

# Practicing What You Preach - Development of Media Freedom and Plurality Following Accession to the European Union

A comparative analysis of pre- and post-accession Europeanization

Lukas Andreasson

# Abstract

This essay poses the question: To what extent does accession to the European Union lead to an improvement of media freedom and media plurality, and to what extent does a Europeanization of media occur? The essay focuses on the developments of the Central and Eastern European countries and focuses on Croatia and Czechia as the analyzed cases. In answering this question, the various theories of Europeanization (Europeanization, EU-ization, de-Europeanization, and de-EU-ization) are utilized through a co-variational analysis. The analysis is broken up into two stages for each respective country. The first, the pre-accession phase, observes developments of the media systems in the respective countries prior to EU-accession for them both. The second, the post-accession stage, observes developments of to the media systems after joining the EU. The findings point to a much greater development in the pre-accession phase in comparison to the post-accession phase, and a relative stagnation of development post-accession, signaling that Europeanization, as an umbrella term for the sub-theories, is stronger prior to an EU-accession. Moreover, the argument is made that the developments in both phases are a result of EU-ization and a relative de-EU-ization, respectively, namely due to discrepancies in logic between the pre-accession *acquis communautaire* and the post-accession EU competences.

Key words: *Media freedom, Media plurality, media systems, Croatia, Czechia, Europeanization, EU-ization, de-Europeanization, de-EU-ization, CEE countries, acquis communautaire, EU legal framework, EU competences*

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# 1. Introduction and purpose

Media freedom and plurality have in recent years become a staple of discussion in the European continent. The discussion, which has been drastically exacerbated by the COVID-19 pandemic, has highlighted the challenges which modern-day media face, both globally and within Europe. Journalism today moreover faces new threats and challenges, both in Europe and around the world, whether it be in threats against journalists, accusations of ‘fake news’, or digitalization and new market developments. In the European Union (EU), we find worrying development in countries such as Hungary and Poland, which have prompted a discussion on the EU’s role in maintaining so-called European values. The discussions on media freedom and plurality have sparked an interest, not only in academia, but also in public discourse. I wish to further the debate on the EU and its relation to questions of media freedom and plurality, specifically by analyzing the so-called enlargement countries, which, as the Union’s newest members, have been subject to the most worrying progress in the whole of the EU.

This essay also tailors to the academic discussions on Europeanization, a heavily discussed topic within European studies. The goal of this essay is to further the debate on Europeanization and highlight its eventual shortcomings. Furthermore, with the exploration of less discussed terms; de-Europeanization and EU-ization, and the introduction of a new term; de-EU-ization, I hope to contribute to the academic discourse in how and when these terms operate under the umbrella term of Europeanization. The essay lastly intertwines these concepts with a discussion on both the logic and the tools which the EU uses to tackle issues of media freedom and plurality, and what role the EU plays.

The research question posed in this essay is as follows:

*To what extent does accession to the European Union lead to an improvement of media freedom and media plurality, and to what extent does a Europeanization of media occur?*

The aim of this paper is to evaluate how well, if indeed at all, an EU membership leads to an increased level of media freedom and plurality. In answering this question, an analysis of the accession process to the EU through the countries of Croatia and Czechia will be made. The accession process will be divided into two vital stages; a pre-accession stage, that is before the state is a part of the EU, and a post-accession stage, that is after the state has gained membership.

## 2. Background

Starting with the history of Croatia, I will primarily put focus on modern history. Croatia was a republic within the Socialist Federal Republic of Yugoslavia after the second world war came to an end in 1945. Yugoslavia, through the Communist Party in charge, promoted unity amongst

the different countries which were a part of the Republic (Lampe et. al., 2020). Yugoslavia distanced itself from the Soviet Union under the rule of Tito, and in the 1960's the government pushed for political liberalization and decentralization. The Yugoslav version of communism, known as Cominform, allowed for "far greater autonomy and self-expression in cultural and other spheres of life than did the communist societies of most of Yugoslavia's neighbours" (Ibid.). As a result, Yugoslavia crucially had a closer linkage to the west than the countries in the Soviet Union. This decentralization led to public calls for greater Croatian autonomy, which was met with re-imposed "democratic centralism" by Tito (Ibid.), which once again centralized politics in the Republic. This centralization did not come to last, however, as the communist hegemony was challenged throughout eastern Europe in the late 1980's. Croatia held their first multiparty elections in 1990, followed by the country declaring independence from Yugoslavia in the following year (BBC, 2018). 1990 also saw the promulgation of the constitution of Croatia, which provided "classic civil rights as freedom of speech, religion, information, and association" (Lampe et. al., 2020).

Following the fall of communism, the Croatian government began to restructure their economy towards market-capitalism. This task proved difficult, however, as this process was interrupted by war with Yugoslavian and Serb forces (BBC, 2018). The war both damaged infrastructure and production vital to the reconstruction of the economy, and deterred foreign investments (Lampe et. al., 2020). By the late 1990's, "nearly one in five members of the working-age population were jobless, with young people particularly affected" (Ibid.), a problem which remained well into the 21st century. It would furthermore not be until 2002 that Croatia had full control over their modern-day borders (Ibid.).

The country became an EU candidate in 2004, but the negotiations were postponed in part due to concerns over the country's commitment to bringing war criminals to justice, and their dedication to eliminating corruption in the country (Lampe et. al., 2020). These issues were quickly worked on as a result, with hopes that the country could join the EU by the end of the decade. In this time, the economy also improved. Following problems of border disputes and the economic recession in 2008, which hit Croatia's economy hard, the accession to the EU was not completed until 2013.

As for Czechia, the collapse of the Austro-Hungarian Empire at the end of the first world war saw the creation of Czechoslovakia, a new state in which the Czechs were the ruling ethnic group (Blazek et. al., 2020). A communist coup in 1948 introduced Czechoslovakia as a member of the Soviet bloc for the entirety of the Cold War, in which they were evidently sealed off from the western world. Czechia was in other words perhaps more alienated from the western parts of Europe than Croatia. Following the collapse of the Soviet Union in 1991, the union with Slovakia was also dissolved in 1993 (Ibid.). With this separation from communism, the so-called Velvet Revolution set out to adopt a free market economy, including the end of state-controlled

radio and television broadcasting. The government introduced price liberalization, privatization, foreign trade and investment, and new tax reform (Ibid.). The economy was stable and relatively diversified, leading to an economic success following the dissipation of both the Soviet Union and Czechoslovakia. Czechia quickly became a success story for post-communist states, in contrast to Croatia's hardships during the same time period.

Czechia soon ran into problems, however, as failures in restructuring the economy by the government became evident, coupled with widespread corruption in the banking industry, leading to both the failure of eight banks in 1996, and a subsequent recession throughout the late 1990's (Blazek et, al., 2020). The country rebounded, however, and, in conjunction with their EU accession in 2004, once again saw a steadily growing economy. This rebound and stabilization is partly attributed to their accession into NATO in 1999, as well as the growing public dissatisfaction with the contemporary political leadership, in that they were not putting enough effort towards being closer to Europe and the EU. This dissatisfaction helped contribute to the quick accession in 2004. The country initially applied for a membership in 1996 (Ibid.).

While the eurozone struggled greatly with the 2008 financial crisis, Czechia continued on a path of economic growth, which is deemed to be due to the country's recent access to the European markets. As the country had not implemented the Euro, it was furthermore shielded from the economic downturns. In the year thereafter, Czechia voted in favor of the Lisbon Treaty, but became the last member state to sign it due to concerns that the treaty was not in the best interest of Czechia.

## 3. Methodology

### 3.1 Co-variational Analysis

To answer the question at hand, I believe that a qualitative analysis is best suited. There are evidently a lot of variables which may fall under the notion of media freedom and media plurality, and I believe that looking at the progression, or lack thereof, in a holistic fashion is more practical through a qualitative analysis rather than a quantitative analysis. One could look at such metrics as attacks against journalists, or perhaps threats. This, in my view, will not answer the question at hand in a satisfactory manner, however, as this only highlights one aspect of 'threats' against media freedom. Instead opting for an analysis of change, both in law and in the national discourse on media freedoms, will in my view be more suitable for the question at hand. Furthermore, some aspects of media freedom might be hard to measure in a quantitative fashion, and will instead only show themselves when critically analyzing the material in a qualitative manner (Esaiasson et. al., 2012:211).

More specifically, I am looking to create a co-variational (COV) study. This approach in methodology “presents empirical evidence of the existence of co-variation between an independent variable X and a dependent variable Y to infer causality” (Blatter & Haverland, 2012:33). In other words, the COV approach determines whether a certain factor has effect or makes a difference on the outcome. The way this is determined in a COV approach is by systematically comparing different cases and their variations with each other. The scores or features of the independent variable (X) is compared with the variation of dependent variable(s) (Y) (Mahoney & Goertz, 2006: 230-231). If it is shown that, *ceteris paribus*, a change in the independent variable X correlates with a change in dependent variable (Y), one can infer causality from X to Y. To infer causality, however, must be done with caution, not the least within social sciences. To control that it was indeed variable X which induced the change unto Y, the COV approach aims to replicate the conditions for a controlled experiment as much as possible. To properly establish the effects of a variable or factor, other conditions must be controlled for. This idea is based on a counterfactual conception of causation (Blatter & Haverland, 2012:37). According to this conception, “the causal effect of a factor on the outcome means that in the absence of this factor, the outcome would not have occurred[...]” (Ibid.). One cannot know for certain that the presence of a factor in a country leads to the outcome that would otherwise not have occurred, as it is nigh impossible to replicate such scenarios with the required precision. To solve this dilemma, the COV approach approximates the counterfactual conception by comparing cases where the sought-after factor (X) is present with other cases where the factor is absent (Ibid.). Furthermore, the COV adopts a ‘most similar systems’ design, by comparing cases which are as similar as possible in terms of key variables (Blatter & Haverland, 2012:41). In small-N studies such as this one, which analyzes a small number of cases (Blatter & Haverland, 2012:37), the control is related to the case selection. The selection of cases must be made strategically, as to be as similar to each other as possible, whilst differing in terms of the independent variable (Ibid.).

There are three general approaches for control in small-N studies. The first is to create a spatial, or cross-sectional, comparison. These comparisons are made across spatial variation at the same time (Blatter & Haverland, 2012:45). This is common in for example comparative politics, where one compares different countries of similar nature with one another. “Cross-sectional comparisons can be usefully applied in studies that compare countries within a specific geographical area, such as Latin America, or Scandinavia or Southeast Asia” (Ibid.) due to the likelihood of finding cases with similar key variables. This simply because countries in a specific geographical area are likely to share many characteristics, whether they be historical, cultural, or economical (Lijphart, 1971:688-689). The second approach is to create an intertemporal comparison, which is a comparison spanning over time, in which the score of the independent variable has changed (Blatter & Haverland, 2012:46). These can be fruitful as, *ceteris paribus*, the analyzed cases are nearly identical in both analyzed time periods, as they are based on the same country, for example (Ibid.). The third approach is the cross-sectional-intertemporal

comparison, which is perhaps the strategy which most accurately assumes the experimental template. In this approach, the cross-sectional and intertemporal comparisons are combined, creating both a comparison over time and over space (Blatter & Haverland, 2012:47). Using this approach, one can with greater confidence pinpoint the causality of the independent variable, as other control variables are now accounted for both within the case itself (with temporal variation), and across cases (with spatial variation).

Seeing as the cross-sectional-intertemporal comparison is that which safeguards causality the most, it is the approach which is adopted for this paper. The aim is to look at both a temporal progression of the independent variable (comparing countries before and after EU accession), and at a spatial comparison of the independent variable (comparing two different current-day EU member states). Should these units of analysis yield the same response, in that the independent variable influences these cases, then one can infer that X does in fact matter.

As the COV approach is X-centered, it fits well for the type of question posed in this paper. As the aim is to find the (potential) effect of the independent variable X (EU membership), the interest lies in the causal effects of X on variable Y (state of media freedom and plurality). If the study was instead to be Y-centered, such as determining what has led to the current media situation in the countries, a causal-process tracing (CPT) approach would be better suited (Blatter & Haverland, 2012:79). Although a CPT approach can be used in conjunction with COV to strengthen the claim which the researcher is making, this will not be done in the scope of this paper due to time limitations. When CPT is not used to inform causality in conjunction with a COV approach, theory is often used to argue for causality and causal direction (Blatter & Haverland, 2012:47), which is what will be utilized in this paper. This is made possible as it is the theory which helps specify the concepts which make up the independent and dependent variables (Blatter & Haverland, 2012:51). The theory of Europeanization already has prerequisites for what to expect to happen in terms of the dependent variable, thus defining the direction of causality. This is where previous studies and knowledge come into play, as they “provide a priori plausibility for the expected relationships” (Ibid.).

As previously stated, this will be a small-N study. This puts greater importance on the case selection (Blatter & Haverland, 2012:37), whilst simultaneously opening for a more in-depth analysis of the cases at hand (Blatter & Haverland, 2012:64). Such intensive studies allow, and perhaps even call for, data triangulation, or the usage of “multiple sources or data types to measure the same concept for a single unit” (Blatter & Haverland, 2012:68). Data triangulation can to a degree correct systemic bias in measurements by gathering both different kinds of data and data from different sources. In correcting systemic bias, this in turn strengthens the validity of the study (Ibid.).

## 3.2 Complementary Methodology

As a complementary methodology to the COV text-based analysis, I will conduct interviews. The aim of the interviews is to both achieve data triangulation and fill potential gaps in the text-based research. Interviews can and are often used to gain insight on specific problems (Esaiasson et. al., 2012:252-253), but in this study I am rather looking for a holistic approach, gaining an overviewed perspective. In achieving this holistic perspective through the answers both the respondents and the type of interview will have to be motivated. I am foremost looking for experts in the area, with competence and knowledge about the subject. Two interview subjects took part in the essay. The first, Pavel Vondra, is a senior editor at Czech Radio Plus. The aim of Vondra's interview was to gain further insight on the Czech media situation from the perspective of a journalist. Seeing as the data for Croatia provided me with access to the Media Sustainability Index (MSI) panel, in which Croatian journalists were questioned about the media situation from their perspective (see chapter 8.1), I felt a lack of this perspective from the Czech side. The interview with Vondra filled this role. The second interviewee, Gabriel Byström, is an author who has been following the developments in Eastern Europe, currently serving as head of the DG's office at the Swedish Public Radio. The aim of the interview with Byström was to gain an overarching view of the media development in the other enlargement countries, to be utilized for reasons of generalization.

