - remained elusive.

In this chapter, which is of purely historic nature, I examine the political events in Serbia which constitute the initial phase of transition - from Milosevic's departue on 6 October 2000 until the end of 2003 and extraordinary parliamentary elections. The key event which defines this phase is assassination of Prime Minister Zoran Djindjic (2001–2003). I argue that the process of transition had a coarse start, and eventually was further impaired by the event of 12 March 2003. This event certainly had a scale and implications only comparable to the ousting of Milosevic on 5 October 2000.

In the second part of this chapter, I return to the main theme of this research – reform of the Serbian media - through the optics of how the media functioned during and after the times of national emergency. In forty days that shook Serbia[1], the government priorities changed, while political disputes among DOS

[1] I chose the title for this chapter to describe atmosphere during the state of emergency declared by the government in the wake of Djindjic's murder.

coalition partners became irreconcilable, leading to extraordinary elections in December 2003. During the state of emergency, the media operated under restrictions and censorship, but came out of it stronger.

Very soon after the first post-Milosevic cabinet in Serbia started its work in February 2001, it became apparent that the process of transition from a post-socialist dictatorship to democratic capitalism would not go as smoothly as citizens hoped, and the outside world expected. Early enthusiasm of citizens and impression that Serbia had a great potential for fast forwarding transition to catch up with the rest of former socialist countries evaporated quickly - due to fragmented political scene and actors involved. The broad coalition DOS that ousted Milosevic was composed of 18 different parties from all sides of the political spectrum, with one goal in common - end of dictatorship (Bujosevic, Radovanovic, 2003). Unfortunately, that was not enough to keep DOS going for at least one full mandate (four years) – to clearly define and convert reform priorities into legislation and allow the government to implement it.

Since the disagreement between former anti-Milosevic allies started as soon as they got in power, it is not surprising that the tempo of reforms was uneven, strategic planning absent and implementation reduced to partial and palliative measures. In that sense, promised quick reform of the media sector was also affected. Instead of putting the whole "Media laws package" on the agenda within one year and adopting them without further delay, this issue became another bargaining chip between feuding DOS partners. It meant delayed adoption of the necessary laws, which lasted longer than three years, and with final texts of legislations being diluted and changed to a great degree by the parliament.

At the same time, reality could not wait, as RTV B92's Veran Matic stated, and the media had to function and secure their existence in difficult and not fully regulated market conditions. These conditions were inherited from the times of dictatorship and perpetuated unjust privileged positions of the Milosevic-era

media outlets like TV Pink and TV BK, at the expense of independent media like RTV B92. Matic's open letter to the public in which he demanded from the new authorities not to delay reform of the media system carried a title "Legislate Now" (Matic, 2001). The open letter to the public was actually meant for PM Zoran Djindjic.

Commenting on the 2001 public exchanges between Prime Minister Zoran Djindjic and RTV B92's CEO Veran Matic, Djindjic's party deputy Zoran Zivkovic explained his opinion in this debate:[2]

> *"Some politicians were serious about media reform, some were not. The same can be said about other issues on the opposition's (DOS) pre-election manifesto. The media that remained independent and professional did not obstruct the government in its work. On the opposite, they were helping through pointing at problems which democratic government had failed to see. The media also pointed at certain cases of misuse of power by some officials of the new government. Unfortunately, there were very few media outlets of such kind. Majority wanted to cash in on their 'participation in democratic revolution' through blackmail."*

Soon after the second unsuccessful cycle of presidential elections finished in December 2002, the country was thrown into major crises, with assassination of Prime Minister Zoran Djindjic on 12 March 2003. State of emergency was immediately declared, and lasted for 40 days. Still only partially regulated, the media had to function under the state of emergency, including calls for censorship, bans and other unpopular and undemocratic measures, which were justified by the need to apprehend perpetrators and their supporters. At the same time, two media laws[3], which had been stalled within the parliament's corridors for long time, were hastily adopted during the state of emergency – something that certainly is not a normal practice.

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[2] This quote comes from the interview that Zoran Zivkovic gave to me for this research.

[3] Public Information System Act was passed on 22 April 2003, followed by the Telecommunications Act was passed on 24 April 2003.

6.0.1 The Sour Fruits of Not So Decisive Victory In 2000

The events preceding the assassination of the Serbian Prime Minister Zoran Djindjic on 12 March 2003, all the way back to 5 October 2000 warrant a more thorough explanation that would put clear perspective on various interlaced aspects and problems of the Serbian transition.

Despite the victory in 2000 presidential election, the DOS coalition did not capture decisive majority in the Federal Parliament to end dominance of the Socialist Party of Serbia (SPS). Instead, DOS was forced to enter a coalition arrangement with the Socialist Peoples Party (SNP) from Montenegro. It was the very same party that until 24 September 2000 election had been a trusted coalition partner of Slobodan Milosevic and SPS. Aware that Milosevic was not a force to bet their survival on, SNP quickly switched their allegiance to DOS. Back home in Montenegro, SNP was not a dominant political force, but a minority in the republican parliament of Montenegro, where President Milo Djukanovic's Democratic Party of Socialists (DPS) held power[4]. Djukanovic from 1997 clearly distanced himself from Milosevic, and had steered his republic away from the Yugoslavian federation. He understood well that any liaison with Milosevic or FR Yugoslavia (FRY) would mean a death blow for his personal career and the future of Montenegro.[5]

Aware of the dramatic changes in political outlook of Serbia that took place after 5 October 2000, the Socialist Party of Serbia (SPS) agreed to a power sharing deal (interim government) with DOS on the republican level, until the extraordinary parliamentary election were held on 24 December 2000.

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[4] SNP actually was formed when the conservative socialists of Milosevic's side-kick Momir Bulatovic clashed with the reformist wing of DPS, led by Milo Djukanovic, and following the losing battle for party leadership formed splinter Socialist Peoples Party.

[5] Djukanovic maintained warm personal relations with Zoran Djindjic and his Democratic Party (DS), and helped him and some of DS activist hide in Montenegro from Milosevic's prosecution during 1999 NATO campaign against Yugoslavia.

Serbia's parliamentary election on 24 December 2000 brought a sweeping victory to the DOS coalition, which won 176 out of 250 seats of the single chamber. It was a more than two-thirds majority, required to pass constitutional amendments. When the new cabinet of Zoran Djindjic took over from the interim government in February 2001, it looked as though the road towards Serbia's transition was clear, especially with the comfortable parliamentary majority to rubber-stamp all the bills proposed by the government.

However, there were some other political calculations present. New federal president Vojislav Kostunica and his Democratic Party of Serbia (DSS) in the space of three months between his ascension to the federal presidency and the elections for the Serbian government grew enormously in popularity and membership. Being only a second fiddle to Djindjic's DS did not appeal to the ambitions of DSS - especially after their membership grew exponentially from lowly almost cult-like 8,000 to ten time that figure within one year from October 2000. The influx of new membership into DSS was a sign that former SPS supporters were quickly changing allegiances and trying to embark on the winning wagon. The conservative DSS agenda of promoting "Serbian values", as something slightly different and even divergent from the reformist pro-Western program of premier Djindjic, indeed appealed to many disappointed supporters of SPS, having a lot in common with the political discourse that kept Milosevic in power for 13 years (ICG Europe Report no.117, Sep. 2001).

Djindjic's openly cosmopolitan, reformist and pro-Western rhetoric, along with mercurial style and German educational background could not make him acceptable to a rural, conservative and nationalistic voter, who only recently had realised that Milosevic was crook and delivered poorly on promises of protecting the Serbian national interests (ICG Europe Report no.117, Sep. 2001). The negative effect of the NATO's 1999 bombing and ten years of international sanctions could not be erased overnight from the memory of common people/voters. The main Milosevic's explanation for ten years of losing battles, lowering salaries and standard of living, misery and suffering was always

officially attributed to the Western complot/master plan to destroy Serbian nation[6]. Vojislav Kostunica, despite being too academically inclined and overeducated for the taste of rural and unsophisticated voters, was the only viable choice to contest and win against Milosevic, because he was using the similar, nation-oriented discourse. On the other hand, Djindjic's brief record as the Mayor of Belgrade in 1997 was not perceived as success. Kostunica had impeccable reputation of honesty and not being corrupt, probably more to do with his absolute lack of any commercial or managerial experience, except involvement in the ivory tower world of academia.

When DOS came to power following the 5 October 2000 events, Kostunica immediately proved to be not so naïve. In his inaugural speech he immediately proclaimed that no revenge would be pursued against those who were associated with the previous regime, and that the justice would be done through the existing legal system. Such a strict "legalistic" approach in practice meant blocking the so-called lustration (Politika, & Oct. 2000, pg. 1). Lustration is a political term referring to cleansing of the state institutions from compromised people who were part of or worked for the previous regime (Brahm, 2004)

It also meant a stale mate in regards to imminent change of constitution, one of the primary goals of the once unified DOS. In the Serbian parliament elected on 25 December 2000, Kostunica's MPs blocked almost all proposals coming from Democratic Party (DS) and the other DOS partners, acting like internal opposition, despite being elected on the joint DOS list.

Kostunica kept in service the notorious chief of the Milosevic's secret police Rade Markovic for next six months; despite continues protests from his DOS coalition partners.[7] The story was similar with the Milosevic's Chief of the

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[6] Such fascination with "the great complot theory against Serbs" borders with paranoia, and most likely came into Milosevic's discourse from the mind of his wife Mirjana Markovic. Her fanatical communist beliefs see the whole world in the light of ideological fight between socialism and capitalism, and Serbia as the last unconquered island of the communist world in Europe.

[7] Following his removal, Rade Markovic had been initially arrested on charges for destroying the secret service files after 5 October 2000. However, Markovic was later tried and convicted on numerous charges including ordering several political assassinations.

General Staff, General Nebojsa Pavkovic, whom Kostunica kept for next year and half. When in summer of 2002 Kostunica finally replaced Pavkovic, he managed to portray himself as a patriot and victim of a cruel political manipulation, and subsequently ran in the 2002 Serbian presidential election as an independent candidate.[8] In addition to those key-figures, Kostunica surrounded himself with inner circle of advisors, with history of links with the previous regime. Until February 2003, when the Federal Republic Yugoslavia (FRY) officially ceased to exist, along with the position of federal president, Kostunica used his position[9] to advance his party's conservative ideology through quasi-patriotic rhetoric. Also, he took every opportunity to criticize the government of Serbia and his main political rival, Zoran Djindjic and Democratic Party.

On the other hand, Djindjic had ended up with the most difficult and responsible job of prime minister, who had to present the voters with the unpaid bills from the past, and prescribe a therapy of bitter medicines on the long and winding road of reform and recovery. The average salary in Serbia at the time of Milosevic's demise was around £ 30 per month, while two and half years later at the time when PM Djindjic was assassinated it rose to £ 100.[10]

The secret Special Operations Police (SOP) unit, founded as the Milosevic's own Praetorian Guard in the early 1990s for conducting clandestine operations in Croatia, Bosnia and Kosovo, and allegedly responsible for many political liquidations in Serbia, was another major problem. On 5 October 2000, when the protesters from all over Serbia started to flood the streets of Belgrade in order to overthrow Milosevic, SOP apparently got demand from the boss to ruthlessly dispel the demonstrators, with all the necessary means.

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[8] General Pavkovic had been indicted for war crimes committed during the 1999 Kosovo conflict, initially opposed arrest and extradition to ICTY, but eventually had to surrender and was transferred to The Hague.

[9] Office of the Federal President is of a non-executive nature, with a few competencies regarding to the military and no responsibilities in economy.

[10] Source: Serbian Statistics Office Annual reports for years 2000 and 2002.

Understanding that Milosevic's time was up, the SOP commander Milorad Lukovic - Legija secretly had met Djindjic and gave him assurances that the unit would not go into action against the demonstrators. In exchange, Lukovic got a verbal promise from Djindjic that SOP's inglorious past would not be scrutinized by the future government. The greatest fear of the SOP unit was that the new authorities would disband it and extradite its members to the ICTY (Vasic, 2005).

However, as the old proverb says, the wolf can only shed his hair, but cannot changes his nature. The gentlemen's agreement with the SOP unit proved to be a pact with the devil, one that cost PM Zoran Djindjic his life in March 2003. It also took the nation into unprecedented 40 days of state of emergency. (Vasic, 2005)

There was no more "real work" available for the SOP-type of goon squad, which can exist only in oppressive regimes/states. The promised temporary immunity from prosecution, based on the 5 October 2000 gentlemen's agreement, could work only if the unit understood the nature of changes and refrained from the old habits. However, the changes of 5 October 2000 to SOP meant only the change of master, while "methodology of work" would remain the same. In 2001, despite its clandestine nature, the SOP unit displayed its dissatisfaction with the course of political developments in a much-publicized mutiny. It was subdued only after Djindjic's personal visit to the SOP headquarters in Kula, and dismissal of the head of secret service - as demanded by SOP. This public display of insubordination, however, was a clear signal that in peaceful and democratic times such unit can become a threat to the government, and not its protector. Needless to say, Djindjic's rival Kostunica declared that the SOP's mutiny was an acceptable labour action/strike against employer, like SOP was some kind of a trade union.

Despite delivering the top price – Milosevic – into the custody of ICTY on 28 June 2001, it was perceived by the public that Djindjic was not adequately

rewarded by the international actors[11]. Further conditions for much needed aid and investment packages were added instead. Kostunica used such course of events to accuse Djindjic of being unpatriotic – delivering fellow Serbs to the international tribunal and not even receiving the promised carrot (financial support). Such patriot/traitor discourse was routinely used by Milosevic during his years in power in order to castigate any opposition work, supported from abroad. Through his control over the military, Kostunica played another "patriotic card" by allowing the former Bosnian-Serb Army commander General Ratko Mladic to live in Belgrade peacefully for some times and to subsequently flee, despite outstanding international warrant for his arrest.

At the end of 2002 Serbia was in the middle of nowhere. The constitutional reform of the Federal Republic Yugoslavia was being delayed beyond all promised, reasonable and prescribed dates; The economic reform process promoted by the Djindjic government was stalled; The legislative work in the Serbian parliament was blocked by the DSS opposition to DOS[12]; Unresolved murders, abductions for ransom, and drug-related crime continued to rise unchallenged.

In early 2003, the work on new confederal arrangement between Serbia and Montenegro was finally completed through good spirit of understanding between Serbian Prime Minister Djindjic and Montenegrin President Milo Djukanovic. Adoption of the Constitutional Charter by both republican parliaments and the Federal parliament finally meant retirement of the name Yugoslavia and its federal structures - in favour of very different, loose and sparsely structured confederal union, called by the names of its members - Serbia and Montenegro.

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[11] In this context, it means USA and the EU, as the main financial donors and possible investors into the economy of Serbia.

[12] Sound 176 DOS majority out of 250 MPs, proved to be a volatile and unstable majority of 132 – out of minimum 126 needed – due to Kostunica's DSS behaviour. Such situation even prompted other DOS members to demand additional concessions from the Djindjic's melting majority as the price for loyalty.

Just before this cornerstone event, Djindjic managed to prevent Kostunica from becoming the president of Serbia in December 2002 through shrewd election manoeuvring.[13] With Kostunica out of the federal president's office and his popularity rating substantially diminished due to the failed presidential election, and with the success of the new constitutional deal with Montenegro, in March 2003 Serbian Prime Minister Djindjic was just about to re-launch his programs of economic reforms. At the same time Djindjic intended to finally address the problem of organized crime connected with the old security structures. These structures were refusing to undergo change of their *modus operandi* and defied attempts to be placed under civilian control.[14]

However, the forces opposing Djindjic and his clean-up effort had been informed in advance about the imminent action prepared by the Djindjic's government, and attacked first. There was a failed assassination attempt on Djindjic in February 2003, which the prime minister did not understand seriously. A truck driver tried to hit the premier's motorcade on the freeway in New Belgrade. The driver had been arrested, but a few hours later released through a court order, pending trial for minor traffic violation and possession of forged vehicle documents. This was a major police blunder, because only minor charges had been pressed against Dejan Milenkovic Bagzi, known for having criminal connections. However, the release was blamed on the judiciary, which did not have legal ground to keep him in prison as an assassination suspect. Bagzi promptly disappeared without a trace[15].

Zoran Djindjic in the first instance did not understand the graveness of the situation and that it was an assassination attempt, telling the media that it looked to him like behaviour of an inexperienced driver who was intimidated by

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[13] The failed 2002 Serbian presidential election is the subject of the previous chapter of this work.

[14] Djindjic was aware of the fact that the SOP unit was involved in criminal activities including drugs distribution and abductions for ransom, in partnership with the Zemun criminal gang. A decisive action to tackle this problem was scheduled to begin in March 2003.

[15] The truck driver was Dejan Milenkovic "Bagzi", a member of the Zemun criminal gang re-surfaced three years later as protected witness of the prosecution in the court case against assassins of Prime Minister Zoran Djindjic.

an escorted official motorcade. A few days later, when he was properly informed about the failed attempt at his life, he took it in stride and publicly said that he is not afraid, and even if he is killed the process of reforms in Serbia could not be stopped, nor reversed (Vasic, 2005). As a philosopher, he understood that a man has to do what he has to do, and that escape from fate was not possible. He was ready to continue, despite the risks involved, but also did not carefully review his own personal security arrangements and procedures.

Just like in most other high profile political assassinations in the world, the killers, their informants and collaborators came from the inside ranks of security services. It was the case with the Indian Prime Minister Indira Gandhi and the Egyptian President Anwar El Sadat in the past, and the same happened to Djindjic. Additional safety measures and bullet-proof vests in such case are of little use, and Djindjic bravely or carelessly refused to wear one.

6.1 THE STATE OF EMERGENCY AND THE MEDIA

On 12 March 2003, somewhat past mid-day, an event took place in the backyard parking lot of the Serbian Government's main building. It has changed forever not only the political scene in Serbia, but its future direction. A single sniper bullet fatally wounded Serbian Prime Minister Zoran Djindjic when he exited his car at the back entrance of the government building.

Only a day earlier, a relatively new and low circulation weekly magazine called *Identitet* ("Identity"), published by a reclusive group of businessmen who have became rich during the 1991-1999 conflicts in the region of former Yugoslavia, had carried a frightening headline: "*Djindjic Targeted by the Bosnian-Serb Patriots and The Hague Indictees*". The next day it turned out this it was not a

false prophecy, "journalists' duck",[16] or another gimmick aimed at increase of circulation. Actually, it was a public revelation of an action plan, which was soon fulfilled.

Following the initial shock and disbelief, the Serbian Government held an emergency session on the day of assassination, and decided to ask the acting president of Serbia (Speaker of the Parliament) to proclaim the state of emergency. Such measures would allow the police, prosecution and judiciary to deal swiftly and adequately with this crime, since the previous parliamentary deliberations on appointments of judiciary and amendments of the criminal procedures and penal codes were stalled. It also meant that all the media (state and private) would be put under restrictions during the state of emergency. Duration of the state of emergency was not known, but it was referred to as a temporary and short-term. Despite a few isolated voices who immediately questioned legality of the state of emergency[17], the acting President Natasha Micic in a live televised address to the nation decreed the state of emergency[18]. She asked the citizens for patience and not to be afraid of such extraordinary measures, since those were aimed at criminal gangs who organized the killing of prime minister, and were not meant to curtail any of the guaranteed individual and political freedoms, or human rights.

In the next 40 days, the newly appointed Prime Minister Zoran Zivkovic[19], managed to fulfil the promise of the acting president. The usage of the extraordinary powers would be with a measure of restraint and delicacy, only to

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[16] Such expression is used in Serbian language when referring to the journalistic tricks of the trade in derogatory manner, as a business using unconfirmed and sensationalist stories, aimed at increasing circulation.

[17] Professor Vojin Dimitrijevic, Director of the Belgrade Centre for Human Rights and the country's leading intellectual, had voiced an argument against introduction of the state of emergency. However, nobody in the government or judiciary would consider his well-grounded concerns at the time, and preferred to reach for the "panic button".

