

## **INFORMATION POLICY IN LITHUANIA: MASS MEDIA IN FOCUS**

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At present we have not created an instrumentarium for information policy research in Lithuania. In the nearest future the main task is to work on concepts that connects information and communication science with the social and political theory. But first of all we should create a network of media social scientist and educate the new generation of information and communication professionals.

It is the aim of this article to provide an integrative analysis of the processes of change and events in Lithuanian mass media sector in 1990s, to establish a framework for the study of media policy as an integral part of information policy. The process of change itself, rather than the components, is the object of its study.

Before addressing the subject, it helps to define the terminology. According to George A. Krimsky, the former Head of the Associated Press' World Services and author of "Hold the Press (The Inside Story on Newspapers)" the media (in the broadest sense), embraces the television and film entertainment industries, a vast array of regularly published printed material, and even public relations and advertising. The "press" is supposed to be a "serious member of that family, focusing on real life instead of fantasy and serving the widest possible audience" (Krimski, 1997). He also thinks, that a good generic term for the press in the electronic age is "news media". The emphasis in this definition, is on contents, not on technology or delivery system. This is quite clear understanding of modern media reality. Freedom of the press to applies to radio, television and telecommunications as well.

According to Denis McQuail, "the very idea of policy for communication has often been controversial, and research has often been conducted in a minefield staked out by the varied, often conflicting, interests and points of

view of governments and regulators, the media (either in their commercial or professional capacity) and the public, who are the supposed ultimate beneficiaries of media policy” (Mc Quail, 1994). This article will focus only on political and legal issues of media policy. It does not mean that economic factor will be ignored while media policy is also a part of economic policy. But first of all it serves foremost sociopolitical goals. We suppose that in the case of Lithuanian’s media it is right to start with analysis of political and legal situation.

### **Information society and the mass media**

According to the European Commission White Paper “Growth, Competitiveness, Employment” (European Commission, 1994), the move towards an information society, and the opportunities which it provides, will in the long run be as important as the first industrial revolution. There are presumptions that the economies which are the first to succeed in completing this change will have major competitive advantages. In pursuing the strategy of information society Europe should aim at achieving three objectives:

- placing its approach in a world perspectives;
- ensuring of European characteristics (multilingualism, cultural diversity, economic divergence, preservation of social model);
- creating an adequate take-up of basic technologies and an efficient and competitive industry.

The G-7 nations held their first information summit, February 25–26, 1995, in Brussels to discuss the impact on society of the new telecommunications age. The chairman of G-7 meeting, Jacques Santer, in his concluding statement said ‘the smooth and effective transition towards the information society is one of the most important tasks’ of this decade. J. Santer noted further that the G-7 delegates called upon industrialized countries to provide opportunities for developing nations to participate fully in the Global Information Infrastructure.

Among specific requirements for information space in Lithuania today the most important is liberalization of mass media and telecommunications sector. The priority is creation and enforcement of a legal, regulatory and

political environment encouraging private initiative by opening up the market to competition. A legal environment should stimulate the development of private sector investment and guarantee that they are user in the public interest.

Commercialization is one of ongoing processes and 'in positive terms commercialism is seen as a symbol of freedom of expression' (Siune, McQuail and Truetzschler, 1994), but we should be very careful because it can also bring vulgarization and destruction of traditional national qualities. Lithuania is no longer a part of the Soviet Union and responsibility for its future lies with the citizens themselves. It also depends on government policy in the field of mass media. One of some key findings of the United Nations development programme (UNDP) Human Development Report'96 (UNDP, 1996) is that the real implementation of democracy in Lithuania means overcoming widespread political apathy and ensuring that people take the opportunities they have to influence decision-making at a local and national level. The problem is the lack of reliable information on poverty and whether social benefits are being targeted to those who need them most. The Underlying thesis of this report is that the social and human costs of transforming the basic economic system are very high and that therefore the transforming process itself, its speed and nature, need to be re-examined thoroughly. So far, human development goals through system of mass communication have not really become part of national thinking and policy making.