Both interviews are to be conducted in a semi-structured manner, using the questions as a guide (Roulston, 2010:15). This choice is made to allow the interviewee to speak freely, whilst also being able to ask follow-up questions to whatever answers may be given. As the aim is to gain a holistic view from the point of people with experience in journalism, it does not make sense to conduct surveys or create an interview prone to short answers which I cannot follow up on. Thus, the interview questions are posed in an open manner with the use of follow-up questions (Roulston, 2010:12). Moreover, as I am primarily interested in 'experiences' insofar that I want the interviewees to give their account on how media development looks, for example, the style of interviewing is inspired by the phenomenological logic of interviewing (Roulston, 2010:16-17).

## 4. Case selection

The underlying logic for my case selection derives from my ambition to measure what effect X (EU membership) has on Y (media freedoms and media plurality). The case selection must thereby control for other key variables which might have an influence on Y. As previously stated, the strategic case selection is Croatia (pre- and post-accession), and Czechia (pre- and post-accession).

The logic behind choosing these two countries is due to their similarities. They are both countries of the same region, and are similar in size in terms of economy, population, and land mass. They

also derive from a similar historical background, having been part of the ‘eastern bloc’, and coming out of a tradition of a socialist media environment. Thus, both countries have since the 1990’s been subject to heavy market liberalization as they gained further linkage with the west. Importantly, they have both applied and been granted EU membership, but at different times (2004 and 2013 respectively). The logic behind choosing countries which joined the Union at two different times, as opposed to choosing two enlargement countries from 2004, lies in the key variables which I believe that I must control for - namely the economy, and, tied to that, contemporary global political movements. By choosing one country which joined before the recession and one after, I can control for the variable of economic growth more than if choosing two that joined before. The second variable, vaguely defined; the changing tone and political movements, not just in these selected countries but in Europe (and even the world) at large, could to a greater extent be controlled for by choosing these two cases with temporal differences.

This reasoning really only explains the choice of Croatia, however, as this was the only country to join after the financial crisis. Following only this logic, a case could be made for choosing any of the 2004 enlargement countries, so why choose Czechia? Czechia is a strategic choice which ties to my aims of generalizability, in that it, despite being very similar to Croatia as explained, *within* the group of enlargement countries actually finds itself in contrast with Croatia. Czechia is very much seen as the ‘success story’ of post-soviet states (Blazek et. al., 2020), whilst Croatia was hardened by economic and political difficulties, leading to a postponement of accession (Lampe et. al., 2020). If it is shown that both the ‘success story’ and the ‘failed story’ saw similar developments in relation to an EU membership, then it can be assumed that those enlargement countries which fall in between should also see the same results. An overview of the other enlargement countries is also made, to further confirm or deny this. This thus increases my scope for generalizability, allowing me to discuss the results outside of the scope of just Croatia and Czechia, but for the enlargement countries as a group. Lastly, the reasoning behind choosing two countries as opposed to just focusing on one is to be able to make a claim about this not being a phenomenon isolated to one country.

## 4.1 Variables

As previously mentioned, the most similar systems design as presented in the COV approach follows the logic of choosing cases which are similar to each other in the key variables. Through controlling that other key variables are similar, one can with more confidence isolate the independent variable (X) and argue that X does, in fact, cause the difference on the dependent variable (Y). The key variables identified are as follows; the countries’ histories, geography, economics, and politics. I will henceforth describe these variables for Croatia and Czechia respectively, and why these variables are both important and deemed to be controlled for.

## 4.2 Alternate explanations and variables

Economic growth and development have been shown to influence media freedom, media plurality, as well as democracy at large. This has been shown in relation to the 2008 economic recession (Krastev, 2009), as well as the recent economic recession as a result of the COVID-19 pandemic (UNESCO, 2020). Studies suggest that there is furthermore evidence that a bidirectional relationship exists, indicating that “freedom of press plays a vital role in the development of the economy” and also “that an economically growing country implements additional press freedom” (Alam & Shah, 2013:20).

Likewise, global political trends might be a variable which can skew the results. The effect which global trends can have on media freedom is not only shown through the previous variable of economic growth (as there is no doubt that both the 2008 recession and the economic recession sparked by the COVID-19 pandemic had global reach), but also through regional contemporary trends, such as “the fall of long-serving leaders [...] in parts of Africa, the Arab region, and Asia and the Pacific” (UNESCO, 2014:46), which had the effect of an overall increase of media plurality in these regions. Eastern Europe, on the other hand, saw an overarching trend of curtailing media pluralism due to, in part, liberal regulation and introduction of new technologies in 2014 (UNESCO, 2014:47).

The development of new technologies and new media consumption patterns has also changed the media landscape, resulting in digitalization, more fast-paced journalism, and changed economic conditions for actors on the media market (Vondra, 2020).

These alternate explanations are controlled for through a deliberate case selection. I have opted to not analyze two enlargement countries from 2004 because I would in that case not have been able to control that economic growth or contemporary trends did not play a significant role to the point where the independent variable of EU membership was unimportant in explaining the outcome. Should the findings point in the direction of scenario 3 from table 1<sup>1</sup>, then one can with confidence say that these alternate explanations did not play as large of a role as that of the independent variable. If Croatia, which gained membership nearly ten years after Czechia, and importantly, *after* the 2008 economic crisis, still acts in a manner similar to that of Czechia with a cross-temporal setting convolving around the time of accession to the Union, then economic and political development ought not to matter as much as an EU membership. Were it the case, however, that similar developments in both countries happened in a cross-temporal setting convolving not around the entrance to the Union (2004 and 2013 respectively), but instead the financial crisis of 2008, for example, then there would be reason to believe that this development rather stems from economic growth (or lack thereof) instead of EU membership.

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<sup>1</sup> See chapter 7.3

Political leadership is yet another variable which might serve as an alternate explanation. As much of the existing literature on both media freedom and Europeanization dwells on the notion of actorship, one would expect that the political leadership of the countries could be an explaining variable for the developments which are observed. Analyzing the election results, the ruling government does not seem to have a significant effect on the state of the media in either of the countries. In Czechia, one can divide the country's development up into three stages. The first stage is that leading up to 2004, in which development towards media freedom and plurality is observed. The second stage enters in 2004, in which one saw a stabilization or stagnation of the media environment, followed by the final stage in 2013, in which one saw a deterioration of the media environment, largely as a factor of a diminishing pluralism. Looking at these developments, one cannot see a clear correlation between the ruling government and the development of the state of media. The Czech Social Democratic Party (CCSD) held government between the period of 1998 to 2006, for example, in which most development was seen, but was also the largest party in the coalition governments between 2013 to 2017, in which the country saw a deterioration of the state of media (Lampe et. al., 2020).

In Croatia, the observed development can instead be broken up in two stages, where the breaking point is observed to be in conjunction with their accession to the Union in 2013. The first period, which was characterized with a development of further media freedom and plurality regulation, saw a ruling government from both the Social Democratic Party of Croatia (SDP) (2000 to 2003 and 2011 to 2015), and from the Croatian Democratic Union (HDZ) (2003 to 2011). Subsequently we see both parties in government post-accession, with SDP from 2011 to 2015, and HDZ from 2016 to 2020 (Blazek et. al., 2020). As exemplified by both countries, the ruling government does not have a significant effect on the outcome of media freedom and media plurality. It can therefore be said that party politics is not a factor which may serve as an explaining variable.

## 5. Limitations

Limitations to the study will have to be made. As stated in the previous chapter, the focus will lie on the two countries of Croatia and Czechia. A broad overview of the remaining Central Eastern European (CEE) countries<sup>2</sup> will be made, but due to time constraints these will not be analyzed on the same level as the two cases. Furthermore, the observed time period will have to be limited. As both countries gained their independence going into the 1990's, this will be an obvious place to start the analysis. This will also allow for analysis of some years prior to EU accession talks for both cases, which I believe will be of interest. As to an upper time limit, I am looking at relevant and reliable data up to 2020. Although I realize that many changes may present themselves because of the ongoing COVID-19 pandemic, making ad-hoc changes to the

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<sup>2</sup> Latvia, Slovakia, Lithuania, Slovenia, Estonia, Malta, Cyprus, Hungary, and Poland

essay in real time is in my view not feasible. If grand changes were to take shape during the time of writing, these changes risk being underrepresented or misrepresented. Furthermore, as the focus of the essay is the relationship between member states and the EU, the effects of the pandemic, although very interesting, is not a primary concern. Therefore, the choice is made to not include developments from 2020.

Moreover, the results and the discussion are designed to answer the research question at hand, whilst the concluding discussion aims to contextualize the findings of this essay in a broader light, and pose questions of the EU's role for media development.

## 6. Theories

### 6.1 Europeanization

Europeanization is a theory which has become increasingly popularized when discussing the EU and Europe in general. It is, however, by no means a new concept, having been already used by historians to describe the imperial endeavors by European powers, and the concurrent spread of European norms and habits (Featherstone, 2003:6). Europeanization is not an easy theory or concept to pinpoint, and the term has been used in various ways to describe a plethora of phenomena with the common theme of European influence both outside and inside Europe. Featherstone argues that, in a maximalist sense, Europeanization is structural change which exhibits “similar attributes to those that predominate in, or are closely identified with, ‘Europe’” (2003:3). Minimally, it involves “a response to the policies of the European Union” (2003:4).

European studies have notoriously concerned itself with explaining Europeanization as a process of integration through a bottom-up perspective. Debates have centered around the theories of neofunctionalism, liberal intergovernmentalism, and multi-level governance (Börzel & Risse, 2003:57). Only since the turn of the century has literature focused on “the impact of European integration and Europeanization on domestic political and social processes of the member states and beyond” (Ibid.), thus introducing the top-down perspective. Generally speaking, Europeanization is to be understood as taking place when a ‘misfit’ or incompatibility between European demands for change, on the one hand, and domestic policies, institutions, and political processes, on the other, constitutes a necessary condition for domestic change (Börzel & Risse, 2012:6). The top-down view of how Europe has affected countries (be it member states or outside countries) can be conceptualized in three ways, through a rational choice perspective, a sociological or constructivist perspective, and finally through a communicative rationality perspective (Börzel & Risse, 2003:57; Börzel & Risse, 2012:5). Following the logic of consequentialism, the rational choice perspective claims that the discrepancy between European and domestic policies, institutions, and norms provide actors with “new opportunities and constraints to pursue their interests” (Börzel & Risse, 2003:58). These actions are determined by

the number of veto points in the country's institutional structure, as well as the resources of said structure. The sociological or constructivist perspective rather follows the logic of appropriateness and the process of persuasion. European policies and norms exert pressures on the domestic level, causing them to change, granted that a discrepancy exists. Mediating factors are so-called 'change agents', or norm entrepreneurs, as well as political structures and institutions "which are conducive to consensus-building and cost-sharing" (Ibid.). Lastly, communicative rationality utilizes the logic of arguing, in that "actors deliberate and try to persuade each other about the validity claims inherent in any causal or normative statement" (Börzel & Risse, 2012:5). These conceptualizations are to be understood as affecting policy, politics, and polity (Börzel & Risse, 2003:59).

Börzel and Risse go on to put Europeanization in a larger scope of transnational diffusion in presenting four mechanisms of diffusion (2012:6). The first mechanism concerns physical or legal coercion, in which member states simply comply with EU law. The authors go on to extend this mechanism even outside of the EU through conditionality, as even though the EU in external relations hardly uses coercion, "some aspects of accession conditionality are hard to distinguish from law enforcement" (Ibid.). It should be noted, however, that in the cases of candidate countries, this is voluntary coercion as they are not subject to the EU legal order. The second mechanism concerns the provision of positive and negative incentives. These incentives can be brought forth through institutional models, rewards, or the imposing of costs. The lucrative single market is an example which comes to mind. The EU uses this mechanism to influence its neighborhood, and for expansion policy (Börzel & Risse, 2012:6-7). The third mechanism, much like the sociological and constructivist conceptualization of Europeanization, relies on the logic of appropriateness. "Rather than maximising their egoistic self-interest, actors seek to meet social expectations in a given situation. Processes of socialisation often result in complex learning by which actors redefine their interests and identities" (Börzel & Risse, 2012:7). Lastly, following the logic of arguing as presented through communicative rationality, persuasion can be used as a mechanism for diffusion. As previously mentioned, this "refers to situations in which actors try to persuade each other about the validity claims inherent in any causal or normative statement" (Börzel & Risse, 2012:8). Persuasion has been observed to be a regular tool used by the EU to promote 'European' norms such as "human rights, democracy, and the rule of law in third countries including accession candidates" (Ibid.).

This paper furthermore draws inspiration from Heather Grabbe's definitions and assumptions about Europeanization as presented in "The Politics of Europeanization". The chapter by Grabbe, which at the time expanded the scope of Europeanization research framework, deals primarily with Europeanization outside of the EU, in the CEE candidate countries. Grabbe explains that, as these are candidate countries, they should in theory be subjected to pressures from the EU much in the same way that Member States are (Grabbe, 2003:303). As candidate countries have a will to join the EU, and since the EU at the same time sets standards for who can join and who can't,

compliance with European norms and rules is bound to occur. Notably, however, “the political relationship between the applicants and the European Union is very different[...]” (Ibid.), thus affecting how Europeanization occurs, which is at the core of this paper. This simply due to the fact that “[t]he applicants cannot influence EU policy making from the inside[...]” (Ibid.), as the member states can.

In Grabbe’s view, the CEE candidate nations have “stronger incentive than existing member states to implement EU policies because they are trying to gain admission” (2003:303). Furthermore, the so-called ‘Copenhagen conditions’ set in 1993 established more precise and all-encompassing conditionality for joining the EU. Candidates no longer only had to take on the *acquis communautaire* (obligations of membership), but now also had economic obligations relating to market economy, and democratic obligations relating to “rule of law, human rights, and protection of minorities” (Grabbe, 2003:308). The bar was, in other words, much higher for the candidate countries joining the EU after 1993 than it had been for the countries which had joined prior. Meanwhile, the countries which had already gained membership, who at the time of their admission only had to answer to the *acquis communautaire*, had been able to contest the competences of the Union relating to both the economy and rule of law, and were thus deemed harder to influence than the candidate states (Ibid.). Although this chapter by Grabbe was written before the accession of both Croatia and Czechia, I put forth the argument that the point Grabber makes still stands in relation to the question at hand, exemplified in part by the fact that the Union has continually updated their stance on media freedom and media plurality since the Copenhagen conditions (European Commission, 2014), suggesting that the bar has been incrementally placed higher for both the enlargement countries, and especially for Croatia and current-day candidate countries. The policies on media freedom and the stance which the EU has had prior was not as clear-cut, but was instead vaguely formulated and communicated (Castaldo & Pinna, 2017:2).

