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## Debunking the PBS myth: Media in crisis? – Argyro Karanasiou

There are only a few things as widely spread, taught and cherished as the Greek mythology. The endless tales of anthropomorphic gods have long been parts of the ancient Greek heritage to the world. Contemporary Greece however is shifting the focus away from creating myths to debunking them: Public Broadcasting Services (PBS) is the latest example.



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For almost a month now the transmission of the Greek state broadcaster ERT has gone to black, following the government's decision to cut down on expenses of its costly services. Public outcry, disbelief and political instability are reactions expressing a wider concern as to whether the financial crisis is now affecting freedom of speech, pluralism and democracy as a whole. The banners of the protesters gathering in solidarity outside ERT's building reading "Down with the junta" illustrate this well. Ironically enough the Greek national television began its broadcasting in 1966, one year before the military junta serving as its propaganda medium until its fall in 1974.

In the years to follow ERT has always been under the direct influence of the Greek government: financially and administratively autonomous in theory since 1987 (art 1(3) 1730/1987), ERT's executive structure up to this day is determined by joint decisions of

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the Minister of State and the Minister of Finance (3965/2011). At the same time a mandatory license fee incorporated in the electricity bills ensured that ERT would be able to provide its services away from the competition and financial pressures of the liberalised media market in the late 1980s. This in short was ERT: a 'state' broadcaster funded by the public serving the interests of the government of the day.

Yet, this is only the tip of the iceberg for the intertwined media landscape in Greece. The legal uncertainty and the absence of a robust system of commercial licencing in the broadcasting market has led to a further interdependence of the private broadcasters and the state: Political pressure for positive coverage met with the anticipation of the media owners to benefit directly from public procurement. As a result ERT has always been regarded as a broadcaster, which offered its services to the public in a protected environment enjoying its privileged status away from the legal uncertainties of the free media market.

Not being a particularly profitable undertaking kept ERT away from further political influences and the commercial market dictates; this allowed it to follow its cultural mission as a PBS. Although at large under the state influence, ERT contributed in its own way to pluralism offering services for all and not for the masses. The governmental decision to shut down ERT in a matter of hours by issuing an urgent legislative ordinance – normally meant for “urgent and unforeseeable needs” according to art 44 par 1 of the Greek Constitution– challenged the common belief that ERT was protected from the crisis. The absence of any social consent to switch off the public broadcaster debunked the constitutional myth of media pluralism and free speech in the most cynical manner: public broadcasting as a source of waste had to go.

Most importantly though, ERT's shutdown questioned the existence of state-funded television in the EU and addressed the thorny issue of its importance and value in the free market. In as early as 1974, the European Court of Justice in *Saatchi* acknowledged the importance of state funded television and demarcated its place in the free market. That said, the balance between commercial interests and public services has not been easily drawn in the European Union. Whereas the Amsterdam Protocol and the 1999 Council Resolution affirm the “*significance of public service broadcasting for ensuring democracy, pluralism, social cohesion, cultural and linguistic diversity*” (EC 1999), the position of the European Commission is to treat public broadcasting according to the competition framework of the EC Treaty “*insofar the application of such rules does not obstruct the performance ... of the particular tasks assigned to them*” (art 86 par 2 ECT).

The long standing debate over interventionism and liberalism in the EU market of services is also reflected in the regulation of competition for broadcasting services in the EU. And while the EU Parliament and the Commission remain undecided as to how PBS

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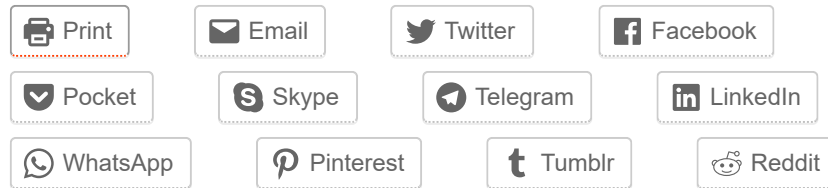
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should be treated in terms of the market's internal policy, the case of ERT faces us with the following paradox: a public broadcaster officially shut down by the state yet transmitted through the EBU satellite operators to this day.

The case of ERT furnishes us with a great example of how myths are deconstructed in times of crisis. However, as in every myth, what is of particular value is always the epimythion, the moral of the story. And if there is something to be learnt from the ERT switch-off is that the current financial crisis is not simply a fiscal issue of local nature; it also threatens the societal foundations of democracy and EU cohesion in total.

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