[18] State of emergency did not cover the territory of Montenegro, which is a separate state, although participating in the confederative union with Serbia, following the constitutional restructuring of the former Federal Republic Yugoslavia in February 2003.

[19] Zoran Zivkovic was Deputy President of Djindjic's Democratic Party and former Federal Minister of Interior.

uncover the criminals behind the murder and to deal a mortal blow to the Serbian underworld gangs through arrests and swift judicial prosecution of suspects.

Under the scrutiny of the international community, and underpinned by the strong show of support (including financial assistance) from the United States of America and the European Union, in order to stabilize the whole project of post-Milosevic rehabilitation and transition, the Zivkovic government indeed used the state of emergency wisely and efficiently (ICG Europe Briefing no. 49, April 2003). The state of emergency was lifted before any significant claims of undemocratic curtailment of political life had been recorded or alarms raised. The promise of lifting the state of emergency no later than end of April 2003 was fulfilled after 40 days, on time (22 April 2003) for the Orthodox Easter festivities.

During the course of the state of emergency some 9,000 people were questioned by the police and 1,200 held in custody; the killer of the prime minister was arrested and confessed, but showed no regret for his act. Much delayed re-shuffle of Milosevic era judiciary and prosecutors were partially done, along with the overdue amendments to the criminal and penal codes passed. A whole network of criminals behind what was a plot to overthrown the regime was uncovered, and a majority of them arrested. (ICG Europe Briefing no. 49, April 2003)

The dreaded Special Operations Police (SOP) unit, whose deputy commander confessed to murderer of Zoran Djindjic, was disbanded. In the wake of such a large investigation, several other major political murders from the past were finally solved[20]. Connections were uncovered between the parts of Milosevic's security apparatus that remained intact after 5 October 2000, and the international narcotics distribution network, reaching as far as notorious Colombian cartels.

[20] The most important one being the 2000 abduction and killing of the former Serbian president Ivan Stambolic – an operation conducted and executed by the SOP.

6.1.1 Government versus the Media

During the state of emergency, the Serbian parliament finally passed two crucial media legislation – the Public Information Act and Telecommunications Act. The Broadcasting Act, adopted in July 2002, could finally be enacted through appointment of the Independent Regulatory Body. It took more than a year for the Parliament to adopt these acts since the expert working group had submitted their draft versions of the aforementioned legislation. The next in line for adoption was the Freedom of Information Act. It was eventually passed in 2004.

During 40 days of the state of emergency, there were several media-related events that merit attention. A handful publications were banned – the aforementioned weekly *Identitet* and daily Nacional; Belgrade daily *Novosti* was reprimanded; Municipality-owned TV Leskovac was fined; Distribution of Montenegrin daily *Dan* was suspended in Serbia, while its Serbian distributor was fined. The official justification was that those media outlets did not follow the government's decreed guidelines how the media must operate during the state of emergency. The decree had stipulated that the media must transmit only official statements about the investigation, refrain from editorials and speculations. Additionally the media must not question the reasons, or legality of the state of emergency. The Ministry of Culture & Media was in charge of monitoring and enforcing the provisions. The Government's Communications Bureau held daily briefings for the media - or in plain words gave orders and instructions to the editors (Politika, 15 March 2003).

Ten days into the state of emergency (22 March 2003) the Minister of Information & Media, Branislav Lecic told Radio Television Serbia that the media had properly understood the serious nature of the situation in the country, and manifested their loyalty to the state. *"The Serbian Government is pleased with the media conduct,"* the minister noted.[21]

[21] Interviewed on the RTS Main evening news Dnevnik 2 at 19:30, 23 March 2003.

However, there were incidents recorded between the government officials and the media, when over-diligent, arrogant and not very competent state officials managed to ignite public outrage with their clumsy statements and actions. The Minister of Culture & Media Lecic personally stated that in the effort to aid catching the perpetrators and planners of the prime minister's killing, his Ministry would form an ad-hoc commission (made of experts and journalists) to analyze the media (mainly print) output during the coarse of previous two years. Daily paper Danas carried a statement from the Minister Lecic about the nature of the proposed commission:

> *"We are not creating an Inquisition-type commission to meet behind close doors and prepare orders against journalists in secret. It shall be open to all forms of public communication."* (Danas, 2 Apr. 2003, pg.3)

Lecic further admitted that the initiative to establish such a commission came from the Ministry of Interior. According to Lecic, the first concrete reason to set up a commission was the need to remove "rotten apples", and identify journalists paid by criminals to wage a propaganda war. Secondly, he said, a commission of this kind may assist the investigation *"since there are men who made public statements, carried by the media, which actually foreshadowed the events*" (Danas, 2 Apr. 2003). In reply to criticism that establishment of such commission may be interpreted as an attempt to silence critical thinking, the minister maintained that fears of this kind were entirely unfounded.

Reacting to the announced formation of the commission, Milica Lucic-Cavic, President of the Independent Journalists Association (IJAS) told Radio B92 that the initiative for that came from police, and as such it was not suitable for a democratic society:

> *"In view of the state of emergency and in the light of newly acquired information and strong evidence provided by the police, revealing the fact that certain media were indeed financed by the mafia, we, in a way, understand the need to establish a commission of this kind. However, the risk we perceive at this point of time is the one of throwing the baby out with the bath water. Another potential danger is auto-censorship.*" (Radio B92 News, 3 Apr. 2003)

Fortunately, nobody in right mind understood such a clumsy ministerial statement seriously, neither the Government acted in any way to support the words of its minister. His personal involvement in the opposition work during the years of the anti-Milosevic struggle as the master of the ceremony/speaker in numerous street protests did earn Mr. Lecic position of the Minister for Culture, but the public always treated him as a mere DOS mascot and not as a serious politician, whose words have any weight. When in a dramatic appearance on the city of Belgrade owned TV station Studio B, Lecic explained his ideas how to establish the commission, reminiscent to that of Senator Joseph McCarthy in the 1950s USA, it was met by both the media profession and public as a ridiculous action by a person who craves for public scene, way outside his own scope, context and competence. After his unsuccessful ministerial engagement, Mr. Lecic returned to his real profession – theatre and film, where he remains one of the most prominent Serbian actors.

Another source of occasional strife and tensions between government and the media was much maligned advisor of Zoran Djindjic, Vladimir Beba Popovic. He served for two years as the head of Government's Communication Bureau, and Djindjic's personal "spin doctor". During his period at the Bureau, Popovic understood his role as an unlimited license to engage in personal exchanges and settling of old scores with the counterparts[22] from the Kostunica camp.

In the wake of his government's very low approval ratings in public opinion polls, Djindjic asked Popovic to take a leave of absence in November 2002, but never officially removed him from the Agency. Popovic returned to running his advertising business in Vienna. Among the advertising experts, Popovic's work was always dismissed, since he managed to achieve terrible results with Zoran Djindjic - a personality that was advertiser's dream – young, elegant, energetic, eloquent and always smiling.

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[22] Especially the journalist and former Djindjic adviser Aleksandar Tijanic, who also served briefly as Milosevic's Information Minister and since October 2000 as Kostunica's media advisor. When Kostunica became Prime Minister of Serbia in 2004, he appointed Tijanic as General Director of Radio Television Serbia.

However, Djindjic was personally indebted to Popovic for financing his party during the 1990s, and could not just send him away for gross incompetence. It is worth noting that Popovic's rise to fame did not come through outstanding work in the advertising industry, but through personal connection with his boss, former director of a leading advertising agency, Milan Beko. It was Beko who appointed Popovic as his successor at the Belgrade branch of Ogilvy and Mather, when he took up the ministerial position in the government of Slobodan Milosevic. Zoran Djindjic and Milan Beko were family friends for many years, and through Popovic went their contact while the friends were on the opposite sides of the political scene. Prior to working for the Beko's advertising agency, Popovic was a waiter and accordion player on the Belgrade night club circuit.

After the assassination of prime minister, as Djindjic's family friend and confidant, Popovic organized the state funeral, and personally carried Djindjic's coffin, with a few other friends and political associates (Vreme, 20 Mar 2003, no. 637). Despite not being part of the (Democratic) party leadership, Popovic re-appeared at the helm of the Communications Bureau, and appointed himself as the almighty censor during the state of emergency. He personally handled the daily media briefings for editors.

In one of rather comic blunders, the Communications Bureau briefed the editors how two main associates of the former head of Milosevic's secret police Jovica Stanisic had been arrested in connection to the Djindjic murder investigation. It turned out that both retired men read about their arrest in the papers, and decided to visit their former company in order to ask if there was any problem. Their colleagues at the Security and Information Agency (BIA)[23] told them over coffee that BIA indeed investigated various cases and took suspects into custody, but cannot be held responsible at all for wrong information disseminated by the Communications Bureau. When veteran security

[23] Security and Information Agency (Bezbednosno Informativna Agencija - acronym BIA in Serbian) is the new name given to the former state security (secret) section of police, following the change of the regime in 2000.

correspondent Milos Vasic reported this in the weekly *Vreme,* it prompted the Bureau to issue a statement next day of neither denial, nor accepting responsibility for the fault. Instead, it lamented on the need that journalists must be more responsible during times of national crises, forgetting its own lack of professionalism and responsibility.

The things got even worse for Popovic and his Bureau following an interview of the Deputy Prime Minister Nebojsa Covic with Gordana Susa for prestigious VIN, independently produced TV news program, on 18 April 2003. Susa claimed that she received a phone call from Popovic who *"referring to her questions to the government Vice President, assaulted her with crudest, vulgar, disrespectful and insulting words, including overt threats",* a leading news agency reported (Fonet, 20 Apr. 2003). The question that incited Popovic to react in such a way was about his sudden resurgence at the Bureau, after six months of absence and reported dismissal.

Former Editor-in-Chief of the RTS and president of Independent Journalist Association of Serbia (IJAS), Gordana Susa is one of the country's most eminent journalists and certainly not a person that would bow to such pressures from the government, especially when it was not professionally justified or right. The Alternative Network of Electronic Media (ANEM) immediately sharply protested the threats addressed at the VIN editor Susa. Vladimir Popovic denied that he had threatened Gordana Susa. Popovic told Beta News Agency that he would inform the public on the background for this assault on him and the Bureau, soon after the termination of the state of emergency.

One day after the lifting of the state of emergency, daily Novosti, which was fined during this period, reported that Democratic Alternative – party of the Deputy Prime Minister Nebojsa Covic - strongly condemns pressures on the media. The party, at the same time, requested an inquiry into the incident, when a government official Vladimir Popovic threatened journalist Gordana Susa after her interview with the Deputy Prime Minister Covic. Democratic Center, another party that belongs to the ruling government coalition, considered that all

circumstances of the Susa-Popovic case should be examined and sanctioned, if necessary, said its spokesperson.

The media section of the Independence Trade Union[24] denounced the threats of a government official addressed at journalist Gordana Susa as menacing to the entire profession, and underlined that the least what the Government should do was to distance itself from the incident. Representatives of Otpor[25] communicated that threats to journalists were intolerable and any threats of such a kind constituted an attack on the state and democracy. This informal pro-democracy movement expected an appropriate and prompt reaction from the Serbian authorities, especially from the Ministry of Culture and Media.

6.1.2 The Revenge of the Media

Immediately after the state of emergency in Serbia was lifted, the media decided it was time to vent their frustration over how the Ministry of Culture and Media, and the Communications Bureau handled the situation. To the credit of the media in Serbia, they did not want to be too critical during the state of emergency, and showed due restraint when the state was indeed under pressure, needing support from decent citizens and not just criticism for the sake of quasi-democratic discourse. The constructively cautious stand adopted by the media was not motivated just to spare themselves from problems and possible punishment. The justification for their behaviour was that there were truly no major incidents of censorship, undue interference and undemocratic behaviour of the government, or political parties. Minor incidents mentioned earlier were more like a normal course of events.

When a country has a mature journalistic profession, which trade possesses professional skill, integrity and courage, not every minor blunder should be

[24] Sindikat Nezavisnost – in Serbian language, one of several large trade unions in Serbia.

[25] Narodni Pokret Otpor (or Resistance in English) after participating in bringing to an end the rule of Slobodan Milosevic efused to join DOS in government and for some time remained a kind of its unofficial political conscience, until it eventually dissolved.

treated as alarming. Conversely, in such an environment the media cannot be intimidated or silenced by verbal abuses and threats coming from any government official. However, the restrained behaviour of the media during the state of emergency did not mean that mishandlings on behalf of the government and questioning the media's professional integrity would be quickly forgotten.

On 24 April 2003, chief editors[26] of 15 leading media (print, electronic, private, and state-owned) in Serbia sent an open letter to the government, motivated by recent misunderstandings between members of journalistic profession and some government officials. These misunderstandings surfaced during the state of emergency. Therefore, the editors invited the authorities to join representatives of the media in discussing key media problems in a tolerant and democratic atmosphere. The proposed agenda for discussion with the representatives of Serbian Parliament, Government and other state bodies was following:

- The ramifications of adopting important media legislation under the state of emergency. This primarily concerned the Public Information Act and the appointment of members of the Broadcast Agency Council.

- The taxation policies applying to media;

- The practice of supplying information to media in briefing sessions under the state of emergency. The editors stated that it is important to examine all the problems that occurred during the state of emergency and their consequences;

- A review of unlawful actions taken against media during the state of emergency, or in disregard of democratic practices and principles;

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[26] List of the editors who signed the letter: Manojlo Vukotic, daily "Vecernje novosti"; Dragan Janjic, Beta news agency; Slavoljub Kacarevic, daily "Glas javnosti"; Mijat Lakicevic, "Ekonomist" magazine; Veran Matic, RTV B92; Lila Radonjic, "Mreža" production group; Dušan Radulovic, Radio Belgrade, First Program; Slobodan Reljic, weekly "NIN"; Zoran Sekulic, Fonet news agency; Veselin Simonovic, daily "Blic"; Nebojsa Spaic, Radio Belgrade 202; Grujica Spasovic, daily "Danas"; Gordana Suša, VIN production group; Dragoljub Žarkovic, weekly "Vreme".

- Discussion of the attitude by certain government officials vis-à-vis the media, with a special focus on the threats which had been made to some editors;

The editors also wrote what type of action they expected from the government:

- Proposed amendments to the Public Information Act, which would repeal those provisions of the act agreed on by the Media Working Group which prepared the media legislation. This applied particularly to those provisions which were contributing to unfair competition, such as the provision which allowed the state to own and operate a news agency;
- Support the demand of the media associations to dismiss two members of the Broadcast Agency Council, who were not appointed under the provisions of the law, while continuing to properly establish the Council itself;
- Present proofs to support allegations made by certain government officials against some media outlets and journalists, or to apologize and provide compensation to those who sustained damage because of these claims. Responsibility for the resulting problems should also be established within the ranks of the government. At the same time, the editors stated their readiness to undertake an investigation of what had happened within their own profession;
- Reduce taxation on newspaper sales, which is several times the level of tax in the rest of Europe and in neighbouring countries. Such measure had brought several publishing houses to the brink of bankruptcy.

The 14 editors-in-chief signed off their open letter, confident that the Serbian Government and the relevant parliamentary bodies would agree to a dialogue on these topics and proposals.

The Government reacted to the letter with a few days of delay, protesting that it was given to them through diplomatic channels, rather than directly. The new Prime Minister Zoran Zivkovic decided to meet the editors on 5 May 2003, together with Deputy Prime Minister Zarko Korac and the Minister of Culture

and Media Branislav Lecic, as the government officials dealing with the media affairs. The government representatives insisted that the some sections of the Information Act, which caused protest by the media, had not been proposed by the government, but by the members of the parliament. They also argued that the government did not nominate controversial members of the Broadcasting Council.

In the interview for this research, former Prime Minister Zoran Zivkovic admitted that illegal appointment of Nenad Cekic as the head of the Broadcasting Council was not exactly his primary concern during "Operation Sabre", which was the code name of the police action to apprehend the killers of Zoran Djindjic during the state of emergency.

When the government and media representatives met, the editors demanded changes to decrees, which permit the government to own news agencies and ban distribution of publications. No promises were made, although Prime Minister Zivkovic did accept the suggestion that a special meeting should be organized to re-evaluate media taxation policy. Both sides agreed that candid nature of the talks was encouraging and that future meetings should be held to discuss any matters that were of concern to the media.

Veran Matic, editor-in-chief of Radio Television B92, insisted afterwards that the government had not clarified their stance on the request to dismiss the two controversial members of the Broadcasting Council, stating simply that they had not nominated them. Matic said:

> *"They did not wish to discuss this issue because it's not under direct government jurisdiction. We expected them to throw a hot potato to somebody else, we did not expect a concrete decision here, but we expected at least a clear stance from the government. I think it is a pity was breached. It is a part of the process of creating trust between the media and the government."* (B92 News, 5 May 2003)

But it wasn't just the prominent media editors and the professional associations who protested against the way how two members of the Broadcasting Council were appointed. The Council of Europe and OSCE, two inter-governmental

organizations involved in drafting the media legislation, publicly expressed their concern, too. Special Envoy of the Secretary General of Council of Europe, Verena Taylor, said that although she was satisfied with the appointment of the Broadcasting Council, the legal procedure foreseen by the Law on Broadcasting had been violated during the appointment process. Taylor announced that the Council of Europe was not satisfied with the way that Broadcasting Agency began its existence - adding that her organization insisted on respect of the legal procedure. (Danas, 22 April 2003)

Ambassador Maurizio Massari, head of the OSCE Mission in Serbia and Montenegro commented the situation to RTV B92:

> *"We are aware of certain criticism regarding appointments to the Council and we know that the 30-day provision in the Law on setting up the Council was not, in this case observed. Respect for the legal procedures needs to be regarded - as the rule of law in any democratic country - including of course Serbia is paramount. In this specific case, however, we believe that the Serbian parliament tried in good faith and with the consensus of different political forces, to speed up procedures in order to break the deadlock, which has creating a serious obstacle to the implementation of the Law*." (B92 News, 25 Apr. 2003)

However, all of the above proves that relations between the media and the government of Serbia were not bad – channels of communication were open, while disagreements and occasional shows of pride and stubbornness in defending own positions existed on both sides in a healthy manner. As any other government, the Serbian government showed from time to time a tendency towards implementing certain measures in a hasty and not completely legal way, but the media were certainly not controlled state agencies for dissemination of propaganda any more. It was evident that the media had enough space and influence to maintain independent and not necessarily pro-government positions, and could even challenge government's positions.

The work on drafting and institutionalizing the frame for future development of the media, however, was far from finished. At this initial phase of Serbia's transition, the media certainly had achieved professional maturity and expertise,

which was commendable. Duress that the media had sustained during long years of fighting against dictatorship certainly helped them to build the rebellious and interrogative spirit – which constitutes the democratic nature of media. With adequately drafted media legislation and its practical implementation, the future should hopefully bring economic prosperity and more independence to the media sector and the journalist profession.

6.1.3 Life after the State of Emergency

In analyzing impact of the state of emergency on the politics and media in Serbia, it can be said that it did not have any long-standing negative, nor alarming effects. There was a consensus among the international actors (diplomatic missions, inter-governmental organizations like UN, Council of Europe, OSCE etc.) that the Serbian Government used extraordinary powers with a due restraint, and not to curtail any individual rights or freedoms of citizens, to interfere in political life of the country, nor on the operations and practice of the media. Prime Minister Zivkovic in interview for weekly Vreme told that he did not want to be anyone's hostage - but his own man in terms of formulating the cabinet's priorities and policies (Vreme, 29 May 2003, no. 647). Despite not being completely content with the procedure how the Broadcasting Council members were appointed, the OSCE ambassador in Belgrade Maurizio Massari evaluated the overall progress in reform of the media in a positive manner:

> *"[…The OSCE Mission wishes to express its satisfaction for the recent appointment of the Broadcasting Agency's Council. This is crucial for the implementation of the OSCE - supported Broadcasting Act, and a substantial contribution to the transformation of Serbia's electronic media sector into a professional, modern and open market, in line with European and international best practices and standards.*
>
> *The Broadcasting Agency will have to play a fundamental role in the reform process. The OSCE calls on all Media operators to collaborate with the Agency, which should be granted the powers and independence it needs to fulfil its role as impartial guarantor for all.]"*

Several major polling organizations conducted their researches of public opinion during the state of emergency, in order to evaluate immediate impact of the events on the political scene, and a major shift in voters' attitudes was detected. According to the Gallup's Serbian franchise,[27] the Democratic Party and its DOS coalition had a commanding lead and approval rate in excess of 30%, if an election was held at that moment[28].