The underlying reasoning Grabbe gives lies in the EU’s competences which they exercise over the member states. The truth of the matter is that the EU lacks competence in the field of media freedom and media plurality, and thus cannot effectively act as enforcers in these policy fields. As such competences, and indeed the EU legal order at all, does not apply to the countries seeking membership status, the EU can in practice put forth criteria in policy fields which it cannot legally act upon within their own legal framework. As there is no such legal bond between a country seeking membership with the EU as the EU has with membership countries, the EU can, albeit indirectly, dictate and regulate these countries through such documents as the Copenhagen conditions. This works as a source of Europeanization as long as there is a political will from the country at hand to join the European Union, which importantly has to be *greater* than the will to maintain the status quo or resist change.

Grabbe provides the following definition of Europeanization, which will be utilized in this paper:

“Europeanization consists of processes of (a) construction, (b) diffusion, and (c) institutionalization of formal and informal rules, procedures, policy paradigms, styles, ‘ways of doing things’, and shared beliefs and norms which are first defined and consolidated in the EU policy process and then incorporated in the logic of domestic (national and subnational) discourse, identities, political structures, and public policies” (2003:309).

Europeanization can moreover be viewed as working through two mechanisms: the ‘top-down’ process and the ‘bottom-up’ process. This study will put its focus on the prior mechanism, which crudely can be described as change deriving from the European level as opposed to the national level. The top-down mechanism can occur in two different ways: “either directly, whereby national governments comply with EU mandates, or indirectly, whereby domestic policy-makers – once their frameworks are Europeanized – bring national policy in line with EU options even in the absence of a direct compulsion from Brussels” (Harcourt, 2002:737). In the case of non-member states, the indirect top-down process is evidently of most interest, as they are not directly subscribed to the European legal order. The absence of this legal order for non-member states is also the reason for laying focus on the top-down process instead of the bottom-up process - the assumption is made that the analyzed non-member states do not affect the Union’s views and stances on media freedom and plurality. As it thus falls somewhat outside of the scope of this paper, the notion of Europeanization as a two-way process (Ibid.) will thereby not be discussed in much elaboration here.

## 6.2 EU-ization

Modern discussions on Europeanization theory put yet further distinctions within the theory, with one of the more relevant ones being EU-ization. EU-ization is to be understood as “a formal process of alignment with the EU’s institutions, policies and legal structure” (Aydın-Düzgüt 2016:4), whereas Europeanization is seen in a wider normative and behavioral context. EU-ization is thus focused on policy rather than polity. This can be compared to the ‘minimalist’ definition of Europeanization presented by Featherstone (2003:4). The concept can in other words be seen as a step necessary, but not sufficient, for reaching Europeanization. In order to reach Europeanization, EU-ization must take place, but it is alone not enough to constitute Europeanization. EU-ization is not a subject which is discussed to great extent in the academic sphere, which seems to be due to the complexity of the Europeanization concept. Some definitions allow for the exploration of EU-ization alone, but most authors bundle the two definitions together, describing EU-ization solely as a steppingstone towards Europeanization, incorporating it into the definition rather than dissecting and separating it. I believe that further discussion needs to be held on the subject of EU-ization, especially when discussing de-Europeanization, which will be discussed below. It is necessary to be able to make a clear distinction of policy and polity to understand and differentiate their respective effects.

Although EU-ization thus falls under the theory of Europeanization, it is nonetheless granted a separate subsection for the above stated reasons. Furthermore, I believe it is of importance to make a distinction between the umbrella theory of Europeanization and the sub-theory of EU-ization come the discussion. For the sake of avoiding overly complicated terminology explanations, however, Europeanization is to be seen very much as an umbrella term throughout this essay, save the discussion, and EU-ization is to be understood to lie within said umbrella. The exact kind of Europeanization which is observed will be further dissected in chapter 9.1.

### 6.3 De-Europeanization and de-EU-ization

De-Europeanization can be viewed as somewhat of a response to those forces and developments which contradict the Europeanization theory. In recent years, countries and regions have taken steps away from the EU and Europe, notably Great Britain after their Brexit referendum, but also in the east by countries such as Turkey and Russia. De-Europeanization has even taken place in the direct vicinity of the EU's borders, and has been argued to have taken shape within the Union as well.

A simplistic definition of de-Europeanization entails exactly what it sounds like: the opposite development of that of Europeanization. Szymański defines the process as “the loss or weakening of the EU/Europe as a normative/political context and as a reference point in domestic settings and national public debates.” (2017:189), going on to say that “[in] practice, it means the reversal of reforms or conducting them without reference to the EU standards of liberal democracy” (Ibid.). De-Europeanization is exemplified in part by democratic backsliding, which is observed in EU countries such as Poland (Szymański, 2017:198).

In order to incorporate the reverse concept of EU-ization in this theoretical discussion, I must emphasize that the definitions of de-Europeanization, much like the majority of definitions of Europeanization, fail to separate policy and polity. There is in other words a gap in the discussion regarding a sole policy divergence from the EU, which I believe, both for the sake of this essay and the theoretical discussion at large, should be filled. I would therefore like to introduce a definition of de-EU-ization, being policy divergence from that of the EU, whatever the direction may be. Unless specifically stated otherwise, de-Europeanization is henceforth to be understood as a bundle of both polity and policy, as the definition presented by Szymański states.

As de-Europeanization entails a falling-away from the EU and Europe, this process can be seen as being both relative and absolute. In the relative approach, de-Europeanization constitutes “lagging behind in the EU when the convergence still dominates” (Agh, 2015:7). This in other words means that the distance between a country and the EU or Europe may well be increasing, but that both are still heading in the same direction. In this case one would therefore simply see a slower form of Europeanization, which in time would increase the differences between the

country and the EU/Europe. The absolute approach, on the other hand, suggests a divergence from ‘European ideals’, and thus Europeanization in retrograde (Ibid.). It is in the frame of absolute de-Europeanization that terms such as democratic backsliding are often used, and it is this approach which will be further analyzed in the paper.

An explaining variable for the phenomenon of de-Europeanization is often trailed back to the notion of political culture and behavior (Szymański, 2017:199), and relates back to the key difference which I make regarding Europeanization and EU-ization. Where political attitudes and desires are not matched to the changes in formal institutional frameworks, de-Europeanization is bound to occur. Szymański refers to the historical legacies of countries through the example of corruption. He makes the argument that Turkey, which has a historical legacy (through the Ottoman Empire) of corruption as a part of state governing, has an attitude towards that question which cannot simply be changed through formal rule changes (2017:200). Couple the resistance to change, whatever it may be, to a ‘forced’ institutional change, exemplified in the case of the EU through the Copenhagen conditions, and one can understand why countries experience democratic stagnation or backsliding.

I choose to keep de-Europeanization in a separate subsection for the same reason that I argue for in chapter 6.2. Keeping these aspects of theories separate will help distinguish what forces are deemed to come into play at certain stages in the discussion.

## 7. Operationalization

### 7.1 Definitions

Before further analysis of media freedom and media plurality can be conducted, one has to define these concepts, as well as what exactly entails the elusive ‘European media model’.

#### 7.1.1 Media plurality

Beginning first media plurality, there are multiple definitions of plurality which touch upon different aspects of the term. It is also important to note that these distinctions and differences in interpretation of the meaning of plurality is not only confined to an academic setting, but that member states themselves have different interpretations of the word, more specifically cleaving old and new member states (Klimkiewicz, 2016:81). Furthermore, these definitions are somewhat muddled due to the rapid development of new technologies, and the increase of internet-based media, for example (Klimkiewicz, 2016:83). Media plurality can be conceptualized in three different layers, namely (1) a macro level of media systems, being media ownership and service structures, entry costs, and conditions, (2) a meso level of media institutions, being media performance, professional practices, and user interaction and access to

said contents and service, and finally (3) a micro level of media contents, concerning what content is being presented in media (Klimkiewicz, 2016:82). Looking at media policy, there is yet further distinction between external “plurality of autonomous and independent media”, and internal “diversity of media contents available to the public” media plurality (Ibid.). A strong link between external and internal media plurality is disputed amongst scholars, thus calling for such a divide (Ibid.). In other words, it is not certain that a greatly pluralistic media setting in an external sense of the word will lead to or guarantee a diversity of media content which is available to that audience. Furthermore, such internal plurality is believed to be subject to change in relation to forces of socialization, further complicating this conceptualization (Klimkiewicz, 2016:84).

Due to this complicated relationship which internal plurality is deemed to have, as well as the nature of the thesis question at hand, the focal point will instead be on external plurality of media. By extension, this entails that a macro-level conceptualization of media plurality is also adopted, as it is in the media system as a whole in which the interest lies, not in media institutions or individual actors of media.

### 7.1.2 Media freedom

Media freedom and its definition finds its backbone stemming from provisions on freedom of expression, as explained in the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) 10 (1), which states that “[e]veryone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers”. The article goes on to state that “[t]his article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises” (Art. 10(1) ECHR). The Council of the European Union goes on to provide guidelines for freedom of expression, stating that freedom of expression and opinion “constitute essential foundations for democracy, rule of law, peace, stability, sustainable inclusive development and participation in public affairs”, and must thereby be respected by all states (Council of European Union, 2014).

The guidelines go on to describe which ramifications the EU have for dealing with eventual violations of freedom of expression, and by extension violations of freedom of media (see 7.2.2).

Looking outside of the European Union, we find similar definitions of media freedom in that media freedom entails “the ability of journalists to report freely on matters of public interest[...]” (Freedom House, 2020) (see also OSCE, 2020). This thus suggests that any censorship to media reporting violates this freedom. Note that censorship does not always have to be through a legal fashion, however. Attacks against journalists and self-censorship through threats or incentives may also constitute a violation of media freedom, albeit not always as evident or easily proven.

These forms of violations are accounted for in such databases as those compiled by Journalists Without Borders and Freedom House, and will thus, to the extent that they are relevant and measurable, be accounted for as well.

### 7.1.3 The European model

The European media model is thus a combination of free media and a pluralistic media as described above. It constitutes free access and distribution of information and freedom of expression by the press, as well as a free, transparent market for journalists and media outlets alike. Although this sounds uncontroversial enough on its own, there is critique of the European model in that it heavily relies on market indicators for measuring media plurality. “[Media] pluralism is often reduced to a doctrine of free markets and individual choice”, and fails to account for “relations of power and other structural constraints and obstacles that limit public communication” (Karppinen, 2013:8). According to Karppinen, there is a clear trend akin to New Public Management logic to treat media plurality and freedom as an objective and tangible construct which may be subject to empirical measurements (2013:12).

Although this discussion is one of great importance for furthering the debate on media freedom and plurality, a further normative problematization falls somewhat outside the aim of this essay, which will not take a further normative stance on what ought to be constituted as media freedom or plurality. As it is the *change* in these variables which is of interest, then, so long as the way they are measured and accounted for stays constant, this normative discussion can be saved for future research. Importantly, however, this discussion should not be overlooked. The European model does constitute a market-centric view, and promotes freedom of expression as the *de facto* variable for the freedom of press.

## 7.2 The European legal framework

### 7.2.1 Pre-accession framework

The EU has no forms of legal possibilities for enforcement prior to a country being accepted into the Union. What the Union does have, however, are different forms of criteria for being eligible to join the EU, which although not binding in any way, may serve to in practice change laws and behaviors in countries looking to join the Union.

The accession criteria, or Copenhagen criteria, are the conditions which candidate member states must adhere to in order to join the EU. Set up in 1993, the Copenhagen criteria served as an addition to the *acquis communautaire*, effectively extending the *acquis* to include political criteria, economic criteria, and “administrative and institutional capacity to effectively

implement the *acquis* and ability to take on the obligations of membership” (European Commission, 2016)<sup>3</sup>.

Seeing as the candidate countries are not a part of the EU legal order, the Copenhagen criteria are very much to be viewed as a one-way street. This falls in line with the top-down view as presented in chapter 6.1, in that it is the EU which dictates the state of play in relation to these candidate countries. The Union alone may decide the threshold for accession via the Copenhagen criteria, putting them in a vastly more powerful position of negotiation vis-a-vis the candidate countries. With this in mind, one recognizes that although the EU has no direct legally binding competence towards those seeking accession, there is still reason to believe that they can be vastly influential in de-facto law changes in these countries.

### 7.2.2 Post-accession framework

As for the post-accession framework, the EU has legal tools which may be utilized to change a member state's laws or behaviors, albeit quite limited in scope for media policy. Whilst there are no explicit competences conferred to the EU to regulate media freedom or pluralism, there are some provisions which the EU has, connected to the issue. Starting with the most fundamental documents of the EU, the Charter of Fundamental Rights of the European Union (CFR) states that “[t]he freedom and pluralism of the media shall be respected” (Art. 11(2) CFR), a notion which is reflected once more in the European Convention for the Protection of Human Rights and Fundamental Freedoms, which per article 10 grants the freedom of expression (Art. 10(1) ECHR). Furthermore, the Treaty of the European Union (TEU) states that “[t]he Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights” (Art. 2 TEU). The only real measure to react to a breach of article two TEU lies in article seven TEU, which opens for the possibility of “[suspending] certain of the rights deriving from the application of the Treaties to the Member State in question, including the voting rights of the representative of the government of that Member State in the Council” (Art. 7 TEU). Notably, article seven has never been enforced, and is very much deemed an ‘ultimate resort’ for the Union (European Parliament, 2016:26).

The main secondary legislation dealing with media plurality is the Audiovisual Media Services Directive (AVMSD). AVMSD states that member states “shall ensure freedom of reception and shall not restrict retransmissions on their territory of audiovisual media services from other Member States” other than for reason of (1) public policy, (2) protection of public health, (3) public security), and (4) protection of consumers (2010/13/EU Art. 3(1)). The 2018 amendment of AVMSD was furthermore specified to include notions of media plurality in specific, stating rules on ownership and transparency thereof, as well as access to information by the public (2018/1018/EU Art. 15-16). It should be noted, however, that these provisions do not cover all

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<sup>3</sup> Unless explicitly stated otherwise, the *acquis* is henceforth to be understood as the ‘extended’ *acquis communautaire*, including the Copenhagen conditions.

forms of media, but only audiovisual media. It leaves out text-based services, for example, which instead are stated to be regulated nationally in accordance with the Treaties (2010/13/EU Art. 23).

