

Electoral blocks in the public media in Spain: an exception in Europe

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Abstract

Spanish and Catalan Public broadcasters allocate the time for election news coverage in daily news programmes in a way that is directly proportional to the results obtained by each party in the previous elections. This system has become a controversial way of protecting pluralism. This paper describes the history of this mechanism in Spain and compares it with the pluralism policies in another nine European Union countries. The results show a relevant degree of politicization in the Catalan/Spanish case.

Key words

Mathematical time distribution ranges in election news coverage, regulation, public media systems, news, Spain, Catalonia, Europe.

Resum

El mecanisme dels blocs electorals que s'aplica durant les campanyes electorals als mitjans públics tant catalans com de la resta de l'Estat constitueix un sistema controvertit de protecció del pluralisme. Aquest article descriu la història de l'aplicació dels blocs electorals a l'Estat espanyol i contrasta aquest mecanisme amb els mecanismes de protecció del pluralisme polític aplicats a nou països de la Unió Europea. El resultat mostra una politització considerable del cas català/espanyol.

Paraules clau

Blocs electorals, regulació, mitjans públics, informatius, Espanya, Catalunya, Europa.

1. Introduction

Political and social pluralism in the media is considered to be one of the keys to making the media veritable instruments in strengthening and developing how democracy is played out. In order to ensure that the media are not instruments in the hands of spurious interests or simply for the beliefs of a few, the majority of media theories agree that, in a democracy, they must be the expression and reflection of the plurality existing in society (for example, see Christians *et al* 2009: 8, 10, 21, 24, 40, 48, 57, 59, 107 or 152). According to this view, media's educational and informative potential, and therefore its potential to form opinion, tastes, habits and identities, must be within reach of all ideologies and cultural and social expressions, at least of democratic ones.

Consequently, most democracies' fundamental rules and/or specific legislation mention the protection of pluralism (the former in general terms and for all media, the latter primarily for broadcasting)¹ as a priority and objective in constructing media with the spirit of public service. In this respect, in the

protocol of the 1997 Treaty of Amsterdam, which would be added to the Maastricht Treaty, it is stated that the public broadcasting system of the Member States "is directly related to the democratic, social and cultural needs of each society and to the need to preserve media pluralism" (European Union 1997: 87, quoted in Hardy 2008: 165). The public media are therefore considered fundamental to constructing democracy even in the European Union which, since it was founded, has been dominated by commercial interests.

Preserving pluralism is particularly important in the news programmes of the broadcast media, public or private, given that these media, and most especially television, are still the main channel of information for most citizens.² At election time, television becomes a persuasive informative platform *par excellence*. Handling political pluralism at such times is therefore especially important.

The authors of this article have analysed how political pluralism is protected in the regular news programmes of the public media in nine countries of the European Union, both during election periods and not, and we have compared the

models identified with the model applied in our country. The results of the study show that the block system applied to the public media in Spain and Catalonia is an exception. First we will describe our model and, secondly, what occurs in the main countries in Europe to specifically protect political pluralism in news programmes.

2. The Spanish and Catalan case: 25 years of electoral blocks

In Spain, and in Catalonia, political pluralism is specifically protected by article 1 of the Constitution, apart from it being mentioned in rights related to free speech in article 20. Article 149 of the founding regulation, in provision 27, also mentions the state's exclusive authority in establishing the basic rules governing the press, radio and television and all media in general, without prejudice to autonomous communities' powers. However, and in spite of the above, neither the Constitution nor special broadcasting legislation coming from the state or autonomous governments, due to the powers they are granted, has the last word concerning political pluralism during election periods. Spain is one of the few European countries where electoral legislation has this power and is probably the only one where an Electoral Board, a legal-political body here, can regulate political pluralism in the media and apply criteria of political propaganda to the information given.

We have to search for the reasons behind this singularity of Spanish electoral legislation, led by Organic Act 5/1985 of 19 June, on the General Electoral Regime (LOREG in Spanish). In its article 66, the LOREG establishes as follows:

"Respect for political and social pluralism, as well as information neutrality in the state-owned media during election periods, shall be guaranteed by the organisation of these media and their control as provided for by law. The decisions of the administrative bodies of these media within the indicated election period may be appealed against before the Electoral Board in accordance with that provided for in the previous article [art. 65] and according to the procedure employed by the Central Electoral Board".