This was not the case in the preceding two and half years. Former think tank, which turned into a political party G17+, led by the former Federal Deputy Prime Minister Miroljub Labus[29], was second on the list, with around 15% approval rate. Vojislav Kostunica's Democratic Party of Serbia (DSS) had dropped in the ratings from two years of unchallenged lead to the third place and 13%. Slobodan Milosevic's Socialist Party of Serbia (SPS) would barely pass the minimum census of 5% to enter parliament, while the most important opposition force associated with the former regime at the time was the Serbian Radical Party (SRS) of Vojislav Seselj, although with much diminished rating than previously, at around 7%. All other political parties, including former warlord Arkan's Serbian Unity Party (SSJ) would not pass 5% census necessary to enter parliament, despite holding 12 seats in the first post-Milosevic parliament elected in December 2000.[30]

Such ratings also indicated that the citizens were very content with the work of the government after the assassination of PM Djindjic, and that quick apprehension of culprits and fight against organized crime enjoyed strong support. Only six months earlier, in December 2002, Kostunica's DSS was the most popular political party with 25% support, while Djindjic personally and his DS could manage barely 12%.

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[27] Gallup's Serbian director Dr Srboljub Brankovic is the most successful election pollster in recent Serbian political practice and this is why his agency and predictions are highly respected both in political, diplomatic and journalist cirlces.

[28] Here I mean at the end of April 2003, immediately after the state of emergency was lifted.

[29] Dr Miroljub Labus was the creator of DOS' economic program.

[30] Ratings were compiled from findings of several polling agencies and published by CESID, a Serbian NGO specializing in analyzing and observing elections and its proceedings. www.cesid.rs

However, Prime Minister Zoran Zivkovic did not want to capitalize on the greatly enhanced ratings of his Democratic party, based on voter's sympathy for assassinated Zoran Djindjic and the government's good record during 40 days of emergency. If Zivkovic had used the opportunity to call extraordinary election during summer of 2003, it could have made Democratic party the most powerful political force on the scene, while it would also mean drastic fall in popularity of the main rivals, Kostunica's Democratic Party of Serbia. Instead, Zivkovic continued to lead the cabinet composed from the DOS parties by his predecessor, but soon faced the same problems Djindjic had had.

Some of the smaller parties like G17+ and Social Democratic Party thought that their share of power was not adequate and started flirting with DSS, while some members of the cabinet got involved in scandals and controversies.[31] Within the next six months Zivkovic did call extraordinary election in December 2003, tired of blackmail from his minor coalition partners. However, the pendulum of the Serbian political scene had unexpectedly swung again towards the conservative forces – and Vojislav Kostunica and his DSS came out victorious. Kostunica formed the new nation-centric government coalition in March 2004 and became prime minister. After doing poorly at general election, Zivkovic subsequently lost the party leadership battle to Boris Tadic. From the ranks of opposition Tadic as the president and candidate of out-of-favour Democratic party in summer of 2004 managed to get elected as the first post-Milosevic era president of Serbia.

After the state of emergency, which prompted the Serbian parliament to finally put into life Broadcasting Act through controversial appointment of regulatory body, and through adoption of the Telecommunications and Public Information Act, the scene was set for the real reform of the Serbian media to begin. No witches were caught, or burned by the Minister of Culture and Media, nor was

[31] Zivkovic managed to persuade the Minister of Agriculture to resign over a scandalous behaviour when his official car killed an innocent pedestrian in downtown Belgrade. However, he could not force allegedly corrupt Minister of Telecommunications Marija Raseta Vukosavljevic to resign.

his McCarthy-style commission ever mentioned again. The media could continue to lead normal life again, with only part of the media regulatory package in place. How much freedom would the media grasp, it was entirely dependent on their own initiative, since the environment created for their work was permissive. The market forces would eventually determine level of their success and competence, but the pre-existing uneven market positions[32] were not redressed.

6.2 CONCLUSION

If other former socialist countries did not have such turbulent course of history after embarking on the path of transition, Serbia became unique in that sense too. What is worth noting, during times of election[33] (which is the normal mode of operation in democratic societies), and state of emergency (which is as far from normal as possible) the Serbian media operated professionally and without major faults. Occasional incidents under given circumstances were isolated and irrelevant episodes, and could not be labelled as malfunctioning of the media system in general. From the events in Serbia during 40 days of the state of emergency in spring of 2003, one could see how the media were forced to operate in a very volatile and normatively unfinished environment. However, after surviving the Milosevic years, it was not an impossible task for the media.

When asked to evaluate the role of media in the new post-authoritarian environment, created partly during his tenure, former Prime Minister Zoran Zivkovic displayed very old-fashioned perception of the media – fascination with television and its power:[34]

> *"Television is the dominant medium and someone who can influence the programming (I mean news programs) directly creates public perception of*

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[32] I mean here the market position of the outlets like RTS and TV Pink, whose privileged position in comparison to competitors like B92 was not rectified.

[33] I refer here to the previous chapter on the media during the 2002 presidential election.

[34] This quote is from the interview that Zoran Zivkovic gave (in Serbian language) for this research.

the events. Some of the TV stations in such a way directly shape thinking of the largest number of people, especially those who are prone to manipulations. It used to be like that, and it is now. I suspect it is the same case in other countries, too.“

Although the reform of the media sector was a priority at the beginning of the Serbian transition towards democracy, the tempo and quality of legislative activity by the new authorities was far from impressive. From the Zivkovic's views, we can see why – the politicians are only concerned with power, and making the media truly independent is hardly something that they would like to achieve. Instead, they contemplate how to retain a certain kind of invisible control mechanisms over the media, while on the outside it looks like the new media system has been implemented in accordance to contemporary democratic practice and expectations of the public.

To his credit, Zoran Zivkovic as prime minister did accept the challenge from the group of leading media editors and agreed to discuss the problems, in an act of rarely seen political generosity. His promise to make such meetings with the representatives of the media a regular exchange of views, however, did not materialize. Soon after the initial meeting, he became entangled in battles with the conservative camp and within six months lost the extraordinary election he called to solve the political impasse.

When faced with a situation of censorship and undue pressure from the government during the state of emergency, the media showed several new qualities. They did not bow to such pressures, remained professional and compliant with the temporary restrictions, but when the state of emergency was lifted, the media immediately confronted the government with the problems encountered and demanded dialogue. Such a move was unimaginable during the old times, and testifies how the Serbian media matured professionally and had acquired inner strength and self-confidence during the 1990s.

The behaviour of some government representatives during the state of emergency show that the contemporary generation of politicians in Serbia still

believes that they can run and censor the media, just like their predecessors did. Fortunately, it is not true, and a return to the old era when the government controlled and the media is not possible. Additionally, both private and state-owned media showed remarkable professional solidarity when they jointly requested dialogue with the government about the media problems.

Finally, looking at the Serbian media three years into the transition process, it seemed that they were much closer to the ideals and standards of mature democratic societies. This is in sharp contrast to the ever-quarrelling Serbian political parties/elites, who are supposed to lead the nation towards better life and stable social and economic order, but always choose own interest over the interest of citizens.

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CHAPTER 7
THE MEDIA IN SERBIA - THE ROAD AHEAD

7.0 INTRODUCTION

In this final chapter, I want to sum up my research about the reform of the Serbia's media from 2000 until 2006, and to consider if the findings can indicate a direction of future developments.

This thesis started with an assumption that reform of the Serbia's media system and institutions after 5 October 2000 could positively affect the overall process of transition from dictatorship towards democracy, based on consensus among the new political elite, the journalistic profession and the citizens to modernize the country and prepare it for future membership in the European Union. In such a way, the risk of Serbia falling back into the darkness of 1990s would be eliminated.

The extent to which the media are able to actively shape the political process, or conversely - remaining in subordinate position by being subjected to the interests of political elites - depends on the effectiveness of the new political institutions writes Voltmer (2006). The Serbian case absolutely proves such a claim.

Overhaul of the media system had been identified as necessity and one of priorities by the Serbia's opposition politicians, pro democracy activists and the members of journalistic profession long before the events of 5 October 2000. It was generally perceived that such a task could be achieved in a relatively short period of time, with improvements of the old structures and institutions and the creation of new ones, modeled after those which function well in mature democracies. Advisory help and guidance from the international actors in drafting the new legal framework for the media sector was available. However, getting the laws right, sadly proved not to be sufficient.

7.0.1 Research Notes and Findings

The most recent data on the media development in Serbia, published by Freedom House on 3 May 2010 (the International Freedom of Press Day), are found in the organisation's annual report for year 2009. In the report Serbia holds no. 78 position, which is only behind Slovenia from all ex-Yugoslavian states. Since Slovenia is currently the only EU member hailing from the old federation, this position of Serbia - ahead of Montenegro (no.80), Croatia (no. 85), Macedonia (no. 94), Bosnia and Hercegovina (no. 97), and finally Kosovo (ranked for the first time as an independent state at no. 108) - is certainly an achievement, bearing in mind the recent history and Serbia's delay in starting the transition. Daily Politika's report on development of the media in Serbia published on 15 April establishes that some 46,8% of households in Serbia have computers and Internet access, with 39,5% being broadband connections - which is a great improvement in comparison with the situation in 2000 when the Serbian transition began.

In order to adequately summarize my research findings and the thesis as its product, I felt fitting at this point to bring up several research related notes and remarks. I hope these remarks can illuminate the research process and answer some questions in terms of methodology and references used.

1) First of all, the academic discipline in which I had positioned this work is contemporary political media history. As in any other discipline, its findings must be based on certain theoretical anchors/concepts, but still this work relies on narrative interpretation of actual events. As such, every interpretation, including this one, is personal and runs risk of being biased and/or subjective. However, the presented evidence should dispel such clouds.

2) As a former journalist/writer, I am aware of the cardinal rule is that one must not involve or incorporate him/herself in his work and write in first person (I). That is unless the piece is an opinion/editorial piece, which the media consumers need to distinguish clearly from news features, which are supposed to be objective/neutral. Nevertheless academic work requires taking stands and opinions, which includes the use of first person (I) in discussion of certain theoretical positions. These two rules (of journalistic and academic writing)

seem to be in conflict, which was peculiar to me, until I had the transfer interview meeting with our department's research supervisory body. The supervisory committee told me that in a work like this - where I was journalist, researcher and citizen/participants in historic events at the same time - writing in first person and giving personal accounts/interpretations of historic events is not wrong, but necessary and acceptable.

3) The most unique feature of my research work was my privileged access to the sources of information - from actual policy makers and actors of the transition process, to various public and classified documents. Being able to speak directly, frankly and on equal terms with the people who had actually shaped the Serbian transition process is something that any researcher can only dream of - and I was in position to do so because of my previous work in the media (both Serbian and UK) and employment with OSCE and the International Crisis Group - as much as being an opposition political activist during the years preceding 2000.

4) In working as a journalist, one tries to have confidential and exclusive sources that may be only revealed to the editor if necessary and the law protect this privileged position of a journalist. In academic writing, one has duty to properly identify and source every quote and citation - which is again opposite to the journalistic method. During the work on my thesis, I had to balance between these two principles - because some of the exclusive material[1] came from people who did not want to be identified, but are by all means credible and trustworthy sources. Additionally, some of the interpretations and quotes came from my own diaries, notes, published and unpublished pieces during the 1987-2008 period. For such reasons some portions of the work look as not properly referenced.

5) The use of academic literature (and especially the chapter with review of the literature) was an issue on which I tried to take an original angle: At the very beginning of my research, back in 2001, there was not much academic output on media transitions in other post-socialist countries. By the time I finished the research and started writing up in 2008 - the volume of literature on the subject (apart from Serbia) grew exponentially. My early literature list

1 For example the two insiders who gave me data on RTV Pink, and also some of confidential diplomatic sources and documents I could obtain and use while working for OSCE and ICG.

included general democracy, international relations, citizenship and media works that I used as intellectual foundation of my work and research. The early media in transition works which inspired and guided my work were Slavko Splichal's 1994 book "Media Beyond Socialism", Sparks' 1998 volume "Communism, Capitalism and The Mass Media", Robert McChesney's 1999 book "Rich Media, Poor Democracy" and "Revolutions For Freedom - The Mass Media in Eastern and Central Europe" 2000 volume edited by Al Hester and L. Earl Reybolds from the University of Georgia (USA).

6) At an early point of my work I discovered an absolute marvel of a case/country study - Peter Gross' 1996 "Mass Media In Revolution And National Development - The Romanian Laboratory". I was amazed by Gross' finding and the trajectory of post-communist development of the media in Romania, which reminded me of Serbia and its socio-political diagnosis. At that point I made a conscious decision to stay away from other people's case studies and findings until I finish my research process and come up with own findings - in order to preserve originality and freshness, and not to be prejudiced in advance. This proved to be good strategy - because once I finished the research part of the work several years later and drafted initial findings - I could go back to the vast and newly emerging body of literature on media transition and compare other authors' findings and case/country studies with mine. At this point of the thesis writing I included citations from many works by such outstanding scholars like Karol Jakubowitz and Peter Gross again - the two authors who have produced the most valuable and inspiring analysis of the complex transition process and theories - to put it in perspective.

7) The last, but not the least important note here is regarding the question of originality in academic work. My work is political history of the Serbian media in transition 2000-2006. Although several Serbian scholars (and very few international ones) have written on various specific issues of the Serbian media in transition, my work tries to give a general perspective/overview on this still unfinished process. Previously uncovered case study is a contribution to academic theory *per se* - although my work is not of strictly theoretical nature. Political history is not exactly a theoretical discipline, but has a rather interpretative and subjective dimension. However, I tried to include current theoretical views and angles in discussions about the transition of the Serbian media - and hoping that my findings prove that the Serbian

trajectory is in some aspects similar and in others different from other cases of post-socialist transitions. I hope all of the above makes this work useful and open for further discussions on the nature and trajectories of media transitions, initiating and warranting further research.

By far the most valuable source of primary data for this research came from interviews that I conducted with politicians, experts, diplomats and media professionals. I devised a standard questionnaire with ten topics/questions to which they agreed to reply. I tried to select individuals that directly participated in or influenced the process of Serbian media reform through their work in government, parliament, international organizations, think-tanks and the media profession

Statements and interviews by various politicians and experts were also used as a secondary source of data to discuss and put into perspective many controversial issues concerning the Serbian media reform. They came from interviews given to various media, statements and public speeches carried by the media - these are clearly referenced as such throughout the chapters of this work.

The question on the relationship between politicians and the media was aimed at obtaining a general overview from the interlocutors. Natasa Milojevic, former member of the parliament and leader of the Social Democratic party caucus (2000–2003) replied:

> ”*The media in Serbia were always tools of the ruling structure, and that is not unique for a certain epoch, or a particular person's rule. Perhaps something has changed in governing methodology, bearing in mind the emergence of private media in addition to state-owned, but all of them are subservient to the ruling structure and that remained the same. And there is no big difference between the state-owned (public service broadcasters) and private media outlets. If the question is if the media are tools of governance, or the means of preserving the power – the answer is both*“.

American diplomat and visiting lecturer at Harvard University, Milan Sturgis, in his analysis of the events that precipitated Milosevic's downfall gave the new media outlets a lot of credit for preparing the environment in Serbia for changes:

> "*The proliferation of technological advances has completely revolutionized the media landscape, a landscape which totalitarian regimes have been unable to keep pace with as demonstrated in Yugoslavia in 2000. The inability to grasp the power of the internet, telecommunications and mobile technology left the state with the control of standard media outlets, which were not speaking to the masses behind the regime change*."

When addressing the same question on the impact of new technologies and media as crucial in awakening of the Serbian public and giving them alternatives to the state-owned media propaganda, Zoran Zivkovic, former Prime Minister, and Natasa Milojevic disputed their overwhelming impact. They argued that too few people could understand news programs in foreign languages, while computers and access to internet had been limited to a small number of people – those who were against the old regime anyway. The battle for democratic Serbia was the battle over control of the mainstream media and television in particular. Only when the opposition managed to take municipal power from Milosevic and his party in 1997 and gained control of the municipal media outlets was real progress made and the socialist's power seriously challenged.

In evaluating the role of the independent media as partners with the opposition parties in bringing down Milosevic and their expectations afterwards, Natasa Milojevic - a political scientist by education and former journalist - admitted something that other politicians would never acknowledge:

> "*Yes, the independent media were indeed partners with the political opposition. In some situations and in the processes they were crucial actors. That is because they knew that 'the commissar' would change and because they wanted changes in the media system. However, some of them paid the price for being mistakenly naive. Others (the media) got rewards for their contribution. Those from the first group subsequently became awakened and aware, the others later became losers*."

Once the change of the regime was achieved, the marriage of convenience between the opposition political parties (now in power) and the media became acrimonious. James Lyon, one of the leading American experts on Balkans and Serbian politics and history, explains the background of such development:

> "*After ousting Milosevic, the DOS leadership appeared to understand the role that state-controlled media played in maintaining power, and immediately began to try and co-opt the media for itself. This meant that the new DOS government now viewed the media as a potential enemy and acted accordingly. On the other hand, the numerous tabloids and conservative nationalist media (such as weekly NIN) continued to push the old Milosevic-era way of thinking. This placed the DOS government in a position where it lacked sympathetic media."*

What did the new Serbian political leaders think about the media independence and their role in democratic society? Were the commitments to democracy and endorsement of the media independence something they truly believed in? Zoran Zivkovic, who became Federal Minister of Interior after 5 October 2000, and later succeeded assassinated Prime Minister Zoran Djindjic in 2003, has expressed his view on this issue:

> "*The media, which remained independent and professional after 5 October 2000, did not obstruct us in governing the country. Nevertheless, they were helpful through highlighting problems which the new authorities had not noticed and they pointed at wrongdoings of certain individuals belonging to the new authorities. Unfortunately, there were only a handful of such media outlets*."

Jasmina Milutinovic, attorney at law and former chief of staff (2001–2002) to the Speaker of the Serbian Parliament Natasa Micic, has very a specific view of the relationship between the new authorities (and Prime Minister Zoran Djindjic in particular) and the media. She believes that the opposition politicians who had formed DOS coalition were sincere when they promised reform of the media. However, only after they rose to power they realized how deep Serbian society was in the gutter in all aspects, including the media. When Djindjic saw how many things must be changed, he chose the quick route, which for him

personally turned out to be tragic path of not changing the system immediatley, but being accused of using it for own objectives. This is where free and independent media did not fit, so Serbia at the time had a rather strange mixture of freedom and slavery in the media sphere.

> "*I believe that Djindjic's biggest mistake was to substitute speed for progress, but without overhauling the old system, and by keeping the levers of power which Milosevic had been using. I honestly believe that Djindjic contemplated delivering on pre-election promises in the near future and overhaul the system from its roots. At the decisive moment when he was about to embark on such a task - he was killed. On the other hand, the media were not up to their task during such a historical period, and had contributed a lot to Djindjic's satanization and eventual killing. Even those so-called independent media*," claims Milutinovic.