Whilst the 2018 amendment of AVMSD has been the only concrete legal step towards greater EU control on the subject, multiple attempts and ‘soft power’ gains have been made from the EU in an attempt to answer problems in media freedom and plurality. In 2007, the Commission created a three-step approach to answer the issue of pluralism, consisting of a Commission Staff Working Paper; a launch of an independent study on media pluralism to identify and measure pluralism; and a Commission Communication on the indicators for media pluralism in the member states (European Parliament, 2016:26). In 2014, the member states agreed on basic tenets regarding media freedom and pluralism. Among the things which were agreed upon was “the importance of transparency of media ownership (including those who benefit from the ownership) and of media literacy” (European Parliament, 2016:28). The member states were, however, reluctant to grant further competence to the EU level, instead stating that these were issues which could be solved at the national level (Ibid.). 2014 also saw the inauguration of the Media Pluralism Monitor (MPM) in Europe, which was set up to monitor and assess the state of media pluralism and potential risks in and around the EU, as well as being tasked with assessing the effectiveness of measures taken in this field (Ibid.). Including the MPM, the EU currently has ten different supported projects with a total budget of seven million euros up and running (European Commission, 2020).

In conclusion, it can be stated that the legal framework which the EU possesses in the realm of this policy field is both limited in scope, and quite reactive in nature. This may be attributed in part to the multidimensional nature of this issue, the lack of EU competences in the policy field, and the unwillingness from the member states to confer further power to the European level of governance. The ‘soft power’ programs are, on the other hand, rather proactive in their monitoring nature, in that they continually assess both risks and tools used by the member states in order to improve media freedom and plurality. They are, however, non-binding in nature. The lack of competences from the EU has led to somewhat of a legal gap between “the proclamation of foundational values and principles, and their actual enforcement” (European Parliament, 2016:46), in that there is little, in terms of legal options, which the EU can do to uphold the price of admission presented in the Copenhagen criteria. This problematization has been described as the ‘Copenhagen dilemma’ by both scholars and former Vice-President of the European Commission, Viviane Reding (European Parliament, 2012).

### 7.3 Possible outcomes

I have below constructed four scenarios of Europeanization in a matrix, based on the independent variable (X). The scenarios, which may be viewed as working hypotheses, describe the different scenarios which one may expect from both pre-accession Europeanization and post-

accession Europeanization. Europeanization is considered to be strong when proactive progress is made towards the European model. It is considered to be weak when progress is either in stagnation or in regression. Thus, there is more discrepancy within weak Europeanization, which will be discussed further in chapter 9. Europeanization will be judged from criteria stemming from media freedom and media plurality, such as threats to journalists, ownership of media, and legal changes.

- Scenario 1: If media systems improve post-accession, whilst stagnation or regression was made pre-accession, then post-accession Europeanization is strong, whilst pre-accession Europeanization is weak.
- Scenario 2: If media systems improve before accession and continue to improve post-accession, then Europeanization is strong in both stages.
- Scenario 3: If media systems improve before accession, then stagnates or regresses post-accession, then pre-accession Europeanization is strong whilst post-accession Europeanization is weak.
- Scenario 4: If media does not improve pre-accession nor post-accession, then both aspects of Europeanization are assumed to be weak.

|            | Pre-accession Europeanization | Post-accession Europeanization | Conclusion  |
|------------|-------------------------------|--------------------------------|---|
| Scenario 1 | Weak                          | Strong                         | Europeanization works better within the EU                      |
| Scenario 2 | Strong                        | Strong                         | Europeanization works equally both inside and outside of the EU |
| Scenario 3 | Strong                        | Weak                           | Europeanization works better outside of EU                      |
| Scenario 4 | Weak                          | Weak                           | Europeanization is weak both outside and inside the EU          |

*Table 1. Possible outcomes.*

## 8. Results

The results of Croatia pre- and post-accession, followed by the results of Czechia pre- and post-accession will be presented first. These results will then be followed by a broad overview of the remaining CEE countries, and their development.

### 8.1 Croatia

#### 8.1.1 Pre-accession

Prior to EU-discussions: 1992-2004

The start of the 1990's was difficult for Croatia. As previously stated, this tumultuous time saw the country gain its independence from Yugoslavia, an introduction of a multiparty system, a restructuring of the economy to a market-based capitalism, all whilst being ravaged by war with both Yugoslavian and Serb forces. As a result, the development of democratic media systems was slow in the 1990's despite the drastic change to capitalism and liberalization of markets (Perusko, 2011:1), which should have entailed a decrease in government interference and censorship in media. At the turn of the century, however, more focus was put on revising the media systems in Croatia. This was said to be done to bring the country's legislation closer to the European standards (Ibid.), as Croatia saw many of its neighbors open accession talks with the Union. Croatia's negotiations were however postponed, in part due to EU concerns of corruption and bringing war criminals to justice (Lampe et. al., 2020). Official talks with the EU would not start until 2004 (IREX, 2005:41). Evidently, despite not being in accession talks with the EU, Croatia still sought to bring themselves closer to Europe, with hopes of eventually realizing a membership in the Union. This was furthermore made clear by both sides of the political aisle, seeing as the results of the elections in 2003, in which the center-left coalition government were defeated by the HDZ, did not change the overall trajectory of the country's ambitions. HDZ, just like the SDP coalition government, was clear in its ambition "to bring Croatia closer to the European Union" (IREX, 2003:33). The first package of media legislation envisioned in accordance with European standards was adopted between 2000 and 2004, which included amendments to laws from the 1990's, such as the Law on Croatian Radio and Television (1992-2003); the Law on the Media (2003, 2004); and the Law on the Electronic Media (2003, 2004, 2009) (Perusko, 2011:3). Freedom of expression therefore came to be well defined in Croatian legislation, which brought it to a level satisfactory of beginning EU accession talks in 2004.

Included in these changes were also liberalization of the media market, which had the result of bringing in foreign investors to the Croatian media outlets (Freedom House, 2002; IREX, 2005:41).

Despite this formulated change to legislation, social norms had not yet taken such a turn. Panelists from the 2001 MSI discussions “agreed that Croatia is a country in transition”, in which laws are well defined, but not always enforced (IREX, 2001:89). This is not to say that improvements were not made, as made evident by the drastic decrease in violence against journalists during this period (IREX, 2003:33).

#### Beginning of EU-discussion: 2004-2008

From beginning their accession talks with the EU, there is yet further evidence of Croatia complying and answering to EU concerns regarding media freedom and plurality. Despite a changed criminal code in 2004, for example, the 2005 European Commission Progress Paper on Croatia raised concerns that the libel laws “could be further improved” to decrease self-censorship amongst journalists (European Commission, 2005:18). Changes were promptly made to the libel regime as early as the following year, which abolished prison sentences for libel (European Commission, 2006:9; European Commission, 2007:11; Peranic, 2005).

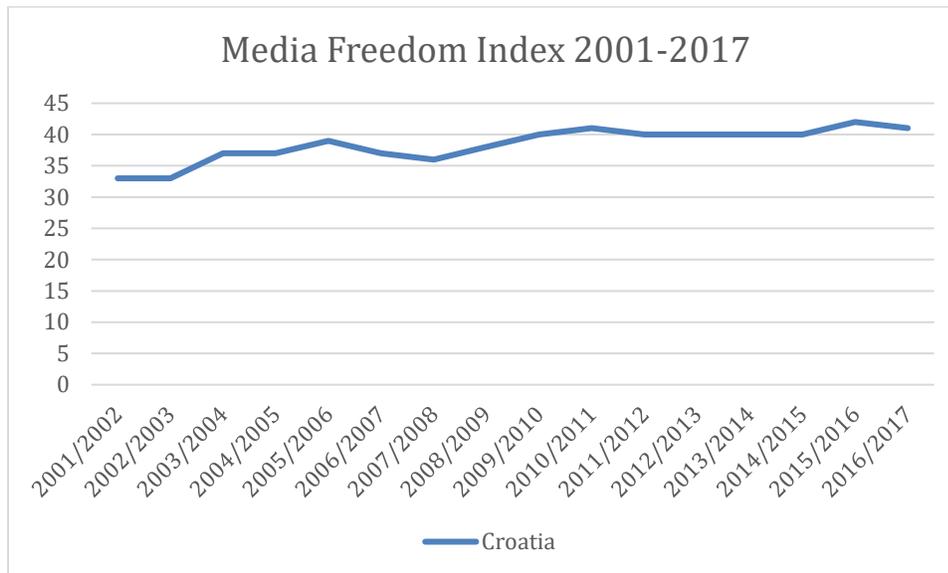


Figure 1. Freedom House’s Freedom of the Press (FOTP) scores from 2001-2017, Croatia<sup>4</sup>

Through its progress papers, the European Commission continued to stress the matter of political influence in Croatian media. This was perhaps the largest contempt which the Commission had with the current situation in Croatia’s media system as of this time, along with transparency of ownership. Freedom of expression and media plurality were deemed “provided for” in Croatia by the Commission Progress Paper in 2007 (2007:11; European Commission, 2005:18).

Furthermore, progress was recognized in the form of a stronger and more resistant civil society (European Commission, 2007:34). These changes were not only made evident from an EU perspective, but from within Croatia as well. The MSI panel concluded that editorial

<sup>4</sup> A higher score indicates a worsening of the media situation.

independence was not only guaranteed by law, but was also coming to be generally respected in daily practice (IREX, 2007:40). Moreover, as a concrete measure of the lessening in political interference and pressure on the media, attacks and threats against journalists had been falling over the previous years (IREX, 2003; IREX, 2004; IREX, 2005; IREX, 2007), falling from a point when they were a major problem for journalists in the 1990's, to now becoming a rare occurrence (IREX, 2007:40). The strengthening of civil society, which was realized through political pushes from the government (Řiháková, 2013:89), was also deemed to “make any open political pressure, harassment, or direct political control over media almost unthinkable” (IREX, 2005:43).

As political pressure lessened and the media market was liberalized, a concern arose of influence from media owners rather than state influence, as a result of both market pressures and increased commercialization of media (Doric, 2007:213; Perusko, 2011:4). This concern was not reflected in the same manner by the EU, although it did have concerns over the transparency of ownership, and stated a concern that “Croatian media is also becoming more highly concentrated” (European Commission, 2005:18). This was, however, solely in regard to Europapress Holding bringing its market share on daily newspaper ownership above 40%, which was against the Media Law. The Commission thus directed obligations to Europapress Holding, and not directly to the Croatian government (Ibid.).

#### Financial crisis of 2008: 2008-2013

2008 marked somewhat of a shift in Croatia's development, as the economy was hit by the 2008 financial crisis. The worrying development since 2008 is partly reflected in the progress papers, in which the Commission acknowledged the increase in threats against journalists “working on cases of corruption and organised crime” (European Commission, 2009:12). The Commission now also highlighted that journalist interference not only derived from political interests, but also from economic actors (European Commission, 2009:38), a development which others recognized as a cause of concern years prior (Perusko, 2011:4). Political interference was mainly said to be a cause for concern on local levels in these years (European Commission, 2009:12; European Commission, 2010:11), but yet something which required amending. During this period up until Croatia's accession, the Commission reported good progress in relation to the *acquis*, and despite other signals of worrying progress, these were not reflected in a holistic manner in the Progress Papers. Furthermore, in the areas in which the Commission expressed concern in relation to the *acquis*, Croatia is often quick to respond. This may be exemplified by the Commission in its 2008 Progress Paper stating that progress “needs to be sustained for due functioning of the electronic communications market” (European Commission, 2008:38). Subsequently, the 2010 Progress Paper reported “good progress [...] in the field of audiovisual policy, in particular with transposing the Audiovisual Media Services Directive” (European Commission, 2010:35), paired with the implementation of four by-laws on the Council for Electronic Media, and a further strengthening of said Council (Ibid.).

There were, however, yet other factors not directly related to the *acquis*, which were not faring as well during this period. One such factor is the threat to professional journalism, which has been noted by other actors observing the developments in Croatia. Professional journalism is based on indicators of fair, objective reporting, lack of self-censorship, lack of corruption amongst journalists, quality niche and investigative reporting, and the following and acceptance by journalists of ethical standards (IREX, 2001:91). Judging by these indicators, it is understandable that these may be closely tied with the national economy in general, and the economy of the media sector in particular, as job security, wages, and cutbacks in the structure of media companies will have direct effects on these indicators. Top-down pressures to ‘be more commercial’ hampered investigative reporting and diversity of opinion (Doric, 2010:161; IREX, 2005:45). This was a theme which was reiterated in later years as well, with concerns that reporting was becoming increasingly sensationalistic (IREX, 2007:41). Furthermore, self-censorship, not against politicians, as was the case in the 1990’s, but against business owners of media, became more evident according to the MSI panel (IREX, 2012:61). Although this was touched upon by the European Commission, it was only mentioned once in Croatia’s Progress Reports (European Commission, 2011:9), in which no indication that this was directly against the *acquis* was mentioned. Yet a further aspect exacerbating the threat to professional journalism is said to be the digitalization of media. So-called ‘copy-paste journalism’, in which the reporters did not have time or did not feel the need to review sources thoroughly or conduct their own research, but instead opt to publish work which others had written, was becoming increasingly evident in newsrooms leading up to Croatia’s accession. It should be noted, however, that digitalization and copy-paste journalism is recognized as a quite global phenomenon (Byström 2020; Řiháková, 2013:46; Vondra 2020).

Nevertheless, the Commission reported on good progress being made in Croatia in accordance with the *acquis*. Already in 2010, the Progress Paper reported “a high level of alignment with the *acquis* in this chapter [media and freedom of expression]” (2010:35), whilst recognizing that there is still work to be done. In the final Progress Report in 2012, the Commission stated that “Croatia has completed alignment with the *acquis*” in the field of audiovisual policy (2012:21), but that sustained efforts are needed to ensure the independence of the public service broadcaster and to increase its transparency (2012:7, 22). Importantly, however, the report concludes by stating that “Croatia is meeting the commitments and requirements arising from the accession negotiations in the field of the information society and media and is in a position to implement the *acquis* as of accession” (European Commission, 2012:22), thus signaling that the country is ready for an EU membership.