### **Lithuanian mass media after independence: statistics and tendencies**

Since declaration of independence in 1990, Lithuanian mass media went from the Soviet totalitarian media system in which broadcasting institutions were monopolistic in their form of control to free press model and democratic mass media system in the country. The old politicized order with non-commercial broadcasting was swept away.

Our return into the family of European democracies, economic and security integration, and convergence of cultures are progressive developments, born out of striving for good and filled with the promise of tempting perspec-

tives of a better life. Historically and culturally Lithuania is a part of Western civilization, living by its values and ideals. It sees its future in the family of Western democratic industrial nations. According to the President of the Republic of Lithuania A. Brazauskas, "homecoming to Europe is a tremendous challenge to our economy, politics and culture; it is also a social test for our people. We have to make our manufactured and intellectual goods competitive on the world markets, we have to create a sound social safety network, *we also have to protect our culture from mass culture which is alien to our traditions...* The chances of integration into the world economic and political structures, the size of foreign investments, and the international prestige of our country depends on our international reputation, our economic and political situation. It is important that Lithuania should show itself to the world as a country which has preserved and cherished its national traditions, its ancient language and unique culture. Building the image of the country is a strategic objective of Lithuania's policy" (Brazauskas, 1997).

After independence in Lithuania the majority of media enterprises were privatized. New, independent structure of printing and distribution were also created. According to the Ministry of Justice (Government of the Republic of Lithuania 1996), in 1996 in Lithuania there were 535 newspapers, 331 magazines, 173 Radio and TV stations.

Majority of them were local periodicals or RTV stations. Electronic media landscape in Lithuania is dominated also by several Radio and TV stations broadcasting nation-wide. Lithuanian Radio and Television company is a national broadcaster, financed from the state budget. Three out of four national TV networks are operated by the private commercial TV stations TV-3, Baltijos TV and LNK to distribute their programs. All three TV channels broadcast seven days per week, approximately 16 hours per day, and rely in there programming on Western films and TV series.

National minorities have full range of freedom of expression in Lithuania. There are 35 periodicals in Russian, 9 in polish and more then 25 in other languages: Yidish, German, Latvian, Belorussian, etc. Non-Lithuanian periodicals are both state subsidized and privately owned. Polish speaking population have possibility for listening up to 24 hours per day to commercial radio station Znad Wili. Lithuanian TV and Radio offers daily and weekly

TV and Radio programs in Russian, Polish etc. There are two news agencies – ELTA and Baltic News Service (BNS) operating in the country. The biggest daily Lietuvos Rytas has a circulation from approximately 70,000 on weekdays to 100,000 on weekends. The second biggest newspaper is Respublika with a circulation of about 60,000.

We can conclude, that a national media system in Lithuania becomes reality. It is designed to serve audiences and social institutions within Lithuania's territory and is expected to protect national language and culture and to represent the national interest. Otherwise, 'the new politics of more integrated Europe seems to work against, rather than for, the protection of culture at national (or regional) level' (McQuail, de Mateo & Tapper 1994). We have no clear picture of the future media structure in Lithuania but we can be sure that our country will join the process of European unification and standardization. In general, it is possible to find in Lithuanian mass media sector not only tendencies of commercialization and decentralization, but also some signs of internationalization and industrialization. Media structures and characteristics change, and some of these changes come as a result of first attempts in the field of information policy. In this case we can conclude, that media policy follow some general information policy trends.