Belgrade-based correspondent for German international radio and television station Deutche Welle, Ivica Petrovic, maintains that symbiosis between the politicians and the media is not natural and could be justified only by the forced reality of life under Milosevic. His claim was proven correct immediately after 5 October 2000, because old patterns of "friendly chat" between (former opposition) politicians and the media did not function any more. Those were sobering moments for many journalists and media outlets, but also for the new authorities that were faced with critically minded media, which had become more self-assured and toughed during the years of anti-Milosevic struggle.

> "*The authorities after 5 October 2000 tried to counterbalance the critical edge of the media through employment of a number of prominent journalists, who were appointed as directors and editors of state-owned media outlets, chiefs of cabinets to ministers, ambassadors, advisors etc. Instead of having critical distance from authorities, many journalists became civil servants which, in my humble opinion, is the greatest danger for unbiased reporting and independent status of the media*," claims Petrovic.

It was certainly odd to see some of the leading journalists joining the ranks of the government - but that was certainly not a seal of approval, or gratitude for their services to democracy, citizens and society's wellbeing.[2] The new political elite just wanted more sophisticated and uncompromised advisers and aides to help them with governance. And after so many years spent under persecution of the former regime, with poor material position and insecure sources of income, it was not surprising that some of the great names of Serbian journalism succumbed to the appeal of secure government jobs and higher social status – it was only human to do so. However, the rank and file of the journalistic trade did not approve of such transformation by some of their colleagues – from belonging to a supposedly independent profession into civil servants. Journalist Ivica Petrovic views the relationship between the politicians and the media in Serbia with a sense of cynicism and pessimism. He maintains that the relationship between the government and the media after 5 October 2000 requires a thorough analysis, and suspects that the intention of the new authorities was to maintain dominance over the media - which continues to the present day. When the process of drafting new media legislation began, media professionals and experts started to play on both sides of the net – on the side of experts, and on the side of the government which approves the drafts and places them into parliamentary procedure. This could explain why draft legislations were delayed in passing, diluted in content and ignored in implementation.

New media laws were passed and changed again and again, as late as 2006, which points at the authorities' lack of desire to provide an appropriate milieu for independent and democratic media. Ivica Petrovic is afraid that control over the media has only evolved into new legalistic forms and that it would be difficult to fully liberate the media from covert and subtle control by the state. Once again, Natasa Milojevic, as former head of the Social Democratic Party parliamentary

2 Former RTS evening news anchor from 1980s Mihajlo Kovac was appointed ambassador to Austria, chief editor of the weekly magazine Nin was dispatched to Australia, while daily Danas' editor-in-chief Grujica Spasojevic became Serbian ambassador to Bosnia and Herzegovina.

caucus,[3] candidly explains the nature and the inner working of parliamentary procedure for adoption of legislations:

> "*Laws arrive to the parliament as drafts. Changes in draft texts usually appear because of certain political concessions trade-offs and even the stupidity of those who participate in such work. The key figure in such dealings on behalf of Democratic Party[4] was Goran Vesic. As far as the media legislations were concerned, the key person was Zarko Korac (Deputy Prime Minister), who was notorious as a self-proclaimed expert for everything. However, Korac only operated within the limits of his orders. Therefore, it is not surprising that he did everything to insulate the government's position vis-à-vis the media from the influence of the civic sector (non-governmental organizations) and honest professional media experts. If things were done in a different way, as I said earlier, perhaps Zoran Djindjic would still be alive*."

From his perspective as the main political advisor to the head of OSCE mission in Belgrade, Milan Sturgis has slightly different take on reasons for delays and watering-down of the proposed media laws:

> "*Politics, politics, politics! Unfortunately, the revolution of 5 October 2000 did not change the way things were done, and the media was no exception. This, combined with the various and often contradictory advice given by the international community such as OSCE, US Embassy, EU, OECD, CoE, BBC as well as NGO's such as IREX and Open Society, combined to offer a legal cocktail of contradictory and often confusing advice.*"

From these words of Milan Sturgis, it is clear that the international help and advice provided to the Serbian media and parliamentarians, in order to reform the media system, was not consistent, coherent, nor coordinated and in the end created further confusion. It also reveals why there was not a single and

3 The Social Democratic Party (SDP) was part of the ruling DOS coalition during the first post-Milosevic Serbian parliament (2000 – 2003). It had five MPs, and its dispute with Democratic Party over certain privileges for their leading members effectively brought down the cabinet of Zoran Zivkovic and triggered extraordinary elections in December 2003.

4 Democratic Party (DS) was the main force of the DOS coalition, and the DS caucus leader instructed and led other coalition member's caucuses, including SDP.

coherent regulatory model suggested for reform of the media, but a mixture of different ideas and institutes from several countries and legal systems. The Serbian lawmakers, who lacked extensive experience or knowledge of media regulation, ended up being blamed by the media for all the shortcomings of the adopted texts and problems in implementation.

The approach of the international actors in the Serbia's media reform, on the other hand, suffered from lack of coordinated strategy, confusingly high number of various implementation agencies and no follow-up mechanisms. The international training programs for journalists and other media workers were valuable and continue to this day, as well as various donations of technical equipment. Nevertheless, in terms of fostering a new media culture, not only among the media professionals, the international involvement was not successful.

Here we can see the difference between the interventionist approach (Monroe, Thompson, 2002) of the international actors, like in Bosnia and Kosovo, vis-à-vis the advisory presence that the international actors had in Serbia. The proponents of intervention tend to disregard the local culture, habits and needs of the society where they come in and impose their models. However, when their measures fail to deliver satisfactory results, like it happened in Bosnia and Herzegovina (Chandler, 1999) those who had initiated such exercise in social engineering are long gone to some new experimental location.

The question which inspired the interviewees for most philosophical replies and intellectual insights was on the very notion of "independent media", and the prospect of having such media in Serbia. Zoran Zivkovic[5] admits that this is the crucial issue and that in Serbia it will not be possible to have independent media for a very long time. In order to have real independent media, he claims, it is necessary that they operate according to high professional standards which can not be reached soon in Serbia. The media must be financially independent – unlike nowadays when they are dependent on income from state companies,

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5 Quoted from the interview given for this research.

para-state companies, or tycoons. In addition to those preconditions, independent media require citizens who posses a clear system of values, developed moral judgment and intellectual capacity. For Serbia, and not only for Serbia, says Zivkovic, such a prospect looks like somewhat distant future. This is a rather gloomy view of contemporary Serbia, coming from someone who was in position to have view from the top.

Canadian political activist and Internet portal founder of Serbian origin Miroslav Antic[6] is brief and direct when talking about the notion of media independence. He says that independent media do not exist anywhere. It does not mean that all the media are necessarily corrupt, but that they must have “understanding” towards the paymaster/owner. We can argue that total media independence is an ideal, and that even in established democracies the media are not absolutely neutral, unbiased and independent. Even the model public service broadcasters like BBC are not completely independent from government influence, as it was seen during the 2004 Gilligan affair and forced resignation of the BBC’s Director General Greg Dyke. The question here is whether the media have enough institutional strength, guaranteed by appropriate legal provisions, to serve the interests of the public and provide platform for opposing views - even if the government tries to put them under pressure. The answer is certainly yes if we look at the BBC or its Canadian counterpart CBC, whose work in particular Miroslav Antic had in mind when he expressed his opinion on the notion of media independence. But in Serbia, as much as in other post-authoritarian states, the institutions are still either weak or in making, so they cannot adequately support independence of the media in its ideal version.

Natasa Milojevic maintains that the media cannot be independent because it is against their operating mode, existence and financing. Money is coming from somewhere, the only issue is if those who give money are capitalists, political organizations, foreign political entities, domestic scumbags, or perhaps wealthy individuals who create the world media picture – Turners, Murdochs or similar.

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6 From the beginning of the Kosovo crisis in 1998, Miroslav Antic has been operating a political news internet portal - Serbian News Network - SNN, which carries the world media output on ex-Yugoslavia. When he started the portal, he thought that it would last for a few months, if not years, until the situation in Serbia becomes normal. Antic's forum is in its 12th year of operation, and there is no end in sight.

Perhaps the paymasters are Coca Cola, Unilever, Credit Agricola Bank, or businessmen like Vojin Lazarevic, Vuk Hamovic, Milan Beko[7] and others.

> "*The reason why the notion 'independent media' is contradictory is because everyone wants to control the media. Especially those that have IQ higher than average. They know very well how much damage or benefit the media can produce*," claims Milojevic.

It is interesting to note that Natasa Milojevic was a member of the DOS's creative team in charge of the 26 September 2000 election campaign. On the same subject, Milan Sturgis holds an opinion that synthesizes most of other interviewees' positions:

> "*The term independent must be qualified in light of reality. Independence must be funded from someone and that money must come from somewhere. In the US, Fox News is considered an arm of the Republican Party, while CNN is termed an agent of the Democrats. Therefore, to say the media are completely independent is naive at best and just wrong at worst. Having said this, the media must continually walk that thin line between advocating a position for a possible benefactor and taking a stand for fair and balanced reporting*."

One of the questions that drew a lot of attention from most of the interviewees and elicited detailed answers was about introduction of the independent regulatory body (Broadcasting Council) into the new media system. From the first day of its inception in 2003[8] and protracted controversy with appointments of its members, to this day (September 2008) the council and its work proved to be fuel for constant political friction between the government and the opposition. Zoran Zivkovic immediately took defensive position, saying that the members of the first Broadcasting Council, including its chairperson Nenad Cekic, were appointed by the parliament in March 2003, during the state of emergency,

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7 The above-mentioned Serbian entrepreneurs are players on the international scene, who also appear on domestic market as investors and brokers in various business ventures, especially privatization.

8 Broadcasting Council as independent regulatory body for electronic media is an institute borrowed from British legal tradition and practise. It was introduced into the Serbian legal system through the 2002 Broadcasting Act.

while his government was busy with the "Operation Saber", a sweeping police action to apprehend the assassins of Zoran Djindjic.

> "*This is certainly not an excuse for appointing people like the Council's president Nenad Cekic – it is just an explanation. Nenad Cekic survived*[9] *because he is prone to all kinds of political pressures. Unfortunately, Serbia is far away from being ready for 'independent regulatory body' in any sphere of life*," says Zivkovic.

The International Crisis Group's former special Balkans advisor, Dr James Lyon maintains that Serbia can have an independent regulator. Bosnia has one, so does Croatia, says Lyon.[10] It is a matter of political will. However, it is unlikely that this will happen anytime soon, as the government likes to maintain control over the media, and there is also a lot of money to be made by certain oligarchs from exploitation of such relations.

Attorney Bratislav Stamenkovic makes a parallel between independence of the regulatory body for media and independence of judiciary in Serbia – which in theory should be another corner stone of democracy.

> "*A notion of independent regulatory body for media should not be used in this context exclusively. The same principle must be valid for the judiciary too. Unfortunately, the government shows awkwardly how they seek control over everything, just like during the Tito's era and later under Milosevic. Except, such a government's attitude is now disguised under some new legal frame. I believe that we can safely say that within Serbian governing circles there is no proper understanding of contemporary democratic institutions and procedures*."

Finally, Natasa Milojevic cleverly summarizes the core of the problem both in philosophical and practical terms:

> "*Independent regulatory body is a great challenge for a democracy in diapers. Simple introduction of some successful foreign experience or*

9 Nenad Cekic kept his post after Zivkovic's reformist cabinet handed over the power to Kostunica's conservative coalition in 2004, following December 2003 election.

10 Quoted from the interview given for this research.

institute into a society in transition can only produce its surrogate and caricature of the intended results. In almost all corrupt societies, those in power read such situation as opportunity to have 'our man inside". Before we can meaningfully introduce such institutions into the Serbian legal system, the party-dominated society must be restructured into political society, the media sphere into professional arena, the tycoon-dominated economy into competitive market economy. Finally, it is time for all of us to pose the crucial question: Where do we want Serbia to go? Only then we can talk about the real answer."

Through such direct, candid and very personal answers by majority of the interviewees, most of controversial issues about media reform and the overall process of transition in Serbia have been touched or at least partly illuminated. The process of reform is still far from finished, but the initial results and general patterns are visible.

7.0.2 Results and Shortcomings

If we carefully examine the preparations for the reform of the media in Serbia, the actors involved and the subsequent legislative output, it seems that a genuine effort was made and substantial improvements achieved, as it is reflected in Freedom House's annual reports on freedom of the media around the world. Whether the results are close to the theoretical ideals and expectations of some of the actors (especially the journalistic profession) - it is a different question. One has to bear in mind the overall political culture and lack of democratic practice in Serbia before 2000, which were limiting factors not only for the reform of the media, but also for the transition in general. It was impossible to start the process of transition in Serbia, including the media reform, through shock doctrine and “clean slate”, as described by Naomi Klein (2007) in her eloquent condemnation of the neoconservative model of economic and political interventions throughout the developing world.

Once the big achievement - removal of the previous regime - was completed, the citizens/voters took a back seat, expecting the actors in the political arena - political parties, trade unions, non-governmental organizations and international community through various governmental and non-governmental institutions – to lead, guide and shape the transition of Serbia towards economic prosperity and stable democracy. Even the informal political movement Otpor, which was the key factor in uniting the eternally divided Serbian opposition political parties for the final showdown with Milosevic in 2000, gradually dissolved.[11]

The Serbian voters, much in the tradition of monitorial citizen (Schudson, 1997), were quite content to participate in democratic elections and allow their representatives to take responsibility for the state affairs and debate the present and future of Serbia in the parliament and the media. Unfortunately, the present and future in everyday political discourse of Serbia were only secondary to the past. The Serbian politicians most of the time debated issues of the past – ranging from the Kosovo battle in 1389, the Second World War to the 1990s civil conflicts in former Yugoslavia.

The reaction of the citizens to such behaviour of the politicians reflected through turnout at elections. From 2000 until 2008 there were four parliamentary elections, two failed and two successful presidential elections and several local elections, in addition to the 2006 referendum to adopt the new constitution.[12] Depending on the real importance of such elections, the citizens either answered the election calls with low turnout, like in the two failed 2002 presidential elections, or came out and voted in larger numbers when the impasse in political battles among the reformists and conservatives threatened to slow down the whole process of transition.

11 The key figures from Otpor either joined the mainstream political parties, or returned to their professional lives. Majority of young Otpor leaders like Slobodan Homen, Srdjan Milivojevic, or Oliver Dulic joined Democratic Party, while the intellectuals like Professor Cedomir Cupic, painter Bogoljub Arsenijevic – Maki, or rock drummer Dragolub Djuricic continued their successful careers.

12 Source: CESID, an NGO specialized in election monitoring and reporting. www.cesid.rs

Both political camps[13] got their chance twice to form cabinets and display to the voters their political philosophy and governance skills. Finding an optimal and sustainable path towards prosperity and better life was the task given to the politicians by the voters. After many years of meandering and ideological debates, it seems clear that the only available option for Serbia is the path towards full integration into the European Union.[14] Virtually all of the political parties associated with the former DOS coalition do not question such a direction, although debates were held on the issue how to achieve it. With the condition of full cooperation with the ICTY and the independence of Kosovo still unresolved both in Serbia internally and on the international front within the United Nations, such debates only impeded faster transition. When forced by the elections[15] to endorse either the "patriotic" option, which puts the Kosovo question before EU membership, or the "pragmatist" option of joining the EU first and then trying to find a long-term solution for Kosovo, the citizens decisively chose the latter.[16]

If we want to evaluate the real achievements and shortcomings of the media reform in Serbia, the previously outlined political context is of crucial importance. The reform process began indeed in 2000, and it took the members of the parliament quite some time to discuss, amend and adopt the legislation. The media in Serbia now function in a very different environment indeed, compared to the pre-2000 era.

One great change in the way how the media operate in Serbia after 2000 was achieved even before the legislative work was completed. As we have seen during the 2002 presidential election and during the state of emergency in 2003, both the untransformed state-owned media RTS, along with dailies Politika and

13 I mean here the reformists headed by the Democratic Party and the conservatives headed by the Democratic Party of Serbia.

14 Serbia will submit its formal candidacy for the EU membership in 2010, once it fulfills the requirements of the Stabilization and Association treaty. Then there is a period of adjustment of the legal and economic system, before the EU can accept it into its ranks. Realistically, Serbia can not become an EU member before 2015.

15 The UN led negotiations over the Kosovo's status (2006-2007) and its unilateral declaration of independence in February 2008, virtually initiated two extraordinary parliamentary elections in Serbia – in 2007 and 2008.

16 In all the post-2000 elections, the Serbian voters were faced with the choice of returning to the past and giving the mandate to the parties associated with Slobodan Milosevic (Socialist Party of Serbia and Serbian Radical Party), or going for the pro-European option (parties of former DOS).

Novosti, weekly Nin, and the private commercial outlets like dailies Danas, Blic, Glas Javnosti, weekly Vreme and the electronic broadcasters like RTV B92, RTV Pink and TV BK, operated in a satisfactory manner.

If we reduce the functions of the media in a democratic society to providing the citizens with adequate information and alternative views to participate meaningfully in the political process, then the majority of the Serbian media could earn satisfactory marks for their work. This was also a testimony of maturity, professionalism and responsibility of the journalistic profession, which demonstrated its ability to operate in the new environment, even before the formal legal framework was set. The exchanges between the media and the government, before, during and after the state of emergency can only be labeled as a new and healthy feature of democracy in making.

Print media in Serbia[17] are left to compete on the market, without much interference of the state, while the journalistic profession is self-regulated. There is no censorship, but occasionally, in the heat of battle for circulation and the market share, certain print media outlets cross the boundaries of good taste, personal integrity, privacy and protection of children and minority groups.[18] Because of that, there were a few incidents of excess in the media after 2000, mainly in the tabloid press. They could be attributed to the deficiencies of unreformed judicial system - another reflection of the unfinished process of transition. The Serbian judicial system is still not efficient in applying the existing norms for protection of the above-mentioned values and preventing incidents of media excess. In absence of court decisions awarding punitive damages to those whose integrity had been jeopardized by the media, such incidents happen occasionally.

The transformation of Radio Television Serbia (RTS) into a public service broadcaster was not successful, although it is hardly the old-fashioned state-

17 The print media in Serbia were pretty much left out of this research, which was primarely aimed at the broadcast media. The reason for this omission was the format and size of the research project, so the print media are only mentioned in passing reference.

18 Private daily newspaper Kurir was reprimanded by the Ministry of Culture and Media in 2008 for several gross intrusions on privacy and offending the public through carrying disturbing photographs.

owned and controlled propaganda outlet any more. It seems that the chosen normative model (PSB) was not well understood by the legislators. This new and foreign model was recommended, if not imposed, on them by the international actors and the journalistic profession.

When I discussed the input of the international actors and the preparations made for the overhaul of the media system before the events of 5 October 2000, I underlined that it was up to the journalistic profession to educate politicians/legislators and citizens/voters about the advantages of public service broadcasting versus the old system. The lack of systematic promotion of the principles and ethos of public service broadcasting left the legislators in confusion. Coupled with their rather narrow-minded understanding of the role of media in a democratic society, such a situation resulted in the adoption of legislation that is half way between public service broadcasting model and commercial model.