Given that there is no specific regulation for political pluralism in Spain beyond generic requirements to protect this, unlike in Europe where this is habitual, and given that political parties traditionally appeal to the relevant Electoral Board (for the province or state) during campaigns, making use of the prerogative granted by the aforementioned article, the Central Electoral Board (JEC in Spanish), the last electoral instance, becomes *de facto* the main regulating authority of political pluralism in the public media in election periods.

The LOREG also grants the Electoral Board the function of attributing time for free party political broadcasts. To this end, article 67 specifies as follows:

"To determine the time and order of broadcasting the political broadcasts to which all parties, federations or coalitions

that are standing for election are entitled, in accordance with that provided for in this Act, the relevant Electoral Board shall take into account the preferences of the parties, federations or coalitions in function of the number of votes they obtained in the previous equivalent elections".

The electoral act therefore differentiates between party political broadcasts and news programmes and stipulates that time should be distributed in weighted blocks only for the former. However, this has also traditionally been the criterion applied by the JEC for election news, when an appeal has been brought before this Board. This has led some actors to state that blocks are a requirement of the LOREG for election news, but the application of the criterion for political propaganda to journalistic news is an internal decision of the JEC, as we will see, in its interpretation of the attributes given it by law, in spite of the fact that article 66 of the LOREG also makes it very clear that it is the administrations of public bodies that should establish how pluralism is protected.

This legal interpretation of the JEC is not by chance but is clearly determined by a traditional context of political parties' mutual mistrust in the use and misuse of the public media in Spain. A mistrust that is passed on directly to the Central Electoral Board, which is made up of five members chosen by the political parties and eight members chosen by the General Council of Judicial Powers, the latter chosen in turn by the two houses of the Spanish parliament by means of a controversial system of quotas agreed between the political parties.

An analysis of the JEC's doctrine reveals that, in practice, it has merely endorsed the criteria of the political parties, criteria that were actually first promoted by the administrative council of the public body RTVE (the Spanish state-owned public service broadcaster) of the first socialist government after the Transition.

2.1. The blocks on TVE

Although electoral blocks did not exist during the first few years of democracy, they did not take long to appear once the Spanish socialist party (PSOE) came to power as from 1982. The management of RTVE then implemented the "minuting" of election news coverage, consisting of distributing the time (in minutes) spent on political news in function of the number of votes obtained in the previous equivalent elections, the so-called "blocks". The specific moment and official shape of this decision has not been identified over time but, as early as 1984, José María Calviño, at that time the Managing Director of RTVE, stated that all TVE news programmes were governed by blocks (albeit without using this term, he talked of "minuting" or "time distribution") in covering political news, whether or not electoral (*El País*, 24/10/1984).³

On the other hand, the consensus among the political classes concerning this issue is explicit as from the early 1980s. The opposition was not only against blocks but actually complained that TVE did not apply the direct vote correctly in proportional terms (for example, see *ABC*, 19/12/1982 or *La*

Vanguardia 15/05/1986). This allows us to state that the theory that, in order to guarantee pluralism, the minutes of the news given must be measured in relation to election results, was assumed as from that time by the Spanish political classes.

In this respect, a particularly notable event took place in 1989. The predominance of time dedicated to the socialist government on public radio and television (*La Vanguardia*, 14/01/1984) led to an alliance of all the opposition in favour of TVE effectively applying measured blocks of time for election news but to do so scrupulously, following the criteria stipulated by the LOREG for party political broadcasts. In a document signed by the PP, CD, CIU and Izquierda Unida on 28 September 1989, these parties explicitly demanded the application of the criteria for party political broadcasts to journalistic news, among other issues. This document was publicly addressed by the parties to the Central Electoral Board, demanding that it take on board the criteria stated therein (*La Vanguardia*, 29/09/1989).

Since that time, electoral blocks, i.e. the distribution of time spent on election news on TV news programmes according to the votes obtained in the last equivalent elections, has been a constant on TVE during election campaigns.⁴ And all attempts to apply more professional criteria by the public body's subsequent managers, slightly adapting the proportionality with regard to the votes, would be appealed against by the political parties in opposition before the JEC, which would effectively and gradually take on board the criterion of the opposition pact of 1989, as we will see below.