### **Mass media laws under new conditions**

Free press must have a legal, constitutional guarantee. But it also needs an independent judiciary and independent legislature. And the key is independence of governmental authority. There is a known expression of Thomas Jefferson: "If it were left to me to decide whether we should have a government without a free press or a free press without a government, I would prefer the later". According to Marvin Kalb, the Head of the John F. Kennedy school of Government, "governments are fully justified in limiting access to information considered too sensitive for general distribution, and journalists are fully justified in pursuing such information and publishing or broadcasting such information. This is never-ending struggle between two rights: the government's right – indeed, obligation – to protect national security; and the people's right to know, based on the journalist's ability to get the news". In

his opinion, the decision to publish or broadcast the publication of a story must belong to the journalist, not to the government. So the age-old questions are becoming acute in the halls of governance: What is the role of the government compared to the rights of its citizens? What are the responsibilities of an information society with respect to its less fortunate members? And how is it in Lithuania, the newly reestablished country with developing democracy?

Starting from the second half of 1998, independent mass media appeared in Lithuania. Some declared themselves independent of Communist Party control at once, the others gained their independency step-by-step. Lithuanian Press Law which was in action from 1990 reflected the pluralistic situation in mass media field and set up the formal order for registration of mass media. Press Control Board (at first in the Ministry of Internal Affairs, and after the restoration of Independence – in the Ministry of Justice) was established instead of Glavlit – the main body of censorship in Soviet regime. Although the Press Law stated the main principles of the free press, it did not correspond to the international standards, and several important aspects of information freedom were neglected. The Law was extended both to the press and to the broadcasting although did not reflect their specific features. Press Control Board had certain power for administrating the mass media, such as the power given by Law to punish mass media for violation of the law up to its closing without going to Court, and giving fines according to the Administrative Civil Code. Such status of the Press Control Board caused tension and conflicts between this institution and mass media.

The change process in political and legal environment of mass media was best reflected in the preparation of the new law on mass media. Actually, it was a fight for information freedom against governmental control. National Radio and Television were involved in the sphere of mass media judicial regulation only after the Independence declaration in 1990 when the Law on Lithuanian Radio and Television was adopted. It allowed to reorganise the state and partisan Lithuanian Radio and Television committee into the state institution under the public board.

The network of mass media in Lithuania is wide today. Freedom of the expression and right of obtaining and/or disseminating information or ideas in

Lithuania is guaranteed by country Constitution and may not be restricted in any way other than established law. The Article 25 of the Constitution of the Republic of Lithuania: "Every person has a right to have his own opinions and to express them. A person has a right to look for, to receive and to disseminate information and ideas. Freedom to express one's opinions, to receive and get information cannot be limited otherwise as by law, if it is necessary to secure health, dignity, privacy, morals of a person or constitutional order. Freedom of expression and dissemination of information cannot be harmonized with expression of racial, national or social hatred, violence or discrimination, slander or disinformation". Still Lithuania lacks a proper judicial basis which would define relationship between the mass media and state, mass media and society, rights and responsibilities of journalists, despite the fact that after several years of discussions in 1996 three important mass media laws were approved by the Seimas (Lithuanian Parliament). It is Law on Mass Media of the Republic of Lithuania, Law on Implementation of the Law on Mass Media of the Republic of Lithuania and Law on Lithuanian National Radio and Television. The old Press Law (1990) is no longer in power.

According to Jan van Cuilenburg and Paul Slaa (Cuilenburg & Slaa, 1993) there are three main political media functions:

- the information function: media have to inform the public on political ideas, on governmental policies, policy proposals and policy implementation;
- the expression function, in which media provide a platform or channel for individuals and groups to express their views and realize their own political, cultural and social identity;
- the criticism function refers to the familiar action of media as "watch-dog" in a democracy.

In Lithuania the new laws define the obligation of journalists to present objective, impartial and precise information. The censorship is forbidden but the law does not allow to publish or announce information which is a state, an official, a commercial secret or an individuals health secret. The law also protects the rights of an individual and his/her private life. The new law does not allow the state, municipalities, banks to be the owner of mass media or to

have its shares. Political parties or organizations can not own the radio or TV station.