If we want to point out the unique features of the new Serbian media system, it can be described as a hybrid between the European public service broadcasting model, and the commercial model as found in the USA. It was adopted under guidance of certain international actors, which provided help in remodeling the Serbian media environment in order to secure successful and sustainable transition to democracy. There were several international actors involved and the expertise provided to the Serbian legislators came from different intellectual and legal traditions. Adoption of such mixed regulatory model only reflects the plurality of actors that influenced the process of drafting and parliamentary deliberations, as much as it reflects the plurality of ideological and political positions among the Serbian political forces.[19]

However, the theoretical purity of the chosen normative model is not an issue here, but its practical consequences and the level of freedom that the adopted model provides to both state and private media outlets to function. Despite

19 It is interesting to observe how the neo-liberal political party G17+ switched its initial allegiance from Djindjic's left-leaning Democratic Party, to conservative nationalists of Vojislav Kostunica and his Democratic Party of Serbia in 2003, and back to now Tadic's Democratic Party in 2008. The two main Serbian political parties changed in power, while the small party like G17+ remained in power without interruption since 2000.

awkward introduction of another foreign model into the Serbia's legal system – independent regulators like the Broadcasting Council and RATEL - it seems that the broadcast media could navigate and find their way and secure own economic existence. At least that can be said of the commercial media outlets like RTV B92 and RTV Pink, despite the strong competition which they encountered from the state-owned RTS which was given privileged access into the commercial arena. However, it seems that the other state-wide broadcasting license holders (TV Avala, TV Fox, TV Kosava/Happy) have problems securing their financial base and welfare. Nevertheless, it is a matter that should be left to market forces to resolve. In my opinion, the number of state-wide broadcasting licenses is too high and the troubled commercial stations will have difficulties in securing their bare survival. In August 2008, after only two years of having the TV Fox franchise in Serbia, the News Corporation indicated that it wants to sell it (Dnevnik, 29 Aug. 2008, pg.8). Nevertheless, it seems that Rupert Murdoch intends to pull out of several of his Eastern European TV ventures.

The adopted regulatory model shows deficiencies in providing and securing wellbeing of regional and local broadcasters. With enormous advertising time allocated to both the state-owned RTS (10% or six minutes per hour) and commercial broadcasters (20% or 12 minutes per hour), the advertising revenue seems to be totally absorbed by the state-wide broadcasters. Such situation is visible in delayed privatization of the media outlets owned by the municipalities. The legislators several times postponed the deadline set by the Broadcasting Act to privatize state-owned media by 2003. Hardly anyone would spend money on buying commercially untenable local or regional media outlets. Even a management/employees buyout at a symbolic price is hard to imagine in such circumstances.

7.0.3 Future of Media and Democracy in Serbia

After the fall of the Berlin wall in 1989, and following the prolonged fragmentation of former Yugoslavia, which lasted throughout the last decade of the 20th century, the map of Europe nowadays has distinctly different look. In a

political sense, the former socialist block has completely disappeared, while many independent states have emerged. At their own different paces, and with different traditions and heritage, most of these new states are passing through the difficult phase of transition towards democracy. Some of them have more or less finished this phase and successfully joined EU, while others, like Serbia are still going through it.

Cynics say that socialism is a long and winding road from capitalism into capitalism. However, the process of transition has more than just economic and legal aspects – it incorporates acceptance and understanding of democracy and its values by all social groups participating in a country's political life – the political parties, trade unions, special interest groups, media profession, as well as the citizens. This unquestioned set of values in the Western world is a typical political paradigm, which needs explaining and adequate promotion in order to become widely accepted and understood by the people of former socialist countries who had very little, if any, prior experience with democracy. Democracy is not just a possibility to consume previously unavailable brand name products, as seen on television or movies, or to have the Rolling Stones play a concert in your country, nor the possibility to travel abroad – as it had been perceived by the people living for almost 50 years behind the so-called Iron Curtain.

Most of the former Eastern block countries had some kind of rudimentary capitalist order[20] prior to becoming - against the will of its people - part of the now defunct socialist world[21]. Nevertheless, almost none of them had a functional democratic order. Moreover, the capitalism that they had previously experienced was very different from its contemporary form. Therefore, the practice of going through transition towards capitalism and democracy has brought new, strange and unimaginable situations and challenges to all these

20 Capitalistic economic order, but in most case authoritarian political order.

21 The division between the eastern (socialist) and the western (democratic) blocks in Europe after the Second World War, came as a consequence of the 1945 Yalta agreement between the US president Franklin Roosevelt, Soviet leader Joseph Stalin and British Prime Minister Winston Churchill. Such a division actually reflected the spheres of influence agreed among the Allied Powers.

societies. The relationship between politics and the media is at the very core of a democratic order.

It was the countries of the EU with a long democratic tradition that provided and committed their own experience, financial resources and expertise to their previously politically deprived and economically backward neighbors to embark on the road to transition. The European Union, with its still developing network of institutions and legislature, is envisioned as an association of all European states. For its own sake, the EU needs to support and reinforce the transition processes in former socialist countries. The ultimate test of successful transition is accession into full membership of the European Union. Some of the former Eastern European states[22] have already met the prescribed standards, and starting from 1 May 2004 became full members, while others are working on different schedules[23], determined by their advance in achieving both economic and political criteria.

At this point, it is interesting to compare the Serbian transition experience with other ex-socialist countries that started their reforms after 1989. We need to look no further then the region of Balkans, because of similarities in history, economic and political development, and shared culture. Strangely enough, the Serbian transition is more similar with its neighbor Romania, rather than with Slovenia, Croatia or Bosnia and Herzegovina - countries with whom Serbia had lived together for more than 70 years within former Yugoslavia.

The similarities between the Romanian experience in media reform and the Serbian case comes from their authoritarian past, as well as the culture permeated with the Orthodox Church tradition and values. Despite being extremely poor and institutionally deficient in 1989, Romania managed to complete its transition within 18 years to a degree that the European Union admitted it into its membership in 2007, along with Bulgaria, another Balkan country with similar geo-political and cultural features.

22 Poland, Check Republic, Slovakia, Estonia, Lithuania, Latvia, Slovenia and Hungary.

23 Bulgaria and Romania became full EU members on 1st January 2007, while Croatia is going to be admitted in a relatively short time, since it made great progress in preparations for accession. Other countries of ex-Yugoslavia and Albania are still far away from having a precise date of accession.

In his study of the Romanian media written in 1996 (seven years into the process), eminent Romanian media scholar based in USA Peter Gross pointed at 15 key problems of the media transition. In looking at the research literature relevant for this research project, I was pleasantly surprised with Gross' findings, which looked to me like they originated from Serbia. The position of the state and private media in Serbia, the political culture, as well as the trajectory along which the reform process was going after the ousting of Milosevic looked remarkably similar, if not identical to the Romanian case. When the Romanian communist dictator Nicolae Ceauşescu fell in December 1989, the level of economic decay was similar to the one to which Serbia dropped 11 years later in 2000, when it finally managed to bring down Slobodan Milosevic.

The Milosevic legacy of armed conflicts with neighbors who had previously been partners in former Yugoslavia, and its final episode with the 77-days military conflict with NATO over Kosovo in 1999, reduced Serbia to the level of post-Second World War poverty. Before the Berlin wall fell in 1989, the countries of the former Soviet block could only envy the relative affluence and standard of living in former Yugoslavia. From the similar starting position,[24] Slovenia went at full speed ahead in 1991, while Serbia under Milosevic went backwards for the next nine years.

Following its independence in 1991, Slovenia quickly detached itself from the legacy of former Yugoslavia and managed its transition successfully - becoming a full EU member with the first wave of former communist countries in 2004. The Slovenian culture and work ethic, under the strong tradition of Catholicism and similar to neighbors like Austria and Italy, proved a major asset in fulfilling the EU membership criteria and *de facto* completing the process of transition. On the other hand, Bosnia and Herzegovina after the Dayton Peace Accord in 1995 still functions as UN protectorate, with the legal and media system

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24 Here I mean the political order of former SFR Yugoslavia and common legal system. In terms of economy, Slovenia was the leading ex-Yugoslavian republic and was ahead of Serbia even at that time.

imposed by the international authority mandated to govern the still volatile country.

Peter Gross examined the Romanian media scene once again in 2008, in the light of the country's 2007 ascension into the European Union. His findings are not exactly encouraging:

> "*Romania's accession to European Union membership in January 2007 did not inhibit the country's corrupt political and media elites from turning back the clock on the already disappointing evolution of the media system and the laws, values, attitudes, and behaviors that underline its daily functioning.*" (Gross, 2008, pg.141-152)

In this article, Gross concludes that no major alterations to the media system and its functioning would occur until the culture of the political elites, media owners, and the citizenry evolves in a more liberal, democratic direction.

> "*Romania's media will continue down a path that began in feudal times and will seek to adjust to the twenty-first century only at some later date*", asserts Gross.

Such pessimistic findings point at another possible problem of transition, not only in Romania, but also in any other transitional country, including Serbia. One country's membership in the EU, no matter how well prepared through legislative and institutional changes, does not by definition guarantee the advent of democratic order and functioning of the media. The formal criteria for membership set by the EU bureaucracy in Brussels cannot be an insurance policy against lack of democratic culture among the political elites in new member-states. Instead of embracing the democratic values and practices, the politicians in candidate and new member states are capable of producing a theatrical display of democracy for the eyes of the EU bureaucracy. In real life, they continue with their old ways of trying to instrumentalize and control the media to serve their ends.

Politicians in Serbia, just like everywhere else, like to be in the media and influence, use, possibly even manipulate, spin or control them according to their self-promotional needs. But when things go wrong, the media are always handy

scapegoats and easy targets - like if they (the media) formulate and implement flawed policies, or neglect to do so.

In its 2002 annual report on media freedoms around the world, the American media think tank Freedom House assessed the media on the territory of ex-Yugoslavia as partially free. Only the media in Slovenia were described as truly free, while in other ex-Yugoslavian republics[25] politicians and public figures brought the media to heel by filing private complaints or bringing charges against them. According to the Freedom House report, the situation of Macedonian journalists was the worst of all. Although there were many obstacles remaining from the pre-2000 era, the media freedoms in Serbia (and Montenegro) continued to improve, as the Freedom House report for 2002 asserted:

> "*In the period following the overthrow of the Milosevic regime, the media exercise their rights guaranteed in the Constitution. Though the state does not directly interfere in editorial policies, state officials often file complaints for libel as a reaction to critical reporting. This is why some journalists use self-censorship*."

The US-funded NGO/think-tank IREX, which evaluates the work of the media in transitional countries through its "Media Sustainability Index", said in its 2007 annual findings[26] that the overall index across the South-Eastern Europe is lower than in 2006. This index, compiled from five media-related angles, is prepared for 21 countries, based on inputs from the local media experts. The index synthesizes the following parameters: freedom of speech, professional standards, and transparency of information sources, economic sustainability and support to the institutions.

IREX consultant Dragan Kremer pointed out that during 2007 in Serbia the media experts criticized poor implementation of the existing media legislation,

25 Slovenia, Croatia, Serbia, Bosnia and Herzegovina, Montenegro and Macedonia were the six republics – now independent states - of former Socialist Federal Republic Yugoslavia (SFRY).

26 IREX media experts Goran Cetinic and Dragan Kremer held a press conference on 18 September 2008 at the Belgrade Media Centre, to announce their finding on the Serbian media in 2007.

especially allocation of the broadcasting frequencies, and the state's continued failure to discover and put on trial the killers of journalists Slavko Curuvija (2000) and Milan Pantic (2002). He also pointed out that the plurality of the media outlets in Serbia does not mean that all views are adequately represented, and criticized the media profession for uncritically conveying the news agencies' bulletins and political parties' statements at their face value. He also added that low salaries in journalism could open doors for corruption.

The other IREX expert Goran Cetinic commended the improved business viability of the Serbian broadcast media in 2007, because of the increasing advertising revenue. He also gave high marks to the Serbian professional media associations, printing facilities and distribution of press, but pointed out as the major deficiency the absence of effective media trade unions. Overall, Serbia took the fifth position on the IREX's Media Sustainability list, out of 21 countries in South-Eastern Europe. Ahead of Serbia during 2007 were Bulgaria, Bosnia and Herzegovina, Romania and Croatia.

In one of his first major interviews[27] after taking up the post of Minister for Culture and Media of Serbia, in summer of 2008, theatre director Nebojsa Bradic admitted that his ministry is preparing several new laws about the media. In other words, the minister has admitted in public that the reform of the media since 2000 has not been completed, nor conducted in a satisfactory way. The process of reform has certainly changed the media environment in Serbia forever, some of the standards and regulatory models have been accepted and implemented, but there are still many aspects to be considered, revised and adjusted. By 2010, the Ministry of Culture and Media has put forward a new media reform strategy for public debate, ahead of forthcoming review and revisions of all media legislation (RTV B92, 2 Sep. 2010).

A distinguished journalist and the former president of IJAS Nebojsa Bugarinovic is not worried by the constantly changing legislative framework for the media:[28]

27 Interview given to RTV B92 on 1 September 2008. Transcript available on www.b92.net under the program name "Prelistavanje" for the above quoted date.

28 Bugarinovic's words are part of the interview given for this research.

> "*I try to be an optimist and view at such course of events as the birth-labor of a democracy in making. The civil servants still do not understand the fact that Serbia in 2000 had embarked on the road from which there is no going back. Not only that the normative frame needs to be fully synchronized with the European standards very soon, but these norms must be implemented*."

On the opposite, lawyer Jasmina Milutinovic does not hold such an optimistic view about the continued process of updating the media legislation.[29] All those constant changes of the media regulation are the consequence of political trading, or dictates coming from either outside or from the internal forces who in that moment can do so, just like in other segments of life. Nothing in media regulation is specific in comparison to other spheres, except it is instantly visible. It is pure political trading, political promotion, personal promotion, dictate – or all of that to a certain degree. None of it is premeditated; it is the matter of opportunity – if it suits me or us today, or at this moment. Why the media sphere would be different than the other aspects of social life in Serbia, which have not seen adequate changes, wonders Milutinovic. The same must be done with the judiciary, for example.

> "*The problem is that we (the Serbian society) have not solved yet the certain issues going back to the Second World War, as well as the problems that accumulated during the 1960s. We need to come out of the past, but in a way to understand and accept it as it actually had happened – as a prerequisite for a modern society. For such thing to happen, it is necessary to have a consensus of the intellectual elite. It is difficult to have a contemporary media system while in our country war criminals are still walking free, along with the warmongers and arch-enemies of anything modern and independent. I wonder if anyone in Serbia nowadays has moral and any other credibility, as well as the courage to confront such problems,"* reflects Milutinovic.

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29 Milutinovic's words are part of the interview conducted for this research.

In his overview of the problems which the reform process of the media system in Serbia has encountered, Milan Sturgis underlines once again that an immature democracy has many faults and missteps. This immaturity manifests itself many times in inaction, the inability to identify priorities and act upon them. However that is certainly not a peculiarity of the Serbian case.

7.1 CONTRIBUTION TO THEORY

Devising a grand new theory from the study of the media reform in Serbia was certainly not a realistic expectation, neither the purpose of this research project. When I set out on this research, my idea was to follow and analyze the process of transition as it unfolds, and to put the Serbian experience in perspective with other former Eastern European countries that have either finished, or are still working on their post-communist transition. This was because Serbia was mainly left out of all previous studies and academic research, due to its late start of transition in 2000. Transition of other former East European countries since 1989 has attracted a lot of attention of researchers both from the region and from West, providing theoretical explanation of the process. At the end of this research it is necessary to address if the existing theoretical concepts were adequate to explain the Serbian transition trajectory, or some new theoretical angles need to be put forward.

The general "transitology" paradigm seemed appropriate in terms of marking the beginning of the transition process. The events of 5 October 2000 in Serbia certainly meant the start of substantial social-economic transformations of the society, which spent the previous long period in an authoritarian environment. The media in this process had very prominent role, but certainly not central. As much as the media were the catalyst for change of the old regime, in new socio-political environment the media also needed to assume new role, as one of corner stones of democracy in making.

What the existing theories of transition could not predict, was the time frame necessary to achieve the goal - establishment of fully developed liberal

democracy and market economy. Also, the final outcome of the process is not guaranteed, as the transition theory may suggest. Critics of the "transitology" school Dauderstadt and Geritts (2000) note that the processes of change may take quite different directions, and may have dramatically dissimilar outcomes in different countries. The developments in Serbia confirm that the process has no set time frame, and that the final shape of socio-political relations may not be liberal (or bourgeois) democracy in its pure form. If we refer back to Balcerowicz's (1996) definition of transition as a shift from one stable state of society to another potentially stable state, we can acknowledge how unstable new and emerging socio-political relations during the process are and how prognosticating the final outcome of it is not reliable.

The theory of elite continuity put forward by Colin Sparks (2008) as an alternative to the traditional theories of transition, seems to be adequate to a great degree in Serbian case. When we look at the case studies of RTV Pink, and how one of the Milosevic-era media magnates accomplished a remarkable changeover and managed to even expand his operations after 2000, one has to be worried if all transitions are just a case of old elites shedding their skins and becoming *bona fidae* democrats and capitalists. With the case of Aleksandar Tijanic, who was Information minister at the height of the Milosevic 1990s era, and nowadays continues to be General Manager of RTS under two administrations of Milosevic's main political opponents (Democratic Party of Serbia and Democratic Party), Sparks' theory seems even more true.

However, one must not forget that not all of the media outlets and operators in Serbia function in the same manner. One of the leading Milosevic-era media magnates Bogoljub Karic did not manage to survive in the new era, while his media and other business enterprises collapsed in 2005. Karic fled the country after criminal charges against him were pressed, while nobody turned their head at his pleas that he was a victim of political persecution. Also, the bright example in Serbia is RTV B92, which shows that it is possible for a new generation of media workers and entrepreneurs to succeed and achieve success without relying on the old power structures and resources. So Sparks' theory is applicable to a certain degree, but cannot be used as an general and comprehensive for all media transformations in Serbia.

It seems that the institutional approach in understanding the transition process in Serbia is appropriate. Except, it takes time for new institutions to be established, or for the old ones to be reformed to adequately serve the new socio-political relations. As Offe (1996) notes, in addition to the fact that state communist institutions have failed to generate socialist preferences, they have as a rule, generated a state of mind, a set of assumptions and expectations that now often turn out to be inimical to the growth of market capitalism and democratic institutions. This state of mind regardless of whether it has been cultivated by the previous fifty years of experience of state socialist institutions or the cultural or political inheritance of the last five hundred years of precarious and often failed modernization process, is described by several authors[30] as a combination of apathy, depletion of communal bonds, passivity, unwillingness to accept responsibility, atomization, lack of respect for formal rules, 'short terminism' and pervasive 'grab and run attitude' towards economic gain. Here we step on the slippery terrain of political culture, which takes time to change from old to new, and to become widely accepted by all the members of society.

The American scholar and expert on transition of the media in former Eastern Europe, Monroe Price, has described the purpose of his consultancy work in the region of Balkans as to provide a context in which the idea of "media reform" can be more meaningfully analyzed. Such open-ended approach certainly provides more space for a case study to focus on specific empirical findings – instead of insisting on rigid theoretical notions and paradigms. Nevertheless Price's advisory work in the Balkans region, however, was not of experimental or theoretical nature, but rather implementation of pre-designed models and policies, in line with the policy of intervention in the state-building of post-conflict nations. As we have seen in the case of Serbia, the international actors chose not to use the interventionist approach, but to stand by the Serbian transition in advisory role. Such approach, however, brought only limited results, although the pro-active (interventionist) approach in the neighboring Bosnia and Herzegovina and Kosovo did not install the desired liberal media model.

30 Moravski, Schöpflin, Sztompka - in Offe, 1996

So if we try to theorize the trajectory of the Serbian general and media transition, we need to combine several theoretical and practical approaches in order to adequately illuminate the still not finished process. On one hand the process is similar to the other post-communist transitions in former Eastern Europe, while on the other hand it has distinct features and characteristics that makes it impossible to fit the Serbian case into a single theoretical pattern.