## 8.1.2 Post-accession

First years as a member state: 2013-2016

After a lengthy candidacy period, Croatia finally joined the EU in 2013. Incidentally, the same year, albeit a couple of months prior to accession, saw a worrying legislative turn with the introduction of ‘vilification’, defined as a “systematic and deliberate defamation case” (IREX, 2014, 48), which saw its first charges brought forth in 2014 (IREX, 2015:46). On the contrary, February saw a legislative step in the ‘European’ direction with the adoption of the Law on the Right of Access to Information, which was implemented “both to meet EU requirements and in response to civil society's long-standing discontent with the previous law's implementation and provisions for access” (Freedom House, 2014).

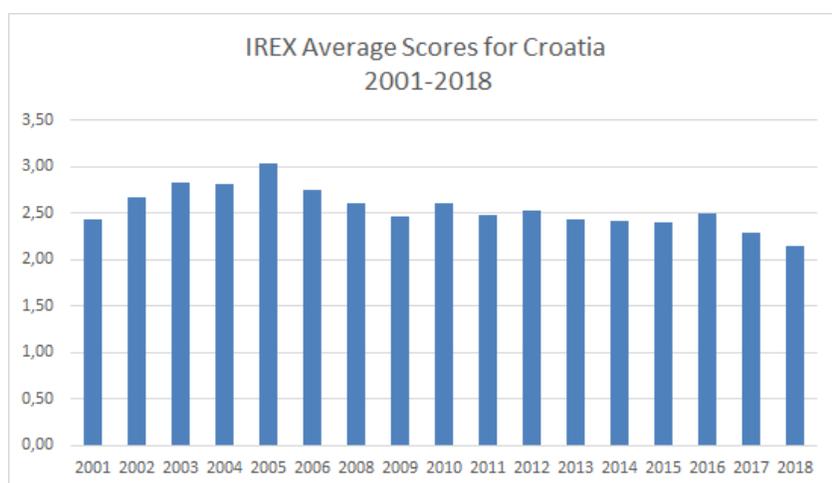


Figure 2. Scores on media freedom from the MSI panel discussions, 2001-2018<sup>5</sup>

Further regression not directly related to legislative changes can however be found, as the media sector had yet to recover from the financial crisis which started back in 2008, once again mainly related to the standards of professional journalism. An anonymous internal survey conducted by the Ministry of Culture in July 2014 showed that 76 percent of surveyed journalists reported that ethical standards are less respected than before, 61 percent described a constant rise of influence of big advertisers, and 90 percent admitted to having faced pressure to fabricate stories (IREX, 2015:47). Although this period saw promising development in such measures as decreased physical attacks against journalists (IREX, 2014:48; IREX, 43:2015; Freedom House 2015), journalists now face risk in the form of losing advertising contracts or their jobs over critical reporting or the coverage of sensitive topics, a development which further encourages self-censorship (Freedom House, 2015). Moreover, “[a] significant percentage of local media outlets are partially owned by their local governments, jeopardizing independent reporting of local politics” (Ibid.). Political interference may also be observed on a national level, as the state-

<sup>5</sup> A lower score indicates a worsening of media systems.

owned public broadcaster, Croatia Radio-Television (HRT), still has “its director general, board members, and administrators [...] appointed by the parliament” (Ibid.).

Also related to professional journalism, and a trend which saw its beginnings already in 2008, was the ever-increasing worry of job security for journalists, which continued during this period. Journalists’ salaries saw a continued drop, which had the effect of forcing many journalists to take second, or even third, jobs (Freedom House, 2014). Furthermore, it was estimated that in 2015 the media sector had lost over 30 percent of its jobs since 2008 (IREX, 2016:63). Finally, instances of journalists not being paid regularly began to materialize (Freedom House, 2015). These developments led to more perceived self-censorship, as journalists feel a “need to conform to certain political circles and business lobbies” for the sake of job security (IREX, 2016:60). Moreover, as competition for jobs and, simultaneously, the rush to push out content quickly was ever-increasing, professional standards amongst journalists were deemed to be declining (Freedom House, 2014). This was coupled with declining membership in the Croatian Journalist Association (CJA), a vital organization which has worked as a union for Croatian journalists, “reflecting dissatisfaction with its responses to the worsening conditions faced by journalists” (IREX, 2014:55; Freedom House, 2014).

Important to note during this period is that although legal changes, such as the new Law on the Right of Access to Information were introduced, and freedom of expression had become a “truly internalized value” to the point at which it was not considered to even be able to fall under threat (IREX, 2014:47; IREX, 2015:45), the discrepancy between the legal framework and its practical enforcement seemed to grow. Saša Leković, president of the CJA, implied that international pressure to uphold media standards had disappeared since the accession to the Union; “once a country is an EU member, nobody cares anymore” (Griffen, 2016:2). Panelists from the 2016 MSI discussions agreed, stating: “Post-accession, there’s no more leverage from Brussels, and no need to pretend that we are better than we actually are” (IREX, 2016:55).

Croatia until today: 2016-onwards

2016 was characterized by political turbulence. The national election saw a coalition of HDZ and The Bridge of Independent Lists (Most), forming a right-leaning government (Bilić et. al., 2016:8). The government, formed in January 2016, made radical changes to the media industry right off the bat. The newly appointed Minister of Culture, Zlatko Hasanbegović, “called off the well-established system of financial support to the public service media and culture projects, disqualifying them en masse as ‘leftist’ or even ‘traitorous’” (IREX, 2017:3) as one of his first actions in office. This was followed by the dismissal of the general manager of the HRT, along with a massive reshuffling of editorial positions (Ibid.). Over 70 positions were replaced, and in most cases by persons sympathetic to the HDZ-Most government (Griffen, 2016:3). Plagued by infighting, however, the government collapsed after only six months in power (Griffen, 2016:1). Despite its collapse, it would seem that damage had already been done to the media sector,

especially in the public service sector. The dismantling of the previous funding system left the public service sector without sources of finance, a problem which is still evident in the years following (IREX, 2018:8). Now instead solely funded by the Fund for Pluralization of Media, which allocates three percent of the public service media fee, most of Croatia’s media are “in some kind of a life-support mode” (IREX, 2018:7).

The private media sector also saw some economic challenges in 2017, as the largest media advertiser, the Agrokor Group, collapsed. With the largest advertising revenue gone for many media outlets, it threatened many into bankruptcy (IREX, 2018:1). This had knock-on effects on the pay standards of journalists, working conditions, and editorial independence, as lines between advertising and genuine reporting became blurred (IREX, 2019:3), which were trends which had been seen before 2017 as well (Bilić et. al., 2016:4).

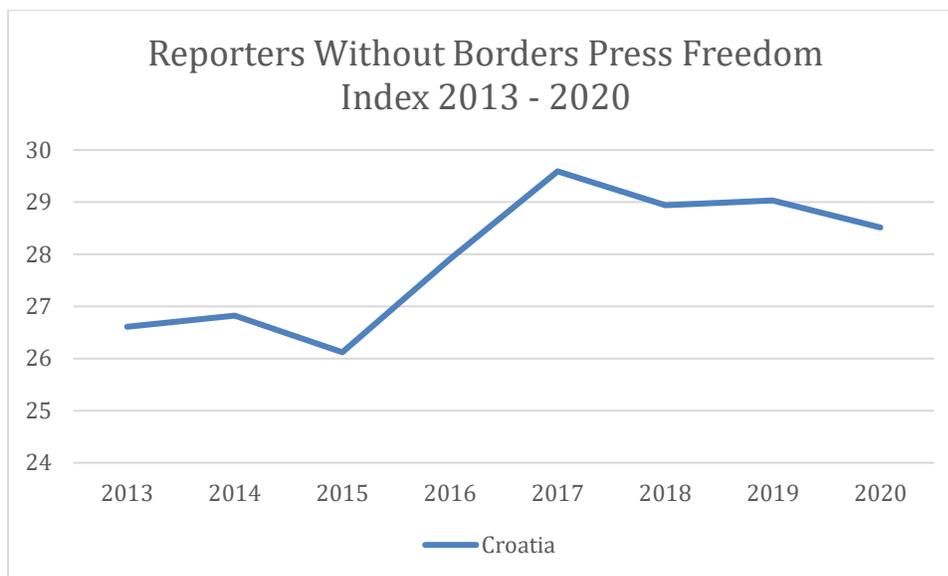


Figure 3. Reporters Without Borders Press Freedom Index, 2013-2020: Croatia<sup>6</sup>

The condemnation and attacks on journalists were also becoming more common after the HDZ-Most government. Hate speech saw a rise, and was becoming part of mainstream discourse (SEEMO 2016:2; IREX 2016:3). Furthermore, attacks on journalists were seen rising for the first time in many years, with both threats and attacks increasing (IREX, 2017:3; IREX, 2018:3; IREX, 2019:5; Reporters Without Borders, 2019). Direct political pressures on the CJA also materialized, as they were faced with a total of “1160 lawsuits directed at journalists by politicians and other public figures” during 2018 and 2019 (Bilić, 2020:7).

There was, however, progress being made as well. In 2016, the criminal code of vilification was amended, and now “excludes the responsibility of the journalist if the subject is of public

<sup>6</sup> A higher score indicates a worsening of the media situation.

interest” (IREX, 2017:6). In terms of further legal changes, however, Croatia has not seen much during this period. Reforms have been announced but delayed, which has exacerbated the discrepancy between the legal framework and enforcement (Bilić et. al., 2017:3). Lastly, CJA saw a rise in membership since 2015, signalling an increase in confidence in the organization from journalists (IREX, 2017:13).

## 8.2 Czech Republic

### 8.2.1 Pre-accession

Prior to EU-discussions: 1993-1998

Czechia gained its independence in January of 1993, and immediately worked on transforming the country towards both a parliamentary democracy and a market economy, which showed favorable results, and a privatization of some 80 percent of the economy (US Department of State, 1995). As a result of this liberalization, the media sector was, much like in Croatia, made independent and to an extent privatized (US Department of State, 1994). Furthermore, international ownership drastically increased post-1993, which aided in the “shaping of the new Czech media system according to western models of journalism” (Vojtěchovská, 2017:98). There was no official censorship by the government, and freedom of expression was guaranteed by the constitution, put in place in accordance with the country’s independence (Blazek et. al., 2020).

In terms of legal changes, defamation had since the days of Czechoslovakia been a criminal offense, and defamation of the state and presidency was upheld by the constitutional court in 1993, although very seldomly used in practice (US Department of State, 1995). This criminal code was further evolved in 1994, when the constitutional court ruled that defamation of the parliament, government, or constitutional court was also to be criminalized (US Department of State, 1997). In 1997, however, defamation of the president and the republic was revoked, being made effective in January of 1998 (US Department of State, 1998). Lastly, this period saw delays for legislation for both print and broadcast media, which had become quite redundant seeing as they were not designed for a market economy or privatized ownership (Ibid.).

Years of EU-discussions: 1998-2004

Official accession negotiations with the EU started in March of 1998 (European Commission, 2001:25), putting Czechia under the lens for observation in the form of Progress Reports from the EU. The following year, 1999, saw Czechia join NATO in February, followed by the ratification of the EU social charter in July (Freedom House, 1999). The first Progress Report, published in 1998, stated that Czechia must work on the “strengthening of laws which guarantee press freedom”, (European Commission, 1998:7) but also that there were “no major problems regarding the respect of civil and political rights” (European Commission, 1998:10).

Furthermore, they praised the Czech progress in regard to defamation as having improved freedom of expression (Ibid.).

In May of 1999, the parliament passed the Access to Information Act, to take effect in the beginning of 2000, providing freedom of access to information under local and state authorities, and other institutions affecting the rights of citizens (US Department of State, 2000). The act was praised as progress in the 1999 Progression Paper (European Commission, 1999:15). The 1999 Progress Paper also suggested that the “Council for Radio and Television Broadcasting should be empowered[...]” (European Commission, 1999:67). This was at least partly invoked the very next year, as “parliament amended broadcasting laws to meet EU standards” in 2000 (Freedom House, 2001). Further progress in audiovisual legislation was made in 2000 in the form of the Press Act, which further aligned the country with the *acquis* (European Commission, 2000; US Department of State, 2000). Further development was however stated to be required in the realm of audiovisual policy for Czechia to align itself with European standards (European Commission, 2000).

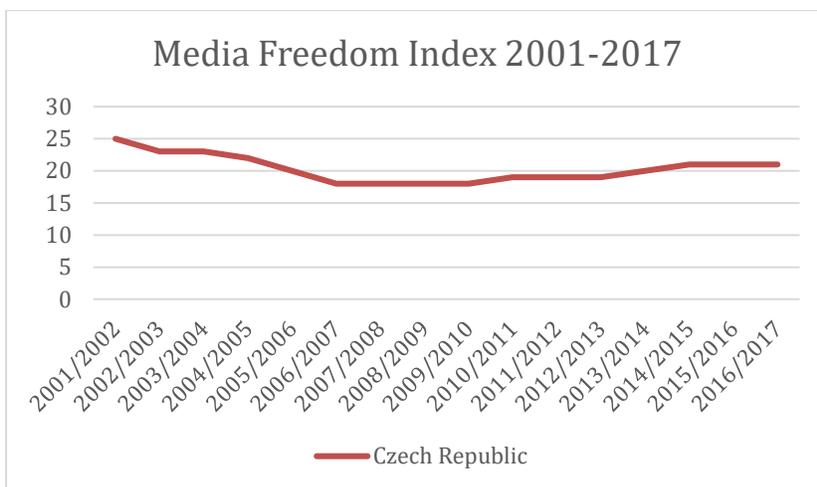


Figure 4. Freedom House’s FOTP Index 2001-2017: Czechia<sup>7</sup>

In December of 2000, staff members of Czech Television (CT) barricaded themselves in a newsroom in a protest to the Czech Television Council’s appointment of Jiri Hodac as new director for the station. The protest was said to be in response to Hodac’s political affiliations, and fears that CT would be subject to greater political interference (Human Rights Watch, 2002). Following these protests, which also included a demonstration by some 100,000 people in Prague (Ibid.), parliament passed a bill in January of 2001 “designed to limit political influence over [CT]” (Freedom House, 2001). The new law changed the nomination process to the CT council, with the council now being elected by nongovernmental groups, rather than politicians (Ibid.). The European Commission welcomed this development, and moreover stated that the

<sup>7</sup> A higher score indicates a worsening of the media situation.

“legislative alignment with the *acquis* has improved significantly since last year’s Regular Report” (European Commission, 2001a:80), also acknowledging the new Act on Radio and Television Broadcasting, which aligned Czechia further with the Television without Frontiers directive (Toepfl, 2013:251). The Commission did, however, state that although legal progress was now nearly in line with European standards, administrative capacity should be improved (European Commission, 2001a:80).