Mass media, except the National Radio and Television, are completely independent from the state. Information freedom should not be restricted. New laws will help to create democratic and open society.

In the Law on Mass Media the principle of mass media self-regulation is formulated. The former Press Control Board which had a function of regulation and control was abolished. All the ethical questions are to be solved by the Ethical Commission of Journalists and Publishers. Every person or organisation can apply or complain to the Ethical Commission. The law also envisages a new state official post – Inspector on Journalists Ethics. He/she will be responsible for solving the complaints of citizens.

Law on Mass Media is very democratic, it gives a lot of freedom to journalists who have to feel great responsibility to follow the norms of professional ethics and respects the privacy of each individual. Many experts consider this law to be one of the most progressive in Eastern and Central Europe. Still it could be pointed out that too many amendments to it are often approved not by consensus and compromise but by the majority of votes in the Seimas. The example is the amendment concerning the new order for the elections of the Council of the National Radio and Television and its Chair.

The law on Nation Radio and Television (NRTV) sets the framework for management and activities of NRTV. The Council of NRTV consists only of the representatives of creative and nongovernmental organisations. NRTV has to ensure the diversity of topics and genres, it has to serve different social groups and their needs. No partisan ideology should prevail in NRTV. The NRTV priority is the national culture all other cultures should be treated with respects. Advertising on NRTV is restricted and will be abolished in the future. Regulations for the subscription to NRTV should be prepared in the nearest future.

“Let the people know the facts, and the country will be safe” (Abraham Lincoln). But the problem of many new democracies is that journalists who had to toe the single-party line equate independence with opposition. “Because they speak out against the government, they say they are independent. But haven’t they just traded one affiliation for another?” (Krimski, 1997). It

fits very much situation in Lithuania. Our journalists have to understand that their independence also implies a responsibility for the press to regulate itself, or at least to make itself more accountable and open to public scrutiny.

### **Towards national information policy**

At present broadcasting and telecommunications services are provided by different producers in Lithuania. They are also regulated by different and separate legislation – laws on mass media and laws on telecommunications. It is obviously that current situation in Lithuania requires more coordination between media policy and telecommunications policy, real integration of different political, cultural and economic goals in the field of information policy.

In 1996, the President of the Republic of Lithuania signed Decree on the formation of the Lithuanian State Council for Information policy. The task of this new Council is to coordinate the activities of the ministries, departments and information divisions of the other institutions as well as to prepare the draft of the harmonised laws of information, communication, mass media and informatics and other normative acts in collaboration with state institutions, cultural, education and science workers and organizations, mass media, Lithuanian and foreign entrepreneurs and international organizations.

So Lithuania has the possibility to influence processes of integration of media and communication policy on the state level. In technological sense we can call it “national communication policy”, that includes a coherent national media policy. We have to deal with a mixture of economic, political, cultural and technological issues. Of course, in many highly industrialized countries with old democracies the national regulatory environments are becoming weaker, but in such country of young democracy like Lithuania national political systems at this time should play an important role in the regulation and the steering of national broadcast and electronic media.

The first attempts towards national information policy in Lithuania should not be understood as a potential instrument of control. In general information policy will operate more as a strategic monitor of trends and changes in conditions of uncertainty.

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Įteikta 1997 gegužės mėn.

## LIEUVOS INFORMACIJOS POLITIKA IR ŽINIASKLAIDA

### Santrauka

Šio straipsnio tikslas – atlikti procesų, vykusių Lietuvos visuomenės informavimo priemonių sferoje pastaraisiais metais, analizę, įvertinti pagrindines jų raidos tendencijas valstybės informacijos politikos kontekste. Straipsnyje aptariamas visuomenės informavimo priemonių vaidmuo besiformuojančios informacinės visuomenės sąlygomis, įvertinami naujausi šios srities įstatymai, bandoma pagrįsti integruotos nacionalinės informacijos politikos poreikį ir svarbą.