In his summary of the media transformations across the former Eastern block Karol Jakubowicz (2005) elaborates what he calls five rude awakenings that the citizens of transitional countries had to go through:

1) *The removal of the communist system does not solve all problems, but creates many new ones; the former opposition leaders are nothing but quarreling politicians, prone to corruption and arrogance; Democracy is a system of constant conflicts, instead an instrument of national consensus and unity.*

2) *The ideas and ideals that had kept the opposition alive and served as an inspiration to rise up against dictatorship, had to be abandoned overnight as impractical and useless.*

3) *The true nature of capitalism soon showed its not so pleasant face.*

4) *The process of association with the European Union proved to be a tedious, often humiliating process, instead of blissful embrace of long-lost brothers.*

5*) "Westernization" is the best that the people of former Eastern Europe could hope for, because Western Europe seems to think that Central and Eastern Europe have nothing to contribute, except to open their markets for consumer products.*

The title of this work is "Unrealistic Pledges - Deficient Results", where I refer to the reform promises by politicians to the media profession in Serbia and the citizens immediately before and after the events of 5 October 2000, and the actual results that were achieved. Politicians everywhere have a habit of promising a lot, and delivering little – so their results in Serbia are only predictable. The citizens, as well as the media profession, should not have been so naïve to believe everything politicians had said, especially with the

experience they had during the times of dictatorship. However, from a comparative perspective, it seems that the Serbian case and results are neither better, nor worse than in other countries.

My research has actually covered only the beginning of reshaping of the Serbian media system (2000-2006), with the initial legislative output and first results of the implementation. According to Jakubowitz and Gross, even the countries that have formally become members of the European Union and completed the transition phase, still have a lot of work to do in order to be considered stable and mature democracies.

As Slavko Splichal (1994) has correctly noted in his study “Media Beyond Socialism”, there is not one way or prescribed path to proceed in transition. Although Splichal’s reflections on theory and practice of the media in former Eastern European countries came so early – in case of his home country Slovenia barely three years into the process of transition – they proved so true and applicable even to the Serbian media transition, which started many years later. Splichal has also spotted that developments of the new media legislation and environment in many former socialist countries, including Serbia, resemble more Italian political practice and culture, rather than Anglo-Saxon or Nordic models of democracy. I would add that it is because the Italian (and/or Medittaeranian) mentality and sensibility have much in common with the Serbian. But based on my research, I believe that there is no danger of "Berlusconisation" of the Serbian media environment. One Serbian media and business magnate, Bogoljub Karic, who thought that he could embark on a successful political career in the manner of Silvio Berlusconi, became victim of his own unrealistic ambitions and chose to flee the country in disgrace.

At this point it is important to note what is specific and new about the Serbian case, in comparison with the other cases of transition. It is certainly the mixed (hybrid) model that the Serbian legislators adopted for transformation of the state-owned broadcaster RTS. Their deliberations and amendments to the original proposal for adoption of the public service broadcasting model, along with interventions into the setup and mandate of independent regulatory bodies, certainly had great impact on functioning of the new media system.

Nevertheless, as I pointed out earlier, the failure of the Serbian legislators to deliver a theoretically pure model of regulation did not mean that the result of their work spelt danger for the emerging democracy, as long as the media serve the purpose of providing adequate information to the citizens and enable meaningful debate about relevant issues in society.

In that sense, debating the virtues of PSB versus the commercial model is futile, because both models are possible in democratic societies, and from the Serbian case we see that a mixture of both can function. Comparative experiences from other former communist countries where PSB model was used show that the final result in any of these countries could not match the theoretical ideals. The current situation in Serbia is not perfect by all means, but it is a sound base for further improvements. Bearing in mind the statement by the Serbian Minister for Culture and Media from September 2008, it is clear that policy makers are aware that the existing system requires further refinements and amendments.

An important finding of this research is that the media can operate well, at least within limited period of time, without formal and institutional frame in place. The first post-Milosevic presidential election in 2002, when the legal norms governing the media were not passed yet, show that both the old state-owned media outlets and the emerging private and independent media executed their news and information providing duties well during the election period. Pretty much the same can be said of the 2003 state of emergency period following the assassination of prime minister, when the media did well under state-imposed censorship and limits. This proves that political (democratic) culture is not a product of the legal system alone, but shared sense of duty and values that the media, as well as the citizens and political actors need to have in order to transform a society. If the norms (legislation) do not quickly follow and reflect the state of mind and political culture in society, there is a danger of undermining and permanently compromising such values. It is institutionalization that eventually anchors and underpins the political culture and values - and it can only be achieved through establishing of an adequate legal foundation/frame.

The reform of the Serbian media system and the overall transition process is far from over, not only at the cut-off point of my research (2006), but for many years ahead - until Serbia is accepted into the ranks of the European Union. And even those countries that have already become members, as Jakubowitz and Gross assert, have a lot of work to do. Jakubowitz (2008) goes on to list three major difficulties in managing future media development and policy that the former Eastern European countries, now EU members, will face in near future. Serbia is still far away from that level of development.

"The new media scene is surely much better than it was, let's say, ten years ago," claims Hungarian media scholar Galik (2003), in reference to the state of the media in Hungary. It can also be said of the Serbian situation.

At the very end of this work, I would like to return to the research question I had formulated at the beginning, which guided, inspired and illuminated this work:

> *Can the reformed Serbian media sustain democracy in the making, empowering the citizens to become responsible and participating voters, and prevent undemocratic developments in future?*

The answer to this question is certainly yes, and I hope that the satisfactory evidence for such positive answer has been provided. The alternative research question I that I had proposed was:

> *Can the media be a major catalyst in facilitating Serbia to bridge institutional and economic deficiencies and effectively speed up the process of democratic transition?*

The answer to such a question is not a simple yes, or no. The media are certainly a key feature of any democratic society, but the media are not the agents that influence the tempo of social changes. It is always the political actors, under the scrutiny of the citizens and the media, who formulate, legislate and implement the order. The media certainly have a role as a catalyst of such process. In Serbia after 2000, the media rose to the occasion and started to fulfill the function of the Fourth Estate, but still have a long way to go towards full transformation, as much as the rest of Serbian state and social institutions need to be improved to meet the criteria for the European Union membership.

Estonian academic Epp Lauk (2008) eloquently summarizes complexity of transition in the article on media systems and journalism culture in post-communist countries:

> "*Post-communist development has only lasted nearly two decades, the societies are in permanent flux, simultaneously fighting legacies of the past and searching for successful ways of building up the states on the rule of law, as well as civil societies. Media systems and journalism cultures are an integral part of this development and they reflect the character and level of political culture and economic progress that each of these societies has been able to achieve. These societies have yet to achieve the stability and balance that have been preconditions for the development of Anglo-American journalism model.*"

I would like to end this work with the words of Karol Jakubowitz (2005):

> *"This is not the end of history. The people of Central and Eastern Europe are only beginning to come out of the trauma of change and to gain the self-awareness and confidence they need to begin to act. So far, they have relied on the guidance of others: opposition leaders, new political leaders of the post-communist period, Western governments and advisors. Sooner or later, however, they may begin to act of their own volition, based on their own appraisal of reality. If and when that happens, it will signify a new chapter of transformation."*

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APPENDIX I

PRINT MEDIA CONTENT ANALYSIS 3-11 OCTOBER 2002

Code

Quality of coverage of presidential candidates in pre-election campaign

- Neutral
- Slightly Partial
- Partial
- Very Partial

I. DAILY NEWSPAPERS

3 October 2002

A. *BLIC*

No analytical pieces today. The front-page apostrophes a possible coalition between DAN and Miodrag Isakov's Vojvodina Reformists. The second page contains information about the campaigns of both candidates in the second round, although Labus's appeal to voters and further campaigning strategy received more space than Kostunica.

Neutral coverage

B. *GLAS JAVNOSTI*

Tone of reporting similar to Blic daily. More balanced report on the statements of both election teams ahead of the new round of campaigns for the second round of elections.

Neutral Coverage

C. *DANAS*

Front page focused on possible restructuring of DOS coalition ahead of second round of elections and the offers for TV duels to presidential candidates. A selection of articles highlighting Labus's appeal to citizens to come out and vote in the second round and PDS's accusation that the boycott was instigated by DSS, with more accusations on Kostunica's political partnerships tip the balance of reporting in Labus's favour. A column by **Mihail Ramac** openly suggests that voters from Vojvodina always made the right choices in previous elections, which they did once more by voting for Labus.

Partial Coverage (=> Labus)

D. *POLITIKA*

Politika summed up the results of the elections and the behaviour of political figures and groups in their aftermath. There were no comments favouring either candidate, while both received equal coverage.

Neutral Coverage

E. *VECERNJE NOVOSTI*

Summary of election results and political strategies ahead of the second round of elections. Citation of Djindjic's statement indicating that he would not be dissatisfied with a repeat of the elections, criticising Kostunica at the end of his statement. Batic states he would advise supporters to boycott elections while Nebojsa Mandic from PDS said the citizens "should come out and vote, even if Kostunica ends up as the winner".

Slightly Partial Coverage (=>Labus)

F. *NACIONAL*

A number of articles and commentaries pro-Labus options (DS, Canak, Dusan Mihajlovic) could be interpreted as partial coverage in favour of Kostunica, although the front page headline says "Seselj Offers Deal to Kostunica", but the article basically suggests, based on anonymous sources from the DSS leadership, that Kostunica would not strike a deal with Seselj in return for his share of voters.

Very Partial Coverage (=>Kostunica)

II. DAILY NEWSPAPERS

4 October 2002

A. ***BLIC***

- Blic daily brings statements from Kostunica's press conference on his election campaign, criticism of Zoran Djindjic (in regard with Parliament and manipulation of Labus). Attempt to create a rift between Labus and Djindjic. Neutral citation of Kostunica's words.

- Announcements of boycott by several candidates that dropped out of the race after the first round of elections

- Appeal from Patriarch Pavle to citizens to come out and vote

- Isakov statement on indications from OSCE that DSS Parliament mandates would be restored, DS denial of these claims

Slightly Partial Coverage (=>Kostunica)

B. ***GLAS JAVNOSTI***

- Kostunica statement "We Need Labus" on front page, excerpts from press conference similar to Blic

- Quotes from Dan daily (Podgorica), alleging that Djindjic will support Kostunica in order to stay in power

- Calls for turnout from Patriarch Pavle, for boycott from defeated presidential candidates

Partial Coverage (=>Kostunica)

C. ***DANAS***

- Kostunica's and Labus's statements presented in balanced and neutral tone

- Two analyses (Parliament and Reforms) also reflect focal points of remaining presidential candidates

- Patriarch Pavle statement treated with less importance than in the rest of the press

Neutral Coverage

D. ***POLITIKA***

- Balanced reports on both candidates, general support for a sufficient turnout in second round

Neutral Coverage

E. *VECERNJE NOVOSTI*

- Election related articles focused on statements of candidates defeated in first round of elections and whether they would support or boycott the elections (Seselj, Pelevic, Zivojinovic, Ivkovic are boycotting, the rest are still undecided).

- Lead articles - Patriarch Pavle appeals to citizens to come out and vote, Kostunica calls for vote,

- Labus claims he did not like Djindjic's speech at the final meeting in Republic Square ahead of the first round of elections.

Neutral Coverage

F. *NACIONAL*

- Article: PDS accuses Kostunica of being behind the trial against Momcilo Perisic

- Kostunica's press conference: praise of Labus as economist and reprimand for teaming up with Labus

- Headlines: Seselj to boycott elections

- Labus camp accuses Kostunica of being after Seselj's voters, Velimir Ilic DSS official Jovasevic replies that their were not supported by Seselj

Slightly Partial Coverage (=>Kostunica)

III. DAILY NEWSPAPERS

7 October 2002

A. ***BLIC***

- Election related articles focused on the TV duel between Kostunica and Labus, reports on pre-election campaigns and statements, pro et contra, on the initiative for boycott.

- Extensive article on the AGB Strategic survey on financing campaigns in electronic media in a neutral tone

Neutral Coverage

B. ***GLAS JAVNOSTI***

- Balanced coverage of statements from both pre-election candidates

- Statement by LSV leader Canak that Kostunica tried to make a deal with Seselj and a reply from Marsicanin denying allegations

- Statements from both parties over OSCE stand regarding DSS mandates

Neutral Coverage

C. ***DANAS***

- Danas has put less emphasis on election related issues than other dailies

- The topics that also received attention were the TV duel and the debate over OSCE stand on DSS mandates

- An article on the new book by political analyst Vladimir Goati with the headline (article) "DS and DSS must co-operate"

Neutral Coverage

D. ***POLITIKA***

- Slim coverage of election related issues

- Front page gives article on calls by both candidates for a sufficient turnout in the second round of elections

- Reports from election campaign gatherings, balanced

Neutral Coverage

E. *VECERNJE NOVOSTI*

- Article commenting on the strategies of candidates ahead of second round

- No statements or reports disrupt a neutral coverage of the campaigns

Neutral Coverage

F. *NACIONAL*

- Articles and comments in traditional sensationalistic style focus on alleged conflicts in Labus's camp (Djindjic's criticism of Labus, headline "Dinkic Begins an Open Campaign against Djindjic"), Canak's accusations regarding an alleged Kostunica-Seselj pact and Marsicanin's denial of these allegations.

- Although the sum of negative articles against both candidates are slightly in Kostunica's favour, the final impression is that Nacional tends to criticise both candidates and discourage the public from voting for either one of them.

Partial Coverage

IV. DAILY NEWSPAPERS

8 October 2002

A. *BLIC*

- Article with statements from all political leaders on the issue of early legislature elections and when they should be scheduled, balanced article without biased comments

- Reports on election campaign activities of both presidential candidates, impartial.

Neutral Coverage

B. *GLAS JAVNOSTI*

- Front page headline focused on issue of DSS mandates, articles carries statements and opinions of DC MP Veselin Simonovic and DSS MP Djordje Mamula, who, in brief, said the mandates would have to be returned

- Statements from Micunovic, Labus who accept that the mandates were legally revoked, but the act was not legitimate

- Labus denies conflict with Djindjic, but says there is a divergence in opinion

- DSS Vice President Zoran Sami states that Kostunica will be victorious in second round

Partial Coverage (=>Kostunica)

C. *DANAS*

- TV Duel between candidates received most attention, reporting in neutral tone

- DSS mandates issue received balanced coverage

Neutral Coverage

D. *POLITIKA*

- Balanced reports on TV Duel, election campaign activities of presidential candidates and DSS mandates

Neutral Coverage

E. *VECERNJE NOVOSTI*

- Balanced reports on TV Duel, election campaign activities, statements supporting legality of the act of revoking DSS mandates given more space

Neutral Coverage

F. *NACIONAL*

- Headline - Neither Labus nor Kostunica are Showmen.

- Article on Canak's accusations implying that Kostunica is offering Seselj the Prime Minister's seat in a new Government

- Batic's (DHSS) statement on regularity in revoking DSS mandates

- Nacional still gives equally negative coverage of both presidential candidates and apostrophes Seselj's complaints against the regularity of elections

Balanced Negative Coverage against both Candidates

V. DAILY NEWSPAPERS

9 October 2002

A. *BLIC*

- Blic brought extensive interviews with both presidential candidates, who gave their views on the political situation, prospects for victory in the second round of elections and future plans, neutral coverage

- Other articles from the domains of politics and economy do not have direct reference to the presidential candidates

Neutral Coverage

B. *GLAS JAVNOSTI*

- Glas javnosti also brought an interview with both presidential candidates with similar topics as the interviews in Blic daily

- Other reports included Marsicanin's provocative statement suggesting Miroljub Labus's support to Kostunica in case the second round fails after Dinkic's said one candidate should withdraw in support of the other in such a scenario, and Dinkic's denial of such an interpretation of his words, balanced coverage

Neutral Coverage

C. *DANAS*

- Presidential candidates give their views on how Yugoslavia should join the EU, the question was posed by the European Movement in Serbia

- Dinkic and Marsicanin exchange on support to other democratic candidate in case elections fail

- Miodrag Isakov and Dragan Veselinov exchange on Isakov's support to Kostunica and possible ejecting from regional Parliament

Neutral Coverage

D. *POLITIKA*

- TV Duel, European Movement interviews, other minor news

- Elections were not the focal point in today's issue

Neutral Coverage

E. *VECERNJE NOVOSTI*

- Novosti interview both candidates

- Dinkic - Marsicanin exchange on support to other candidate

- Miroljub Labus and British Secretary of State for International Development Clare Short, praise to reforms in Serbia

Slightly Partial Coverage (=>Labus)

F. *NACIONAL*

- Nacional has maintained a selection of articles that criticises both candidates and suggests that the second round of elections are doomed to fail

Balanced Negative Coverage against both Candidates

VI. DAILY NEWSPAPERS

10 October 2002

A. *BLIC*

- Blic daily reported on the TV duel between presidential candidates Vojislav Kostunica and Miroljub Labus in a neutral fashion, but focused their report on the candidates' discussion over Serbian Prime Minister Djindjic

- Other articles and statements give positive spin to voting in the second round of elections

Neutral Coverage

B. *GLAS JAVNOSTI*

- Glas javnosti also focused on TV Duel, more extensive report on the event

- Other articles related to elections report on the DS - DSS dispute over the Constitutional Court getting involved over the issue of DSS mandates in Parliament

- Allegations of G17 Plus turning into a political party

Neutral Coverage

C. *DANAS*

- TV Duel in centre of attention, detailed report on statements of the candidates

- Articles supporting successful second round

Neutral Coverage

D. *POLITIKA*

- Usual neutral reporting on all election related issues, TV Duel in centre of attention

Neutral Coverage

E. *VECERNJE NOVOSTI*

- Neutral report on TV Duel

- Results of public opinion survey by "Medijum" agency, big article on page - predicts Kostunica's victory in second round of elections

Slightly Partial Coverage (=>Kostunica)

F. *NACIONAL*

- "Medijum" agency report predicting Kostunica's victory if second round succeeds

- Selection of articles maintaining attitude that the second round will probably fail

More neutral coverage compared to past few days and regular editorial policy (sensationalism)

VII. DAILY NEWSPAPERS

11 October 2002

A. *BLIC*

- Blic had only one article related to the elections - a comment observing there were problems with the lists of voters with remarks that a news system would have to be introduced to eliminate the problem; the comment also said these were the first normal elections in Serbia

Neutral Coverage

B. *GLAS JAVNOSTI*

- Calls from OSCE and EU to citizens of Serbia to come out and vote

- News on a G17 founder leaving the organisation after indications that it could become a political party (small box)

Neutral Coverage

C. *DANAS*

- Danas daily gave balanced coverage with reports on viewer ratings of the TV Duel, EU and OSCE calls to Serbian citizens to vote and a comment claiming that the electorate has already made up its mind and watched the duel for entertainment

Neutral Coverage

D. *POLITIKA*

- TV Duel viewer ratings, calls to citizens to come and vote - as usual, there were no partial reports or comments in Politika

Neutral Coverage

E. *VECERNJE NOVOSTI*

- Very short news clip on TV Duel rating

Neutral Coverage

F. *NACIONAL*

- Short report on election silence, other articles maintain their regular style of journalism

Neutral Coverage

APPENDIX II

TV COVERAGE CONTENT ANALYSIS 3-11 OCTOBER 2002

TV Newscasts / Coverage of Election Related Issues

3 October 2002

RTV Pink (InfoTop) 18:15 - 18:30

- Government's campaign "Proud of Serbia" was presented through live broadcast from the Ministry of Trade and Tourism. The time slot lasted 2 minutes.

- The presenter announced Miroljub Labus's press conference saying that Labus called for large turnout in the second round while some other candidates and parties go for the boycott. The slot lasted for 2 minutes and the tone was neutral.

- DHSS press conference coverage lasted for 1 minute with Vladan Batic's urging for the elections' boycott. The statement was not followed with comments. The newscast was not interrupted with commercial clips.

BKTV (Telefakt 4) 18:55 - 19:25

- A three-minute report was dedicated to the Serbian Government's campaign "Proud of Serbia". The footage of press conference held in the Ministry of Trade and Tourism was presented without comments. Serbian Minister for Trade and Tourism Slobodan Milosavljevic appeared live immediately after the coverage. Minister's live appearance lasted for three minutes. The presenter did not ask the Minister provocative questions.

- BK TV broadcast three-minute footage of Stojan Stamenkovic's press conference (introduced as one of leading Yugoslav economists) where he said that if DSS's electoral paroles came into force, the transition process would be seriously disrupted.