Czechia formally accepted the invitation to join the European Union by 2004 in 2002 (Freedom House, 2003). The European Commission stated in its 2002 Progress Report that Czechia since 1997 had made “significant legislative progress, especially in the last two years” (European Commission, 2002:101), and that they were now much in line with the *acquis*. For the completion of membership, work was to be focused on developing and supervising a transparent regulatory framework (Ibid.). In Czechia, 2002 was marked by new legislation in radio (similar to the bill which limited political influence over CT in 2001) (Freedom House, 2003), as well as a plot to kill an investigative journalist, involving a former foreign ministry official. (Reporters Without Borders, 2003). The official in question, Karel Srba, was convicted in 2003 (Committee to Protect Journalists, 2003), and it should be stated that Czechia at this point was internationally recognized for prosecuting those responsible for violence against journalists effectively (Freedom House, 2004; Toepfl, 2013:246).

In the Commission’s final Progress Report, Czechia was stated to meet the majority of the requirements for membership. It once again reiterated that further progress should be made in the name of transparency, however (European Commission, 2003:40), but stated that Czechia was expected to be in a position to implement the *acquis* by accession in this sector (European Commission, 2003:54).

In the years just prior to accession, Czechia had reached a media market which was to a large extent dominated by foreign investors. This was not an issue of the Progress Papers, but was nonetheless a point of contention for both some nongovernmental organizations and national actors, who expressed concern that the large foreign owner share hampered investigative reporting, who instead promoted tabloid journalism to appeal to commercial interests (Freedom House, 2004a; Toepfl, 2013:247). This was especially highlighted in the case of print media, which was almost exclusively in the hands of foreign investors. On the other hand, foreign investments had also been accredited to Czechia’s swift harmonization with European standards, as they were expected to “promote media evolution towards the Western model” (Toepfl, 2013:247), exacerbating the linkage between Czechia and the west which was evident long before the country became independent (Ibid.).

## 8.2.2 Post-accession

First years as a member state: 2004-2008

Czechia joined the EU on May 1st, 2004 (Freedom House, 2004a), after what had ultimately been a rapid legislative and societal push to conform to European standards. Czechia saw itself joining the EU simultaneously as many other CEE countries, but stood out as not only one of the most economically prosperous countries (Ibid.), but also one of the most successful in terms of political stability, overall standard of living, and media independence (Druker & Drukerova, 2005; Řiháková, 2013:11). Having achieved the ‘end-goal’ of joining the EU, however, the political leadership of Czechia did not present a clear vision for what the next stage of development for the country would be (Druker & Drukerova, 2005).

Despite the lack of vision, the years following accession did look promising within the realm of media development. Investigative journalism saw a boost in conjunction with a Constitutional Court ruling in 2005 which stated that journalists do not have to disclose their sources, constituting a strengthening to the 2000 Press Law (Freedom House, 2006). Media analysts observed a ‘maturing’ of the press, both in terms of investigative journalism, but also in its balance of political coverage and opinions (Druker, 2007:243). Nevertheless, ‘true’ investigative journalism, or long-term investigative journalism, was still described as a premium, and usually only attributed to the magazine *Respekt* and the online daily *Aktualne.nz* (Druker, 2007:243; Řiháková, 2013:48). The 2006 elections gave way for some relapse in the media sector, however. Following a nearly seven-month long deadlock, the Civic Democratic Party (ODS) narrowly albeit successfully formed a coalition government with the Green Party and the Christian and Democratic Party in January of 2007 (Stegmaier, 2008:183). The political crisis, which many claim hurt both the economy and trust in the political elite (Ibid.), prompted setbacks in the press, and a “returning to the political polarization of the 1990s”, in which sources and stories were often unconfirmed and unverifiable, both before and after elections (Druker, 2007:243).

The aftermath of the political crisis of 2006 would come to show itself in the following year as well, as government officials called for stricter regulations on the media in 2007, although no legal changes were ultimately made (Freedom House, 2008). Prime minister Mirek Topolánek (ODS) further exacerbated this message, calling for further regulation of press freedoms, with claims that the media in Czechia was ridden with widespread corruption and ethical failings (Lazarová, 2007).

Yet another issue which began to manifest itself in the Czech media discourse was that of ownership. Nongovernmental organizations raised concerns over the increasing cross-media ownership of media outlets in the country (Freedom House, 2007). Moreover, concerns of foreign media ownership and its consequences on self-censorship, investigative journalism, and lack of employment standards remained (Druker, 2007:244). These concerns are further

exacerbated by the insignificant role, both historically and during present times, of the leading journalistic profession association, the Czech Syndicate of Journalists, which along with low membership and general respect by professional journalists has no sanctioning powers (Štětka et al., 2016; Druker, 2007:244). The Czech media market up to this period still had very few restrictions on ownership. The 2006 amendments to the Broadcasting Act, which introduced provisions “preventing cross-ownership between the operator of an electronic communications network and the holder of a broadcasting license” represented the strongest legal restriction to cross-media ownership in the media (Řiháková, 2013:62). Foreign ownership remained unrestricted during this period, nor were there limits on cross-media ownership between print and broadcasting sectors (Ibid.). As Pavel Vondra stated, the accession was a positive step, but not something which was terribly noticeable for Czech journalists, in that the media situation was not suddenly made better simply as a result of membership. Many challenges still remained (Vondra, 2020).

#### Financial crisis of 2008: 2008-2013

The 2008 financial crisis gave no exception to Czechia. Thanks to the economic success which the country had experienced since its independence, however, the country fared much better than its neighbors (Hampl, 2009). Whilst it was not hit as hard as feared economically, it was affected politically in the year following the financial collapse (Druker, 2009). Prime Minister Topolánek’s government was ousted after a vote of no confidence in March 2009, resulting in the installment of a caretaker government which remained in place until June 2010 (Freedom House, 2010). The vote of no confidence was sparked as the ruling center-right coalition had struggled to pass any major legislation (Druker, 2010:178), and, somewhat unfortunately, coincided with Czechia’s first EU presidency. The country became “the first former Soviet bloc nation to helm the European Union’s rotating presidency” (Druker, 2010:178). The caretaker government was eventually replaced after the parliamentary elections in 2010, which saw Petr Nečas (ODS) appointed as prime minister in a new coalition government consisting of ODS, TOP-09 (liberal-conservative), and Věci veřejné (VV) (liberal conservative) (Freedom House, 2011).

Despite the political instability, the period was not completely without legislation. February 2009 saw the new ‘muzzle law’ introduced as Czech legislation, seemingly at odds with European democratic standards (Reporters Without Borders, 2010). The new law, which was passed despite heavy criticism both inside and outside Czechia, banned the publication of “content of phone tapping carried out by the police and [banned] publication of information originating with police services”, with infringement being punished by prison terms up to five years, or by up to 180,000 euros in fines (US Department of State, 2011; Reporters Without Borders, 2010; Freedom House, 2011). The muzzle law was criticized for its potential effects on investigative journalism, in that it essentially criminalized journalists' sources, which could lead to self-censorship (International Press Institute, 2009). The final days of 2010 saw an amendment to the

muzzle law, however, after considerable public pressure mounted on the government (Řiháková, 2013:8). The initial amendments made “softened the law to allow journalists to publish the names of politicians or other state officials involved in criminal proceedings related to corruption”, and furthermore laxed the severity of punishments for infringement (Freedom House, 2012). The law was further amended in 2011, to allow for an exception of publication in cases where the information was considered to be of public interest (Řiháková, 2013:8). Notably, the courts decided to retain the right to determine when public interest was to outweigh the privacy of those involved (Freedom House, 2012).

The amendments to the muzzle law were a positive sign for investigative journalism, which despite some economic hardships had continued on its path of maturity since the financial crisis (Řiháková, 2013:48), as made evident by recent revelations by the press having led to the resignation of multiple ministers in 2011 (Druker, 2012). In fact, the muzzle law prompted a rare show of unity of journalists, who spoke out against the law (Ibid.). Further development of investigative journalism may be attributed to the improved financial situation of public media, specifically CT, which has been stabilized in recent years. The bettering of public finances and (relative) worsening of the economy in the private sector from the financial crisis has however led to somewhat of a discrepancy between public and private media actors, in which the former has increased its investigative and qualitative media capabilities, whilst the latter has rather had to move to less qualitative journalism, and increased tabloidization (Druker, 2010:187; Řiháková, 2013:22; Vondra, 2020). Self-censorship stemming from business interests was also observed as financial pressures are increased in the private sector (Druker, 2012).

Legally speaking, the issue of plurality remained unchanged during this period, with minimal ownership restrictions and no restrictions on foreign ownership (Druker, 2010:186), prompting yet further concerns over the framework, and the increasing concentration of media ownership by a few business moguls (Dragomir, 2012). For example, “German-Swiss conglomerate Ringier Axel Springer [...] account for some 40 percent of daily newspaper readership” (Řiháková, 2013:8-9). Cross-media ownership is also a growing concern, exemplified by German-owned publisher Mafra, which owns two daily newspapers, two radio stations, one digital license for a music television channel, and several websites (Ibid.). Perhaps the most worrying development for media analysts in Czechia is however the rise of media barons with political ties. One actor, financier and coal baron Zdeněk Bakala, stands out after he in 2008 purchased an 88 percent stake in one of the top news publishers, *Economia*. Bakala went on to in 2010 financially support the two main center-right political parties (Řiháková, 2013:9; Dragomir, 2018:4; Cunningham, 2016). Czechia’s ownership transparency issues remained unchanged as well (Řiháková, 2013:65), which further exacerbated the development in media plurality. The only provisions in the realm of ownership transparency were an obligation to inform about ‘substantial changes’ in ownership (over 33 percent of voting shares in a company) and the informing of mergers for both radio and television stations (Ibid.).

Plurality issues: 2013-onwards

2013 marked a significant shift in Czech media because of the acts of Andrej Babiš and other Czech business moguls. Babiš, a billionaire and political leader for the party ANO (right/populist), continued the trend originally started by Bakala in 2008, resulting in yet further ownership concentration of media. The key difference, however, is that Babiš is a politician, thus directly connecting the media and politics.

Babiš acquired the publishing house Mafra; the publisher of three big dailies in Czechia (MF Dnes, Lidové Noviny, and Metro), in June of 2013 through his company Agrofert (Král, 2014). The purchase connected the leader of ANO to 30 percent of the newspaper market, along with further media outlets, with a total reach of around 13 percent of the population of Czechia (Vojtěchovská, 2017:101). The acquisition was by no means an anomaly in 2013, as the same year saw Ringier Axel Springer Media AG, publisher of several tabloids, sold to the Czech businessmen Daniel Křetínský and Patrik Tkáč (Kopeček, 2015), and the acquisition of Centrum Holdings; the third biggest online portal on the Czech media market, by Zdeněk Bakala (Reporters Without Borders, 2016). In just a few years, the media market shifted from having 80 percent foreign, mainly German, ownership, to now being dominated by national billionaires and millionaires, who, at least in some cases, used these acquisitions to either silence critics (Reporters Without Borders, 2016), intimidate journalists (Kopeček, 2015; Král, 2014; Freedom House, 2016), or to interfere in editorial decisions (Freedom House, 2014).

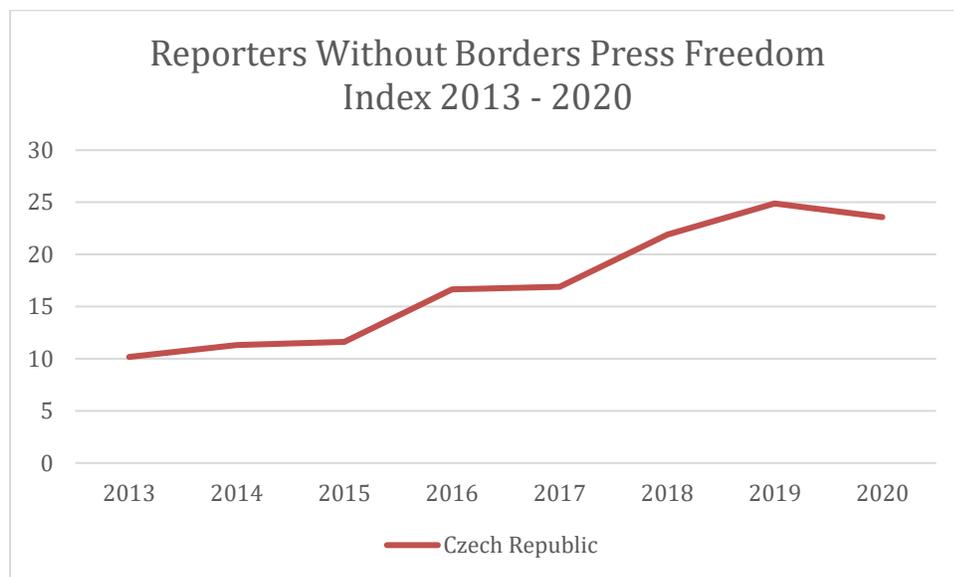


Figure 5. Reporters Without Borders Press Freedom Index, 2013-2020: Czechia<sup>8</sup>

The developments of ownership concentration in 2013 had critics warning of a ‘Berlusconization’ of Czechia, in that powerful individuals now had vast capabilities to through

<sup>8</sup> A higher score indicates a worsening of the media situation.

media influence politics. Critique was furthered after the 2013 snap parliamentary elections, in which Babiš's party ANO came second in terms of votes, and furthermore managed to take part in the newly formed coalition government with the Social Democratic Party (CSSD) and the Christian Democratic Party (KDU-CSL) (Štětka et. al., 2016:2). Babiš himself became deputy prime minister and minister of finance in January of 2014 (Reporters Without Borders, 2016), whilst still in direct control of his media acquisitions. Babiš kept these positions until May 2017, after which a government crisis stemming from his company Agrofert led to his resignation (Kopeček, 2018). His time out of office would only come to last a matter of months, however, as Babiš became prime minister in a minority one-party government following the December 2017 elections, following a landslide victory by ANO with 30 percent of the votes (Štětka & Hájek, 2017:2; Kopeček, 2018).

According to Pavel Vondra, it was clear that Babiš was influencing what was being published, and directing and threatening journalists. “[The newspapers] have been weaponized to service his political purposes”, he states, going on to describe how some of his former colleagues were instructed “to come with character assassinations of the opposition” (Vondra, 2020), a claim which was proven in through an audio recording of Babiš (Musil, 2017).