- Elections 2002 time slot (six minutes) - press conferences of Miroljub Labus and Democratic Center and statements of Rasim Ljajic and Vladan Batic were broadcast without comment.

- The statements by RTS and BK followed, offering both presidential candidates the possibility of live TV duel. This was the first mention of Vojislav Kostunica in the newscast.

Radio & Television of Serbia (the TV Belgrade Prime Time Newscaster) 19:30 - 20:00

- RTS dedicated 10 minutes of its program to the elections. The RTS presenter introduced the election block wondering whether the elections would succeed at all. The comment was not biased towards any political block but have echoed the words of Christopher Forsythe, law expert from Cambridge who said that present electoral law was not efficient.

- Miroljub Labus and Dragan Marsicanin's statements were presented equally in length, but Labus's statement was presented as video footage while Marsicanin's words were aired as the phone report with still image. Other parties' statements were broadcast in short, without comments, in neutral way.

- RTS announced its offer to the both presidential candidates to broadcast their TV duel (note - only Labus's video footage was included in the report).

- RTS reported on Vojislav Kostunica and Miroljub Labus's return to the campaign. Only still image of Vojislav Kostunica was presented.

- Zoran Djindjic's statements on the Government's campaign 'Proud of Serbia' and presidential candidates followed (editorial treatment). The statement's presentation included Zoran Djindjic's video appearance.

- The Serbian Government's campaign 'Proud Serbia' was presented in neutral way, covering the Ministry of Trade & Tourism's press conference.

Studio B (News at 10) 22:00 - 22:30

- Studio B announced Vojislav Kostunica's return to the campaign after the news on his presidential activities (audio only).

- Miroljub Labus's statement on the second round followed. Studio B only presented Labus's words that he believes to gain more than 40% of votes on October 13. His statement was presented with video footage.

- The report on Labus lasted for two minutes while the news on Kostunica gained less than a minute of time.
- Studio B aired statements of several parties, on the issue of the turnout success - DHSS (audio and video footage), SRS (audio only), SPS (video only), and SPO (by presenter).

- Studio B dedicated three minutes to the news on possible new coalitions inside DOS. All the statements were presented shortly and in equal way (audio) without comments.

- The Serbian Government's campaign 'Proud Serbia' was presented at the end of the newscast. The report lasted three minutes and included several Minister of Trade and Tourism statements as well as presenter's words, without comment.

4 October 2002

TV Pink (Infotop) 18:00 - 18:30

- RTV Pink reported on Vojislav Kostunica's press conference, without comment. Kostunica's original statement was aired. He praised Miroljub Labus as economical expert. Time: 3 minutes.

- Serbian Radical Party's call for election boycott was presented with Vojislav Seselj's full statement. Time: 45 seconds.

- The RTV Pink aired SSJ's (Party of Serbian Unity - Borislav Pelevic) call for boycott (presenter's words only). Time: 20 seconds.

- SPS's statement lasted for 1 minute and was presented with video footage and presenter's voice except on one occasion (comment on Slobodan Milosevic).

- The statements by SPO and GSS followed, presented by newscaster's voice and video footage. Time: 15 seconds each.

- RIK's information on turn-off was presented in neutral way. Time: 1 minute.

- The TV Pink paid attention to the split in RV (reformists of Vojvodina, Mile Isakov's party), caused by high party official who decided to step away the party after Mile Isakov openly backed Vojislav Kostunica. No comments followed regarding the report. Time: 30 seconds.

- The TV Pink broadcast the news on the meeting between Vojislav Kostunica and Dragoljub Micunovic, claiming that two politicians agreed that Federal Constitutional Court should rule in favor of the return of DSS deputies back into the Assembly. The TV Pink reported that Vojislav Kostunica urged for this decision to be brought into the open next week, in order to gain more political points. The news source was not mentioned. Time: 2 minutes (presenter only).

Partial Coverage (Labus)

BKTV (Telefakt 4) 18:55 - 19:25

- The BK TV reported on debt amortization deal between Yugoslavia and Switzerland, with Miroljub Labus's statement included (audio and video coverage). Labus was titled Federal Deputy Prime Minister. Time: 3 minutes.

- Vojislav Kostunica's statement on turn-off and Miroljub Labus opened the electoral block. The statement lasted 3 minutes and was presented by still picture and newscaster's voice.

- SRS's 30-second statement on election boycott followed, with Vojislav Seselj's words included in brief. His appearance was interrupted by analyst Srdjan Bogosavljevic, who explained that turn-off success was under question.

- BK TV presented GSS's statement with the voice of a newscaster. Time: 20 seconds.

- The Patriarch Pavle's appeal for citizens to take a stand in the runoff was treated with video footage and newscaster's voice. Time: 2 minutes.

- BK TV presented the Media center's offer for the TV duel of presidential candidates without comments. Time: 30 seconds.

Neutral Coverage

Radio Television of Serbia (Dnevnik 2) 19:30 - 20:00

- Lead news - SRS's call for elections boycott, with video footage but without original words (newscaster's words only). Report lasted 30 seconds.

- RTS reported on Vojislav Kostunica's press conference with video and audio, including Vojislav Kostunica's comments on Miroljub Labus, the success of turn off and the TV duel. Time: 3 minutes.

- Report on Vojislav Kostunica's campaign followed immediately, read by the presenter, without video or photo. Time: 30 seconds.
- The press conference of Miroljub Labus's team was presented mostly by newscaster and with short-lasting video. Time: 45 seconds.

- Several parties' reactions (SRS, DC, GSS, SD, SPS) regarding the turnoff followed, presented in brief, with newscaster's voice and video for each party. Time: 1 minute.

- RTS reported on Patriarch Pavle's appeal in short, with still picture and newscaster's voice. Time: 20 seconds.

- In the second part of the Dnevnik 2, RTS reported on Miroljub Labus's activities as the Federal Deputy Prime Minister, as he signed the deal on debt amortization with Swiss Ambassador. The report was presented in full - with audio and video coverage of Labus's words. Time: 3 minutes.

Neutral Coverage

TV Studio B (News at 10) 22:00 - 22:30

- Studio B reported on the debt amortization deal between Yugoslavia and Switzerland, airing Miroljub Labus's statement in full, without comment. Time: 2 minutes.

- The electoral campaign video clip 'Serbia knows - Vojislav Kostunica' followed immediately. Time: 20 seconds.

- Studio B reported on latest RIK's activities with video and newscaster's voice in neutral way. Time: 30 seconds.

- Vojislav Kostunica's activities - visits to Irig and Sid - were presented with video and newscaster's voice, in neutral way. Time: 2 minutes.

- Patriarch Pavle's appeal was presented with still picture and newscaster's voice. The brief version of statement was aired. Time: 15 seconds.

- Statements by SRS and SPS followed. Both statements were covered with video and audio, including original statements by Vojislav Seselj and Branko Ruzic. Time: 30 seconds each.

- Presidential candidates' electoral teams reacted on SRS's call for election boycott. Their reactions were presented with video and newscaster's voice. Time: 30 seconds for Kostunica's team and 45 seconds for Labus's team.

Partial Coverage (Kostunica)

TV Pink (Infotop) 18:00 - 18:30

- RTV Pink reported on Vojislav Kostunica's press conference, without comment. Kostunica's original statement was aired. He praised Miroljub Labus as economical expert. Time: 3 minutes.

- Serbian Radical Party's call for election boycott was presented with Vojislav Seselj's full statement. Time: 45 seconds.

- The RTV Pink aired SSJ's (Party of Serbian Unity - Borislav Pelevic) call for boycott (presenter's words only). Time: 20 seconds.

- SPS's statement lasted for 1 minute and was presented with video footage and presenter's voice except on one occasion (comment on Slobodan Milosevic). The statements by SPO and GSS followed, presented by newscaster's voice and video footage. Time: 15 seconds each.

- RIK's information on turn-off was presented in neutral way. Time: 1 minute.

- The TV Pink paid attention to the split in RV (reformists of Vojvodina, Mile Isakov's party), caused by high party official who decided to step away the party after Mile Isakov openly backed Vojislav Kostunica. No comments followed regarding the report. Time: 30 seconds.

- The TV Pink broadcast the news on the meeting between Vojislav Kostunica and Dragoljub Micunovic, claiming that two politicians agreed that Federal Constitutional Court should rule in favor of the return of DSS deputies back into the Assembly. The TV Pink reported that Vojislav Kostunica urged for this decision to be brought into the open next week, in order to gain more political points. The news source was not mentioned. Time: 2 minutes (presenter only).

Partial Coverage (Labus)

BKTV (Telefakt 4) 18:55 - 19:25

- The BK TV reported on debt amortization deal between Yugoslavia and Switzerland, with Miroljub Labus's statement included (audio and video coverage). Labus was titled Federal Deputy Prime Minister. Time: 3 minutes.

- Vojislav Kostunica's statement on turn-off and Miroljub Labus opened the electoral block. The statement lasted 3 minutes and was presented by still picture and newscaster's voice.

- SRS's 30-second statement on election boycott followed, with Vojislav Seselj's words included in brief. His appearance was interrupted by analyst Srdjan Bogosavljevic, who explained that turn-off success was under question.

- BK TV presented GSS's statement with the voice of a newscaster. Time: 20 seconds.

- The Patriarch Pavle's appeal for citizens to take a stand in the runoff was treated with video footage and newscaster's voice. Time: 2 minutes.

- BK TV presented the Media center's offer for the TV duel of presidential candidates without comments. Time: 30 seconds.

Neutral Coverage

Radio Television of Serbia (Dnevnik 2) 19:30 - 20:00

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- Report on Vojislav Kostunica's campaign followed immediately, read by the presenter, without video or photo. Time: 30 seconds.

- The press conference of Miroljub Labus's team was presented mostly by newscaster and with short-lasting video. Time: 45 seconds.

- Several parties' reactions (SRS, DC, GSS, SD, SPS) regarding the turnoff followed, presented in brief, with newscaster's voice and video for each party. Time: 1 minute.
- RTS reported on Patriarch Pavle's appeal in short, with still picture and newscaster's voice. Time: 20 seconds.

- In the second part of the Dnevnik 2, RTS reported on Miroljub Labus's activities as the Federal Deputy Prime Minister, as he signed the deal on debt amortization with Swiss Ambassador. The report was presented in full - with audio and video coverage of Labus's words. Time: 3 minutes.

Neutral Coverage

TV Studio B (News at 10) 22:00 - 22:30

- The Studio B reported on the debt amortization deal between Yugoslavia and Switzerland, airing Miroljub Labus's statement in full, without comment. Time: 2 minutes.

- The electoral campaign video clip 'Serbia knows - Vojislav Kostunica' followed immediately. Time: 20 seconds.

- Studio B reported on latest RIK's activities with video and newscaster's voice in neutral way. Time: 30 seconds.

- Vojislav Kostunica's activities - visits to Irig and Sid - were presented with video and newscaster's voice, in neutral way. Time: 2 minutes.

- Patriarch Pavle's appeal was presented with still picture and newscaster's voice. The brief version of statement was aired. Time: 15 seconds.

- Statements by SRS and SPS followed. Both statements were covered with video and audio, including original statements by Vojislav Seselj and Branko Ruzic. Time: 30 seconds each.

- Presidential candidates' electoral teams reacted on SRS's call for election boycott. Their reactions were presented with video and newscaster's voice. Time: 30 seconds for Kostunica's team and 45 seconds for Labus's team.

Partial Coverage (Kostunica)

TV Pink (Infotop) 18:00 - 18:27

- Information on the TV duel between Labus and Kostunica. Time: 2' and 15''.
- Report on DSS mandates: Kostunica's statement (time: 25 seconds), Batic's statement (30 seconds).
- Labus's statement on B92 Case (40 seconds).

Neutral Coverage

BK TV (Telefakt 4) 18:55 - 19:30

- Vice President of Federal Government Labus's statement on regional cooperation in Europe.
- Information on the TV duel between Labus and Kostunica and DSS mandates. Batic's statement on mandates (against DSS). Time: 5 minutes.
- Report on the Kostunica's campaign. Time: 1' and 15''.

Slightly Partial Coverage → Labus

RTS (Dnevnik 2) 19:30

- Information on the TV duel between Labus and Kostunica. Time: 3 minutes.
- Report on Labus's campaign. Time: 1 minute.
- Report on the Kostunica's campaign. Time: 55 seconds.
- Report on DSS mandates.

Neutral Coverage

TV Studio B (News at 10) 22:00

- Information on the TV duel between Labus and Kostunica. Time: 1' and 40''.

- Report on the Kostunica's campaign. Time: 1' and 35''.

- Report on Labus's campaign. Time: 1' and 35''.

- Vice President of Federal Government Labus's statement on regional cooperation in Europe. Time: 10 seconds.

Neutral Coverage

9 October 2002

TV Pink (Infotop) 18:00 - 18:28

- Dinkic's and Marsicanin's comments on possible third round of elections and low turnout. Time: 25 seconds.

Neutral Coverage

BK TV (Telefakt 4) 18:55

- Micunovic's, Dinkic's, Marsicanin's, Covic's and SDP's comments on possible third round of elections and low turnout. Time: 2 minutes and 25 seconds.

- CeSID's comment on media and electoral campaigns. Time: 2 minutes.

Neutral Coverage

RTS (Dnevnik 2) 19:30

- Dinkic's and Marsicanin's comments on possible third round of elections and low turnout. Time: 55 seconds.

- CeSID's comment on media and electoral campaigns. Time: 1 minute.

Neutral Coverage

TV Studio B (News at 10) 22:00

- President of the FRY Kostunica met British Minister Claire Short. Time: 25 seconds.

- Dinkic's and Marsicanin's comments on possible third round of elections and low turnout. Time: 1' and 50''.

- CeSID's comment on media and electoral campaigns. Time: 1' and 20''

Neutral Coverage

10 October 2002

TV Pink (Infotop) 18:05

- Djindjic's statement on the presidential elections and the TV duel between Labus and Kostunica. Time: 1' and 35''

- Batic's statement on the TV duel. Time: 40 seconds

- Protic's and Seselj's statements on the presidential elections (call for boycott). Time: 2' and 15''

- Otpor's statement on the presidential elections. Time: 25 seconds

- Serbian Government's statement on Kostunica's statement on new laws (denial of Kostunica's statement). Time: 30 seconds. - *Later in the evening Labus repeated it, during the TV duel*

- *All the statements (1-4) related to the TV duel and presidential elections underestimated their importance, except Otpor's statement.*

Slightly partial coverage → Labus

BK TV (Telefakt 4) 18:55

- Djindjic's statement on the presidential elections and the TV duel between Labus and Kostunica. Time: 1' and 20''

- Micunovic's, DHSS's, PDS's, Seselj's and the Patriarch's statements on the presidential elections.
  Time: 5 minutes

Neutral Coverage

RTS (Dnevnik 2) 19:30

- Information on the TV duel between Labus and Kostunica. Time: 3 minutes

- Statements on the presidential elections. Time: 2 minutes

Neutral Coverage

11 October 2002

TV Pink (Infotop) 18:00 - 18:20

- Yugoslavian President Kostunica denies that VJ helps the Iraqi regime. Time: 20''

- Serbian Prime Minister Djindjic will participate in the Churchill Conference in Zurich. Time: 20''

- Information on pre-election silence and the second round of the elections. Time: 3 minutes

Neutral Coverage

BK TV (Telefakt 4) 18:55

- Information on pre-election silence, the second round of the elections and the TV duel between Labus and Kostunica. Time: 8 minutes

- Yugoslavian President Kostunica held talks with refugees from Kosovo. Time: 25''

Neutral Coverage

RTS (Dnevnik 2) 19:30

- Presidential candidate Kostunica in Senta. Time: 40 seconds

- Presidential candidate Labus will participate in the Studio B TV program. Time: 10 seconds

- Information on the second round of the elections and the TV duel between Labus and Kostunica. Time: 4' and 30''

Neutral Coverage

Studio B (News at 10) 22:00

- Information on pre-election silence and the second round of the elections. Time: 3 + 2 minutes

- Presidential candidate Kostunica in Vojvodina. Time: 1' and 30''

- Presidential candidate Labus on his program and DSS mandates. Time: 45 seconds

Neutral Coverage

APPENDIX III
MEDIA IN SERBIA

PUBLIC OPINION POLL

November 2002

Commissioned by OSCE Mission to FR Yugoslavia
Conducted by Partner Marketing Research Agency

INTRODUCTION

The public opinion polling was conducted on behalf of OSCE Mission to FR Yugoslavia, in the period from 7 to 15 of November 2002, on the entire territory of Serbia (excluding Kosovo).

SAMPLE

The research was conducted in 38 municipalities of Serbia: Palilula, Rakovica, Sopot, Voždovac, Zvezdara, Subotica, Zrenjanin, Sečanj, Kanjiža, Pančevo, Kovin, Apatin, Novi Sad, Bač, Stara Pazova, Šid, Mali Zvornik, Valjevo, Smederevo, Smederevska Palanka, Golubac, Kragujevac, Kladovo, Knjaževac, Boljevac, Čajetina, Prijepolje, Ivanjica, Kraljevo, Novi Pazar, Kruševac, Varvarin, Niš, Ražanj, Prokuplje, Babušnica, Leskovac and Bosilegrad,

The research covered the sample of 1200 respondents (18 years and over). Three-staged random stratified sample was used in the research.

The field research part was conducted by *face-to-face* interviews in respondents' homes. The sample was formed to be representative for the entire population of Serbia (excluding Kosovo), according to the characteristics such as respondents' age, gender, level of education, nationality and region of residence. When needed, a post-stratification was prepared according to the characteristics that differ from the population parameters.

After the completion of the field part of the research, the sample proved to be the true representative of the population in Serbia according to all the relevant parameters, therefore, post-stratification was not needed.

REMARKS

Results of the research are presented in charts. Answers to each question are reported.

Differences according to demographic variables are not shown in charts, but are described in the text, for all relevant variables.

To almost all the questions in the questionnaire, all the respondents provided answers. For those questions to which not all the respondents provided answers, a special remark was made below respective Charts.

At the end, there is an Appendix, which shows demographic characteristics of the sample used in this research.

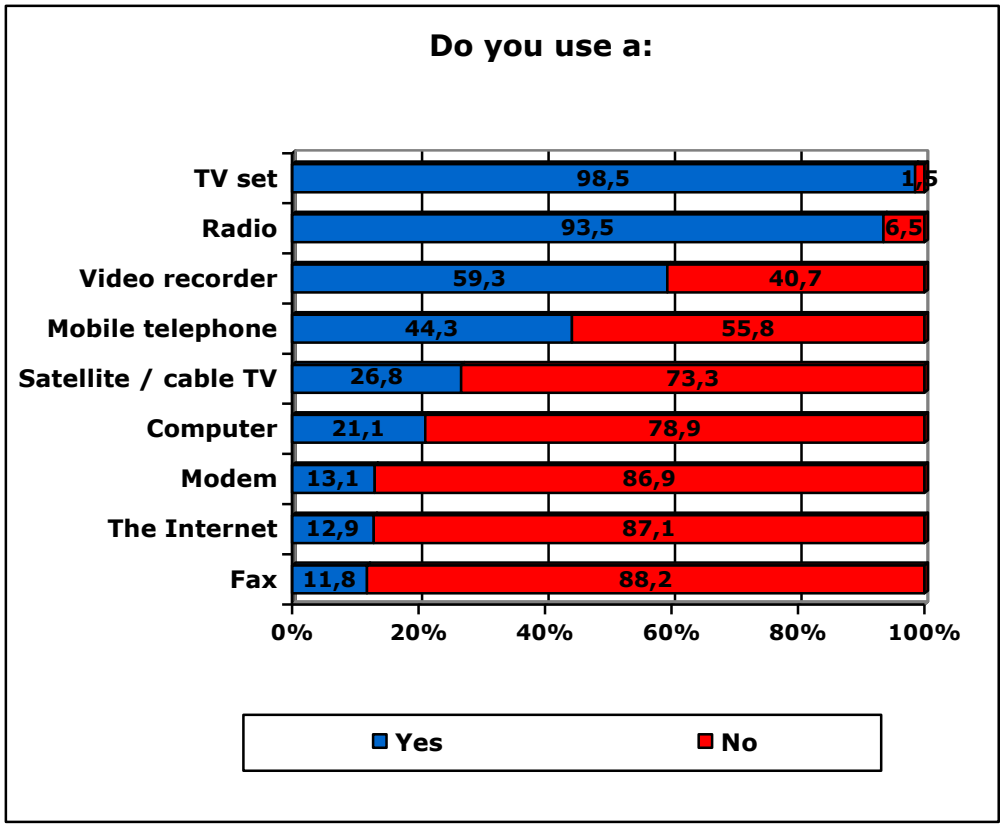

Chart 1

Out of all the electronic communication appliances, the majority of Serbian citizens uses a TV set and a radio. Video recorder is also used by more than one half of respondents, while other communication appliances are used by less than one half of respondents.