Changes to legislation, and thus to Babiš's ownership role, were however made in September of 2016, when the Chamber of Deputies amended the Conflict of Interest Act, barring ministers from owning media outlets (Vojtěchovská, 2017:105; Kopeček, 2017). The bill, nicknamed ‘Lex Babiš’, prohibited ministers from owning stakes in media businesses larger than 25 percent, and was voted for by all major parties except for ANO, who claimed that the law “was meant to remove their leader from politics” (Kopeček, 2017). The effectiveness of the legislation, which excluded online media (Štětka & Hájek, 2017:5), was brought into question, as members of government in practice could register the business in another person's name, whilst still maintaining indirect control over the business (Kopeček, 2017). As a consequence of the amended bill, Babiš transferred Agrofert into a trust fund, but was still regarded by many critics to be de facto in control of the business (Štětka & Hájek, 2020:13). These suspicions were later confirmed by the European Commission, which in an audit review of Babiš stated that he was in control of the business, and thus breached the Conflict of Interest Act (Neslen, 2020). A response from the Czech government to this audit has yet to come forth.

Following the ownership concentration, media content has reportedly become less transparent for readers (Vojtěchovská, 2017:101), and tabloidization and sensationalism more common (Kopeček, 2015; Freedom House, 2016). Financial difficulties stemming from the financial crash are still evident, but working conditions and investigative journalism is nonetheless in good shape (Štětka et. al., 2016:4). Finally, public criticism of the media, including threats of lawsuits by government officials have become more common since 2013 (Král, 2014; Freedom House, 2016; Kopeček, 2018), although physical threats or attacks remain very rare (Štětka et. al.,

2016:4; Štětka & Hájek, 2017:5). Nevertheless, the developing relationship between the media and the politicians is by Vondra pointed out to be one of the biggest problems facing Czech media, along with the worrying economic developments and ownership acquisitions (Vondra, 2020). Vondra describes the President Zeman as being in “open war” with journalists; “it’s gotten unhealthy” (Ibid.).

### 8.3 Remaining CEE countries

Looking at all the enlargement countries of 2004, one can see a couple of trends taking shape pre- and post-accession to the European Union. In analyzing figure 6, one can see that most enlargement countries follow a pattern of bringing their media systems closer to the European model during the 1990’s, in that we see a steady downward slope during these years, indicating positive change to the media situation. This downward slope continues up until around 2004, during which these countries joined the European Union, as shown in figure 7. Notably, the trend post 2004 is changed, with about an equally steady *upward* slope becoming evident in the years after their accession. Continued, this is made yet more evident by further data provided by Journalists without borders, presented in figure 8, which shows a sustained increase in score for most CEE countries.

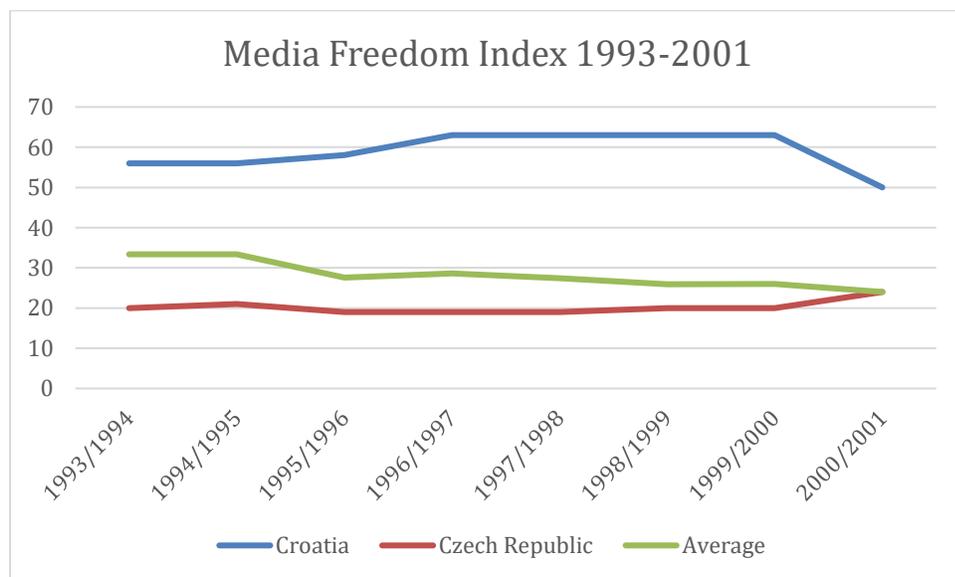


Figure 6. Freedom House’s FOTP Index, 1993-2001: Croatia, Czechia, and average for all CEE countries<sup>9</sup>

<sup>9</sup> A higher score indicates a worsening of the media situation.

Looking at these figures<sup>10</sup>, compiled using data from Freedom House and Journalists Without Borders, one can see that the average trajectory changes around the same years as accession was achieved in 2004.

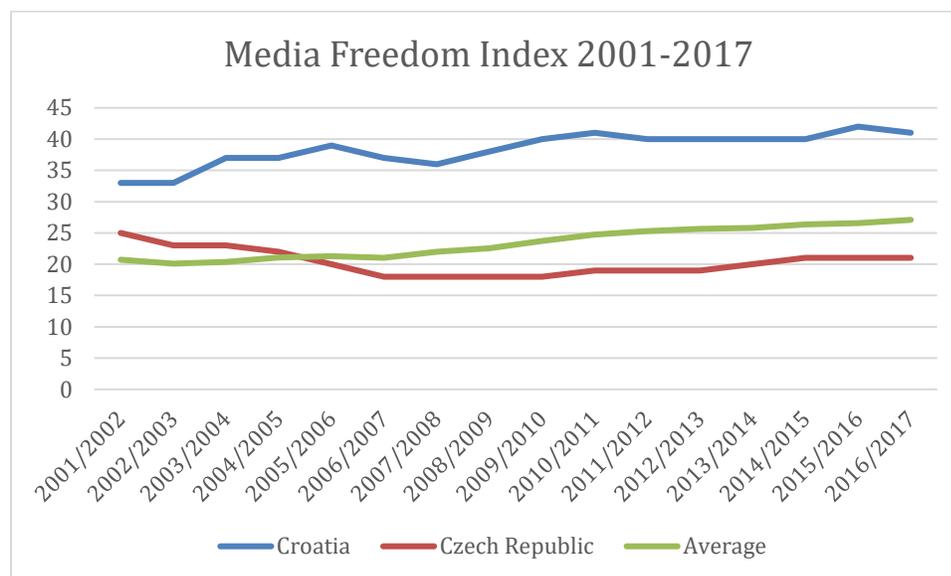


Figure 7. Freedom House’s FOTP Index, 2001-2017: Croatia, Czechia, and average for all CEE countries<sup>11</sup>

These trends are furthermore in agreement with the view by Gabriel Byström, who stated that, although the CEE countries show no homogenous development, one can see a generally gloomy trend in these countries regarding media freedom, media plurality, self-censorship, and threats and hatred towards journalists, all to varying degrees (Byström, 2020). Byström mentions Hungary and Poland as especially problematic in these regards, reflected by the European discourse (Council of Europe, 2020:43). Moreover, Byström points out that these trends are recognized at the same time as global trends are changing media and the work of journalists. “We have local newspapers which don’t fare well economically due to classic business models being pushed out of the way [...] by higher competition by readers, and the digital media giants, [...] which take a large share of the ‘traditional’ money” (Byström, 2020). He goes on to state that, thus, “it has become harder, regardless of political developments, to run newspaper organizations” (Ibid.). These economic hardships have, in the case of Czechia and Hungary, led to oligarch acquisition of media, some of whom are connected to the state apparatus (Ibid.).

<sup>10</sup> The reason for separating the figures from Freedom House during the year 2001 is due to a change in methodology in their part during this year, making it rather difficult to conduct one continuous graph. Instead, I opted to divide these graphs, as the scores per se are not as important as the overall trend which is shown. Their methodology changed yet again in 2017. Furthermore, Reporters Without Borders have had the same methodology throughout, but started their measurements in 2013.

<sup>11</sup> A higher score indicates a worsening of the media situation.

Despite this development, Byström went on to say that “it is reasonable to assume that the EU has a cooling effect on the far-reaching measures” in regard to these issues, although this effect would be rather difficult to measure (Ibid.).

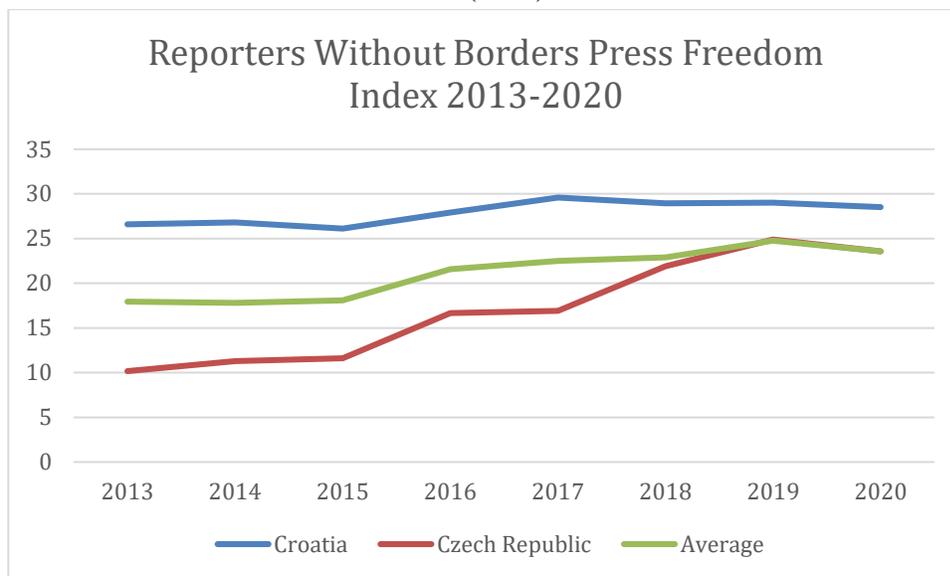


Figure 8. Reporters Without Borders Freedom Index, 2013-2020: Croatia, Czechia, and average for all CEE countries<sup>12</sup>

## 8.4 Summary of results

Looking at the results for the two countries, we find similar trends in progress towards the European model despite the different preconditions which they both had. Both Croatia and Czechia made changes even before beginning accession talks with the EU, in aims to liken the western model of media and journalism. Coupled with this aim for both countries were market liberalization and privatization. As the countries got into official talks with the Union, one once again recognizes similar trends for both of the countries, in that they closely follow the Progression Papers from the Commission, and make rigorous legislative changes whenever the papers call for it. Such examples are the libel regime changes (2005-2006) and audiovisual changes through the transposition of the Audiovisual Media Services Directive (2010) in Croatia, and broadcasting law changes through the Broadcasting Act (2000) and audiovisual changes through the Press Act (2000) in Czechia. Importantly, changes were recognized in Croatia even after the 2008 financial crisis, such as strengthening of the Council for Electronic Media, although Croatia at this point had already to a large extent aligned itself with the *acquis*. Thus, despite the economic downturn, Croatia still, in the eyes of the EU, made progress.

Looking at the trends after the respective countries’ accessions, one once again finds similar trends in the different countries despite their differences, which now also includes a temporal

<sup>12</sup> A higher score indicates a worsening of the media situation.

element. Croatia almost immediately saw some form of backsliding as it introduced the vilification law in 2013. Aside this bump in the road, however, not much progress or regress was observed in terms of legal or top-down incited changes. Struggles of the media market rather originated from the economic downturn, but were notably not addressed through relevant legal changes. Out of the significant legal changes that did take place since accession, only the Law on the Right of Access to Information (2015) can be seen as a proactive step in line with the European model. Other changes, such as the amendment to vilification (2016), were made reactively, and constitute a change to limit harm, not to promote progress. Czechia also saw a stagnation of media laws after its accession in 2004. Although a strengthening to the Press Law materialized in 2005, followed by amendments to the Broadcasting Law in 2006, signalled equally impressive progress as before accession in Czechia, this development did not come to last. Instead, stagnation and even backsliding in the case of the so-called muzzle law (2009) were witnessed in Czechia. Much like in the case of Croatia's law on vilification, the muzzle law was amended reactively in 2010 and 2012, essentially painting the picture of taking two steps back just to take one forward. Positive changes towards the European model were however made in terms of changes to financing of Czech public media.

Nonetheless, the overall picture post-accession for the two countries remains similar; a legal stagnation. Coupled with a changing economy and political landscape, however, a stagnation of media laws proved to bring forth a deterioration of the media system overall, although such deterioration would perhaps not be recognized solely by the *acquis*.

Finally, through the overview of the remaining CEE countries, we find similar trends to that of both Czechia and Croatia, suggesting that this is a problem for the enlargement countries as a whole, and not just in the two select cases.

## 9. Analysis and discussion

Looking back at the matrix for determining pre- vs. post-accession progression in chapter 7.3, one can observe that both the analyzed cases of Croatia and Czechia fall under the third scenario, in that Europeanization seemingly made a greater difference for media freedom and plurality prior to the countries' respective accessions to the European Union.

It can thus be concluded that Europeanization in these cases has been a stronger force for change prior to an accession to the Union. We can observe that, paradoxically, *Europeanization becomes weaker after accession to the European Union*. As the question posed is interested in the extent to which an EU membership makes a difference to Europeanization, further findings are to be discussed. Although both countries are deemed to fall under scenario three, simply stating that Europeanization is weak is much too simple of a conclusion.

Scenario three may be further divided into two categories; the first, in which post-accession Europeanization is in stagnation, and the second, in which post-accession Europeanization is in regression. These two sub-scenarios create vastly different outcomes in terms of how post-accession Europeanization works. Starting with the case of stagnation, this implies that although Europeanization is weaker post-accession, it is not irrelevant. There are still evident forces which prevent the worsening of the media systems, but these forces are at the same time not sufficient for meaningful change in the direction of the European model. In a case of regression, one may make the assumption that post-accession Europeanization is not only weak, but wholly irrelevant, seeing as there is nothing to stop a divergence from the European model. This sub-scenario thus does not conclude that post-accession Europeanization is weak, but rather that it is non-existent.

Although we have seen some regressions from both countries post-accession, I argue that these are not enough to constitute a total regression from the European model. Rather, we have seen a stagnation of progression in both countries, albeit with some elements of both regression and progression respectively. Therefore, progression is weaker, but not irrelevant. Furthermore, the regressions which have taken place in both countries - the deterioration of journalistic profession and the growing divide between media and politicians in Croatia, and the concentration of ownership in Czechia - are not necessarily products of a regression in a legal fashion from the European model, but rather a product of the ever-growing divergence between a development of economic and political challenges and a stagnating legal framework.