Computer is used by one fifth, and the Internet by 13% of respondents.

Mobile telephones are used by almost two thirds of younger respondents (bellow 30), while the number of users decreases with age. In town, mobile phone is used by one half, and one third of respondents use it in villages. As far as region is concerned, Belgrade has the majority of mobile telephone users (56%), Serbia proper the least number of users (37%). Also, with the increase in education level, there is a drastic increase in the number of mobile telephone users - less than 15% of respondents with lower education and almost 70% of respondents with the highest level of education use mobile telephones.

This pattern is repeated when computer and the Internet are concerned, but the number of users is smaller – better educated, younger, town respondents, Belgrade citizens use computer and the Internet much more than the less educated, village inhabitants, older and Serbia proper citizens. For instance, 28% of respondents in town use computer comparing to only 12% in villages. As far as Internet is concerned, the number of users in non-urban environment is insignificant (less than 5%), while one fifth of all respondents use it in urban environment. Respondents with a lower education almost do not use the Internet or a computer. It is interesting that even among the members of the category of respondents with a university degree, only 40% of them use the Internet – which is far below the European standards.

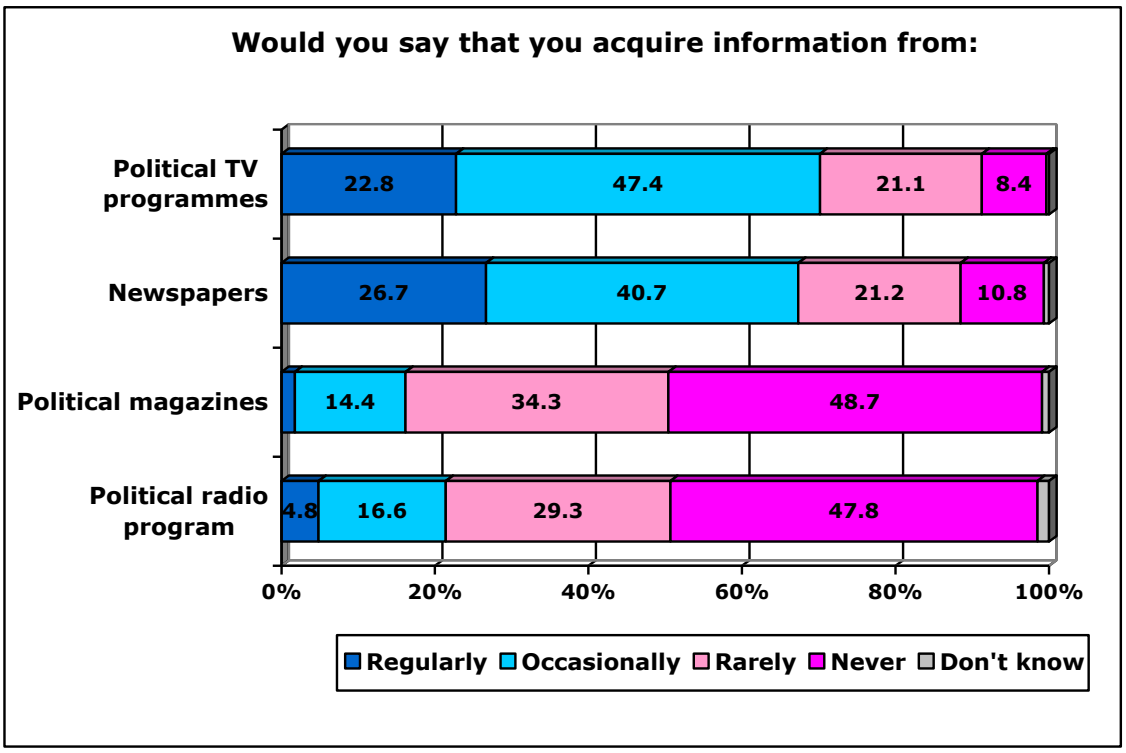

Chart 2

The majority of respondents is informed through television and newspapers, while political radio programs, and especially political magazines, are not used much – almost one half of respondents never use these media.

Political TV programmes are followed more by the older respondents than the younger ones (only 7% of respondents from the youngest category, and more than 40% of respondents from the oldest category regularly follows these programmes), and they are generally more followed by men (18% regularly) than women (17%).

Newspapers are more read by the respondents of middle age, and by the respondents in towns. However, as can be seen from the chart, only one quarter of Serbia's citizens regularly reads newspapers. Also, the majority of respondents from Belgrade regularly read newspapers (more than one third), while the smallest number of respondents from Serbia proper is informed from newspapers (somewhat more than one fifth of respondents read them regularly).

With the increase of education level the number of those who regularly read newspapers also increases – more than 40% of those of the highest education read newspapers regularly.

Men read newspapers on a daily basis twice as much as women do (34% opposed to 19%).

Political magazines are read the most in Belgrade, and the least in Vojvodina. More educated respondents read them at least sometimes, while the number of younger respondents and those with lower education who read political magazines is practically insignificant.

Men read them more than women do.

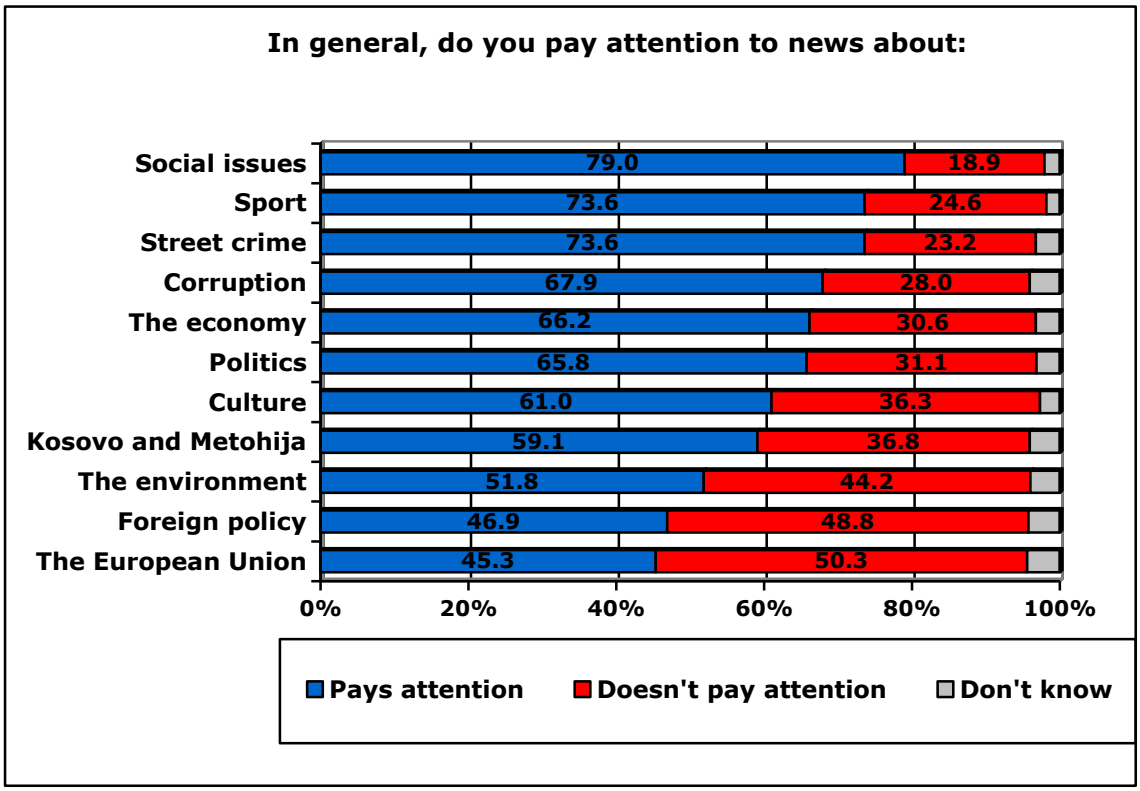

Chart 3

Our respondents pay most attention to the news that are most important to them – social issues, such as education, health care, poverty. The issues that are not in connection with respondents' lives, but are "traditionally" interesting, follow by popularity - and those are sport news (it should not be forgotten that the majority of respondents are proud of our country's achievements in sports;

therefore sport news are an important aspect of life) and “the black chronicle” news.

The least important news are those concerning foreign affairs and the news from the European Union.

DEMOGRAPHIC CHARACTERISTICS OF THE SAMPLE

Table 1. Age groups

	Frequency	*Percent*
18-29	246	20.5
30-44	373	31.1
45-59	344	28.7
60 and more	237	19.8
Total	1200	100.0

Table 2. Gender of respondent

	Frequency	*Percent*
Male	614	51.2
Female	586	48.8
Total	1200	100.0

Table 3. Region

	Frequency	*Percent*
Belgrade	290	24.2
Vojvodina	330	27.5
Serbia proper	580	48.3
Total	1200	100.0

Table 4. Type of community

	Frequency	Percent
Urban	700	58.3
Other	500	41.7
Total	1200	100.0

Table 5. Size of community

	Frequency	Percent
Village	500	41.7
Town - up to 40.000 inhabitants	230	19.2
Town - 40.000 to 100.000	70	5.8
Town - 100.000 to 1,000.000	160	13.3
Belgrade - over 1,000.000 inhabitants	240	20.0
Total	1200	100.0

Table 6. Level of education

	Frequency	Percent
No education	19	1.6
Incomplete elementary school	71	5.9
Elementary school	177	14.8
Vocational school	195	16.3
High school	516	43.0
College (higher education)	116	9.7
University degree	106	8.8
Total	1200	100.0

Table 7. Marital status

	Frequency	Percent
Single	265	22.1
Married - living with partner	778	64.8
Divorced – separated	43	3.6
Widowed	110	9.2
Refused	4	0.3
Total	1200	100.0

Table 8. Working status

	Frequency	Percent
Full-time employed	487	40.6
Part-time employed	92	7.7
Self employed	87	7.3
Retired-pensioned	218	18.2
Housewife not otherwise employed	144	12.0
Student	79	6.6
Other-Not employed	93	7.8
Total	1200	100.0

Table 9. Occupation of respondent

	Frequency	Percent
Employer-manager of establishment with 10 or more employees	43	3.6
Employer-manager of establishment with less than 10 employee	71	5.9
Professional worker: lawyer, accountant, teacher, etc	125	10.4
Supervisory office worker: supervises others	47	3.9
Non-manual office worker: non-supervisory	157	13.1
Foreman and supervisor	30	2.5
Skilled manual worker	244	20.3
Semi-skilled manual worker	29	2.4
Unskilled manual worker	35	2.9
Farmer: has own farm	47	3.9
Agricultural worker	41	3.4
Member of armed forces, security personnel	17	1.4
Never had a job	181	15.1
Don't know	133	11.1
Total	1200	100.0

Table 10. Is respondent the head of the household?

	Frequency	Percent
Yes	593	49.4
No	607	50.6
Total	1200	100.0

Table 11. Occupation of the head of the household

(Only for respondents that are NOT heads of the household)

	Frequency	Percent
Employer-manager of establishment with 10 or more employees	27	4.4
Employer-manager of establishment with less than 10 employee	29	4.8
Professional worker: lawyer, accountant, teacher, etc	48	7.9
Supervisory office worker: supervises other	37	6.1
Non-manual office worker: non-supervisory	69	11.4
Foreman and supervisor	28	4.6
Skilled manual worker	174	28.7
Semi-skilled manual worker	12	2.0
Unskilled manual worker	9	1.5
Farmer: has own farm	56	9.2
Agricultural worker	47	7.7
Member of armed forces, security personnel	12	2.0
Never had a job	6	1.0
Don't know	53	8.7
Total	607	100.0

Table 12. Perception of social class

	Frequency	Percent
Upper	5	0.4
Upper Medium	76	6.3
Medium	600	50.0
Lower Medium	306	25.5
Lower	154	12.8
Don't know	59	4.9
Total	1200	100.0

Table 13. Personal monthly income

	Frequency	Percent
Has no personal income	206	17.2
Up to 3000 dinars	72	6.0
3001 - 5000 dinars	143	11.9
5001 - 10000 dinars	318	26.5
10001-15000 dinars	180	15.0
15001-20000 dinars	68	5.7
More than 20000 dinars	21	1.8
Don't know	57	4.8
Refused	135	11.3
Total	1200	100.0

Table 14. Does respondent belong to a particular religion?

	Frequency	Percent
Yes	900	75.0
No	264	22.0
Don't know	36	3.0
Total	1200	100.0

Table 15. Religion
(Only religious)

	Frequency	Percent
Serb Orthodox	792	88.0
Other Orthodox	10	1.1
Roman Catholic	78	8.7
Protestant	4	0.4
Muslim/Islamic	10	1.1
Other	3	0.3
Don't know - refused	3	0.3
Total	900	100.0

Table 16. Importance of religion in respondent's life
(Only religious)

	Frequency	Percent
Of great importance	324	36.0
Some importance	418	46.4
Only of little importance	125	13.9
Don't know	33	3.7
Total	900	100.0

Table 17. Number of persons that permanently live in household

	Frequency	Percent
One person	97	8.1
Two persons	213	17.8
Three persons	264	22.0
Four persons	343	28.6
Five or more persons	283	23.6
Total	1200	100.0

Table 18. Number of persons under the age of 18 that live in household

	Frequency	Percent
No children under 18	662	55.2
One person	292	24.3
Two persons	222	18.5
Three or more persons	24	2.0

Table 19. Total monthly household income

	Frequency	Percent
Up to 3000 dinars	38	3.2
3001 - 5000 dinars	77	6.4
5001 - 10000 dinars	188	15.7
10001-20000 dinars	306	25.5
20001-30000 dinars	169	14.1
More than 30000 dinars	77	6.4
Don't know	184	15.3
Refused	161	13.4
Total	1200	100.0

Table 20. Number of respondents owning:

	Frequency	Percent
Laundry washing machine	1112	92.7
Refrigerator	1189	99.1
Electric stove	1157	96.4
Wood stove	804	67.0
Freezer	1084	90.3
TV set	1182	98.5
Dish washing machine	96	8.0
Fixed phone	874	72.8
Cordless phone	292	24.3
Microwave oven	123	10.3
Camera (VHS, digital...)	75	6.3
Audio system	612	51.0
DVD player	96	8.0
Vacuum cleaner	1101	91.8
Registered car	702	58.5
More than one car	84	7.0
Satellite/cable TV	303	25.3
Computer	233	19.4
Video	700	58.3
Mobile phone	581	48.4

APPENDIX IV
RESEARCH INTERVIEWS

LIST OF INTERVIEWEES

1) Zoran Zivkovic

Prime Minister of Serbia (2003 – 2004)

2) Natasa Milojevic

Leader of the parliamentary caucus for the Social-Democratic Party (2000 – 2003),

3) Dr Milan Sturgis

Senior Political Adviser with the OSCE Mission to FRY; US State Department official

4) Dr James Lyon

International Crisis Group's Senior Balkan Advisor

5) Ivica Petrovic

Radio Deutche Welle correspondent (2000 – 2008)

6) Nebojsa Bugarinovic

Editor-in-chief Radio BETA-RFI; President of Independent Association of Serbian Journalists (2004–2006); Radio Free Europe correspondent (2000 – 2007)

7) Jasmina Milutinovic

Chief of Cabinet to the Speaker of the Serbian Parliament (2002 –2003); attorney

8) Bratislav Stamenkovic

Director of TV Nis (2001 -2004); attorney at law

9) Miroslav Antic

Political activist and internet forum moderator from Canada

10) Zoran Tomasevic

Corporate executive from Tampa, USA; former journalist/presenter with RTV Pink

RESEARCH QUESTIONAIRRE

Political History of the Serbian Media in Transition

(2000 – 2006)

The questions posed below are used exclusively for research purpose and not for publication (except as part of doctoral research/thesis). The research questionnaire is tailored for obtaining replies from politicians, media workers and other professionals who were directly involved in the process of democratic transition of Serbia – as “decision makers“, or experts. The replies obtained from those individuals represent their personal views and not positions of their political parties or institutions they were associated with.

QUESTIONS

1) How do you see the role of the media after 5 October 2000? Would you say that "state-owned media" were governing tools, or instruments for keeping the power?

2) Can we say that the technological revolution from early 1990’s (advent of cheap satellite receivers, access to international news programs, computers, internet, mobile telephony, mass emergence of private broadcasting and publishing outlets) completely change the old (“party commissar”) style of media control/management used by the regime?

3) What was the role of “independent media” in bringing down of the Milosevic regime? Is it correct to say that they (independent media) were partners with the opposition political parties in that process?

4) Comprehensive regulatory reform of the media sector was part of the opposition’s election manifesto in September 2000. Do you think that the politicians honestly supported such action, or they realized after Milosevic was removed that independent media, as partners in their plight against the tyrant, may become obstacle in governing? Can we say that the expectation of the independent media were unrealistic?

EXAMPLE 1: Public polemic from 2001 between Prime Minister Zoran Djindjic and RTV B92 CEO Veran Maric about "medals for past achievements and no privileges for future".

5) How was it possible that the "media magnates" from the Milosevic era (like Zeljko Mitrovic - RTV Pink and Bogoljub Karic - BK Telekom) could keep their positions and even become stronger after October 2000?

6) Why was adoption of the so-called "set of media laws" delayed, although it was prepared by a joint government and media professionals expert group within a year? Why were the draft texts drastically changed during the parliamentary debates in 2002 and 2003 when some pieces of legislations were finally passed? Was the government's self-appointed "media expert", Deputy prime minister Zarko Korac, given brief to delay, dilute and procrastinate any initiatives that would make the media regulated in a modern and independent manner – in order to maintain dominance of politics over the media?

7) Is it possible in Serbia (or anywhere else) to legislate and institutionally establish independence of the media – or such notion is problematic and contradictory?

EXAMPLE 2: Misuse of proclaimed media freedoms to attack PM Djindjic with impunity during 2000 -2003 period by the media under control of his political enemies, parts of secret services and criminal gangs.

8) Do you have an impression that the management of the media by the governments's Communicatons Bureau during 2003 state of emergency was clumsy, incompetent and counter-productive? Was it necessary for the Bureau to alienate the media and create enemies who would turn against the government the minute state of emergency was suspended?

9) The manipulations and games with appointment of the independent regulatory body (Broadcasting Council) were present from its inception during times of reformist PM Zoran Djindjic, continued under his replacement Zivkovic and subsequently during conservative PM Kostunica. How can a person like Nenad Cekic be elected for chair, survive all changes and what was the reasoning for such choice? Is it possible to have "independent regulatory body" in Serbia, which is still not mature for such mechanism, or this was another case of international pressure to introduce an institute from mature democracies into environment that is not ready for it?

10) How do you view constant amendments of the recently adopted media acts, the president's refusal to sign such amendments and the parliament's second adoption of such acts?