The results also confirm that the relationship to the EU does indeed matter. Croatia during the years of the financial crisis, although suffering economically, made changes to adjust to the *acquis* and update their media laws, whilst Czechia, who was already a member at this point, saw very little progress, save reactive amendments to the muzzle law, during this same period of time. The pre-accession conditionality can thus be said to trump such external factors, at least in regard to developments in legal and institutional frameworks. I furthermore argue this line even in relation to actorhood. As described in chapter 4.2, Europeanization often assumes an actor-centric point of departure. Looking at Czechia in particular, this seems to be relevant with the prevalence of actors such as Babiš. I would however argue that whilst actorhood has played a role in these cases, it is the circumstances which have allowed actorhood to manifest. Without a stagnating legal framework, the success of actors such as Babiš would likely be greatly diminished, as it is the abuse of this stagnating system, which is made evident by his, and others, actions.

## 9.1 Theoretical discussion

Europeanization is thus stated to be stronger before these countries joined the EU than after they joined. What has not yet been discussed, however, is how we have seen a Europeanization of media. Henceforth in the discussion, the theoretical distinctions discussed in chapter 6 will be

utilized, as opposed to using Europeanization as an umbrella term, which has been done up to this point. In other words, have we seen Europeanization as presented by Grabbe (2003:309) take place in the analyzed cases? Judging from the results and the discussion, the logical conclusion at a first glance is that Europeanization took place before accession, and a relative de-Europeanization took place after accession. I make the argument, however, that neither Grabbe's Europeanization nor Szymański's de-Europeanization is present in these cases. As discussed in chapter 6, one must make a theoretical distinction between Europeanization and EU-ization, the latter consisting solely of policy rather than polity. As suggested by Saša Leković (Griffen, 2016:2), and related to the logic of de-Europeanization used by Szymański (2017:199-201), both Croatia and Czechia simply legislated in accordance to the policy of the *acquis*, and *not* to the polity of the EU. As described by Szymański, change was made "not for the sake of democracy but rather to achieve EU membership" (2017:201). The change, in other words, is to be understood rather as a process of EU-ization than Europeanization. Whilst some evidence of norm changes have been made evident in Czechia in regards to investigative and quality journalism being seen in a better light and the journalistic profession being respected, these norm changes cannot be said to be universal nor stable, as shown by the challenges to quality journalism, highlighted as one of the key challenges by Pavel Vondra (interview), and the vilification of journalists in recent years. Moreover, no norm changes able to constitute Europeanization have taken place in Croatia.

Expecting Europeanization to take place this soon after accession is perhaps not realistic. It is no surprise that it is both easier and quicker to change legal and institutional framework than it is to change norms and behavior.

The important distinction between EU-ization and Europeanization furthermore explains the seemingly strange discrepancy between Progress Papers, and the scores shown by Figures 1 and 2, in which the Progress Papers at times describe great progress, whilst the scores simultaneously suffer in these figures. The Progress Papers, focused on the policy of the *acquis*, paint a picture from the viewpoint of EU-ization, which did improve, whilst other organizations focus on the more holistic Europeanization, which at times did not.

Once again utilizing the logic of de-Europeanization as presented by Szymański, the seemingly obvious answer to the second part of the research question (to what extent Europeanization has taken place) is thus that EU-ization, not Europeanization, was observed prior to accession in both cases, and furthermore that de-Europeanization was observed post-accession. As Szymański's definition of de-Europeanization is believed to stem from a divergence between political culture and legal formal institutional frameworks, this makes sense in these cases. However, the very notion of de-Europeanization suggests that Europeanization must first have been present, which, as I argue, is not the case here.

The process post-accession which I have shown has taken place is rather one of relative de-EU-ization. I do not argue for a total, or absolute, de-EU-ization, as I cannot with certainty argue that a net-regression, or backsliding, from the European model and the *acquis* has taken place. The legal framework has however stagnated, and thus diverged in a relative to both technological advances and developments in the socio-economic world, and new problems which arise as a result. As reported in both Croatia (IREX, 2015:45; Bilić et. al., 2017:3) and Czechia (Štětka & Hájek, 2020:19), growing discrepancies between the legal framework and their enforcement suggest that the laws are not sufficiently updated to keep up with new challenges, whether they be digitalization, cross-media ownership because of economic downturn, or transparency. As new problems have arisen, they have not been sufficiently answered by the rigid frameworks. As a result of the stagnation of legal frameworks, this may well yet lead to a further divergence between the case countries and other EU member states who have managed to develop their frameworks and institutions in a sufficient manner. Thus, the process of de-EU-ization is not observed in absolute terms, but rather in relative terms, both in a temporal sense, and in a spatial sense. From the temporal aspect, as earlier stated, discrepancies between legal enforcement and their enforcement suggests that national laws and institutions are not sufficiently updated to keep up with changing times. From a spatial aspect, this very stagnation further leads to a discrepancy between the stagnant nations and nations which instead develop their legal and institutional framework in a proactive manner, leading to a cleavage between EU member states. This process is furthermore reflected in figures 3 and 5, which show a worsening of both Czechia's and Croatia's scores, even during years when no setbacks in legal or institutional frameworks could be observed.

Turning back once again to the research question, I have henceforth showed that accession itself to the EU does not constitute an improvement in media freedom or media plurality. Both media freedom and media plurality are rather improved greatly in preparation to join the EU, or pre-accession, but then stagnates as membership is granted, or post-accession. Regarding the notion of Europeanization (the dissected term, that is), this force has not been shown to play a role, neither pre-accession nor post-accession. Rather, the pre-accession period is characterized by a process of EU-ization, in which both countries made legal progress in line with the *acquis*, whilst the post-accession period is characterized by relative de-EU-ization, in which the *acquis* remain static, and no significant further net progress is made towards the European model.

This is not to say that the process as a whole, that is both the pre-accession period and the post-accession period, has led to objective improvement in terms of incentivizing both Croatia and Czechia to update their regulation in accordance with the *acquis*, thus improving the media situation in the respective countries, granted that the likening of the European model is seen as improvement. Whilst this has happened, and I do not refute that it has, the following stagnation post-accession has presented both Croatia and Czechia with new problems, some of which, such as ownership concentration in Czechia and a deterioration of working conditions in Croatia, stem

from hastily implemented market liberalization for the sake of likening the *acquis* and the European model. Thus, the accession process has simultaneously updated the legal and institutional framework in line with the European model in both countries, but also presented yet further challenges to the media system. Which of these challenges are to be deemed ‘worse’ is hard to distinguish in this study of two EU member states, but could be researched in further studies including the developments of non-member states.

I believe much of the cause stems from the nature of the conditions for accession of the European Union. Conditionality for joining the EU is benchmarked and measured in procedures, rather than being measured in attitudes or domestic behavioral patterns. As made evident by the results, both countries hurriedly changed their media system through privatization and opening of markets, coupled with changes to laws to media freedoms as well as media plurality. Importantly, however, this seemed to have been done for the sake of a membership to the EU, and not for the sake of a sincere democratization process. As suggested by both the fact that no clear vision for the future of media development was made by the political leadership following accession in Czechia (Druker, 2005), and the notion that Croatia post-accession did not “need to pretend that [they] are better than [they] actually are” (IREX, 2016:55), regard for future development was not a factor. Rather, the bar set by the EU through the *acquis* was very much an end goal, as opposed to a steppingstone to enable future development

The problems observed in this study in both Croatia and Czechia originate from this view of the *acquis*, and the subsequent disconnect in EU logic between the pre-accession and post-accession stages of development. The pre-accession benchmarking of the *acquis* is built solely on the logic of EU-ization. The *acquis* as well as the Progress Papers are only focused on policy change, and not on polity change. When the country enters the EU, however, this logic changes completely. Now, with the *acquis* gone, and an EU without competences to enforce media policy, the countries are rather expected to make changes, following the European model through normative pressures. The post-accession logic, therefore, is built not on EU-ization, but on Europeanization. As the pre-accession logic is built on EU-ization, however, no such Europeanization can be expected to exist in these countries. Building European norms and polity based solely on benchmarking of policy is evidently not sustainable.

Lastly, I argue that these results may be generalized to the remaining CEE countries. Seeing as the case selection was made in a strategic manner, choosing first the ‘success story’ of the CEE countries in Czechia, and the struggling country of Croatia, coming out of both war and economic hardships, and seeing as these two countries with very different preconditions had very similar developments, the results suggest these are not merely isolated correlations. It follows that if two extremities are observed to have the same patterns of development, then that which falls between can be expected to follow those patterns as well. Judging furthermore by the overarching results on the remaining CEE countries and the scores from Figures 6-8, the data

points towards similar development in these countries. Judging by these countries, there is evidently a disconnect between not only the EU's ambitions, but also in its logic pre-and post-accession.

## 10. Conclusion

What then, is the role of the EU in the question of media freedom and plurality? I have highlighted through both the results and the discussion that there is a clear disconnect in the EU's logic pre- and post-accession.

The problem which the pre-accession conditionality presents might yet be salvaged through the legal framework of the European Union. The problematic picture painted here of benchmarking media freedoms or democracy as a whole for the sake of joining the EU does not necessarily have to entail 'failed' Europeanization if coupled with a rigorous European legal framework to hold these ideals and benchmarks in place. Through control mechanisms, the formal changes could, through time and control, effectively change behavior and attitude towards fundamental questions of media freedom and plurality. As evident, however, the EU lacks such a framework for its member states. As shown in chapter 7.2.2, there is little the EU can do in terms of enforcement to change the media systems in its member states. Moreover, one cannot expect EU-ization to simply transform itself into Europeanization without enforcement or incentives. Without proper control mechanisms within the EU, not only is the probability of Europeanization low, but the probability of an upheld legal framework to support media freedoms and plurality is in my view also at risk. If no incentive from the EU exists to uphold these rules, and no norms and ideals are developed to uphold them either, then I see no reason for these countries to put major effort into upkeep or development in these areas of policy for the sake of the EU.

Coupled with a change in logic, a change in strategy also occurs. Going from the previous proactive strategy in the pre-accession stage, which consists of an active pursuit of the European ideal, the post-accession change is solely reactive and crisis driven. There is no longer even a goal to uphold, yet alone further, the European media model; the only concern now becomes to limit the *divergence* from it. Both the hard laws and the soft monitoring mechanisms are set up in attempts to limit democratic backsliding, not to promote development. Development is rather assumed to simply be built up nationally through norms, which once again have not been established due to the lack of Europeanization in the pre-accession phase.

The EU faces a very serious problem here. A change in strategy must be implemented if the EU should wish to effectively promote media freedom and plurality. I see the EU as having two possibilities moving forward for solving this dilemma. The first route would be to change the logic of the *acquis*, introducing Europeanization as part of the process of accession, rather than a sole EU-ization. This would likely lead to both a slower integration process, seeing as normative developments take time, and higher thresholds for not only policy, but also polity. Looking at

developments in civil society, for example, could be a possibility for ‘measuring’ normative change. The second route would be to change the logic post-accession, which would entail a change in the EU’s competences. Introducing EU competence in the area of media freedom and plurality, insofar that the EU may enforce development, could be such a measure. The current enforcement mechanisms are evidently not enough.

Both routes would be extremely difficult to take to say the least, and my aim is not to make policy recommendations for the EU. A third, and perhaps more realistic route, thus, is simply to wait. As stated throughout this essay, norm development takes time. It may yet be too early to see the *acquis* bear its normative fruit. The soft-power monitoring mechanisms may prove successful to in the future change the behavior of the CEE countries, although the current trends do not point in that direction. It may furthermore very well be so, as mentioned by Byström, that an EU membership may have a “cooling effect” (Byström, 2020) on potential far-reaching infringements on media freedom and plurality as well. Whilst this study has shown that progress is weaker post-accession, this is only made in relation to countries which have had a pre-accession phase, and thus, I make no claims to the extent of this effect. Further research comparing non-EU member states which have not looked to join the EU would have to be conducted to further analyze and isolate the degree of this effect.

Although the questions of the EU’s role or of EU’s future in media policy fall outside of the scope of my research question, I open up for both discussion and further research on this subject, as I believe it is of grave importance, not only for the EU moving forward, but also for the member states and their democratic processes. What my essay has shown, however, is that the EU today does not, and can not, practice what it preaches. How the EU moves forward and deals with this issue remains to be seen.

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Figure 2. *Scores on media freedom from the MSI panel discussions, 2001-2018*. Own graph. Data compiled from IREX reports.

Figure 3. *Reporters Without Borders Press Freedom Index, 2013-2020: Croatia*. Own graph. Data compiled from <https://rsf.org/en/ranking> Accessed: 15-10-2020.

Figure 4. *Freedom House's FOTP Index 2001-2017: Czechia*. Own graph. Data compiled from <https://freedomhouse.org/reports/publication-archives> Accessed: 15-10-2020.

Figure 5. *Reporters Without Borders Press Freedom Index, 2013-2020: Czechia*. Own graph. Data compiled from <https://rsf.org/en/ranking> Accessed: 15-10-2020.

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# Appendix

## Interview guides

### Interview one

Interview with Gabriel Byström, author who has followed the developments in East Europe, and head of DG's office at the Swedish Public Radio.

Interviewer: Lukas Andreasson (LA)

Interviewee: Gabriel Byström (GB)

Date: 29/12/2020

Time: 11:00

Length: 33 minutes

Language: Swedish

### Question guide:

- Hur ser du på medieutvecklingen i östeuropa?
  - Har du några synpunkter på utvecklingen i Kroatien och Tjeckien i synnerhet?
- Vilken roll anser du att EU har för media?
  - Tycker du att EU uppfyller den rollen?
- Vad ser du som de största utmaningarna för journalister, både i östra Europa såväl som i Europa i stort?

### Interview two

Interview with Pavel Vondra, senior editor at Czech Radio Plus.

Interviewer: Lukas Andreasson (LA)

Interviewee: Pavel Vondra (PV)

Date: 26/12/2020

Time: 20:30

Length: 50 minutes

Language: English

### Question guide:

- How have you perceived the development of the media sector in Czechia in recent years?
  - Could you make any comparison to the situation before Czechia joined the EU?
- In your opinion, is the media sector better off now than it was before it was a member of the EU?

- As a journalist, have you perceived any changes to how journalism and journalists are viewed in Czechia?
  - If so, what has changed? (Both in relation to before the EU membership, but also in more recent years)
- What would you say are the main challenges to Czech media today?