2.2. The JEC's doctrine

An analysis of the doctrine published by the Central Electoral Board on its website offers a view of the evolution in the decisions taken by a body whose composition, we should remember, is subject to the political parties, which choose its members directly or indirectly. This analysis shows a confused and sometimes contradictory doctrine, and in all cases much less homogeneous than some wish to believe (when it is claimed that the JEC *limits itself* to applying the LOREG). Notwithstanding this, it is possible to identify three different stages in its doctrine regarding election news coverage from 1977 up to the present day.

The first stage (1977-1988) is one of a JEC still without an explicit criterion with regard to election news coverage, principally limiting itself to ratifying the criteria applied by RTVE, endorsing these criteria as a guarantee of pluralism.

At the same time, in this first stage we also find unequivocal signs that direct proportionality is not considered by the JEC as applicable to election news. The first sign we find on 19 May 1986, the date of registration for the agreements from that session on the petition by the (political parties) Partit Reformista Democràtic⁵ and Convergència i Unió that article 64 should be applied to news programmes (determining the mandatory duration of party political broadcasts and which

parties are entitled to this time). This first petition was explicitly denied, as would subsequent petitions in this period.

During this initial stage, the JEC's decisions corroborate the proportionality applied by TVE while explicitly denying strict proportionality. It is interesting to note that one of the arguments given by the JEC for considering the criteria of TVE⁶ as pluralist is that they had not been explicitly rejected by most political bodies when they were approved (Agreements of 3 October 1989, for example).

The second stage (1989-2005) was delimited by the JEC's gradual assumption of the criterion of proportionality as a criterion per se resulting from legal interpretation, no longer as a mere ratification of RTVE's criteria. On the other hand, some calls started to be heard for direct proportionality.

The autumn of 1989 was an eventful time for the Central Electoral Board. In September it received a communication from the entire political opposition urging it to apply the criteria for party political broadcasts to election news, while in subsequent weeks it received numerous appeals of a similar nature (in the midst of a general election campaign), to which it would often give a contradictory and confused response. We consider this moment to be the turning point towards its present doctrine.

Firstly, the JEC responded to the parties involved in the September appeal with the already known ratification of RTVE's criteria, explicitly recognising that it was not within its authority to establish prior criteria of any kind (Agreements of 3 October 1989). These would be established at later dates, however.

On 26 October, as a result of the documents presented by the PP, CDS and IU, the JEC warned all state-owned media that election news on the "day of reflection" (the day before an election) had to respect the "proportionality and equality" of the candidatures, without specifying how to do both at the same time. The next day (Agreements of 27 October 1989), as recorded in the session for that day, the JEC required TV3 to re-establish the balance lost by having held a debate between just two parties, which had "altered" proportionality, suggesting that, in the case of debates, direct strict proportionality had to be respected, again without providing details of how this might be accomplished.

Four years later, the CDS demanded before the JEC to appear in a debate on TV3 and be included in the candidate interviews on Catalunya Ràdio. But this time the JEC answered that it could not demand strict proportionality from Catalunya Ràdio because this criterion is established in article 64 of the LOREG for free spaces (party political broadcasts) (Agreements of 5 March 1992). Paradoxically, on the same date the JEC also ruled that the CDS deserved to be included in the election news coverage by TV3 directly proportionally to the votes obtained in the last equivalent election.

Ultimately this does not stop us from seeing how, following the decisions of the subsequent years, the JEC gradually consolidated proportionality as its own criterion (strict or nuanced,

depending on the moment) and no longer as a mere ratification of RTVE's criteria. In short, the JEC ended up taking on the criterion of proportionality as its own and, although admitting that it did not have the authority to determine criteria, ended up demanding strict allocation according to the number of votes also for news coverage each time an appeal was brought. By way of example, from many possible illustrations, in the Agreements of 7 May 2003 the following application is recorded:

"Request that it be notified to the Provincial Electoral Boards and the management of RTVE that the criterion to be used in the news coverage of the coming elections of 25 May 2004, as well as for sharing out free time, interviews, etc. is that of the number of votes and not that of the seats obtained".

As from 2005, the decisions of the JEC are contradictory. For example, in the session of 31 March 2005, one of the appeals is upheld, brought for the Basque Parliament elections, because the JEC understands that the "duration assigned to each of the interviews" programmed in RTVE's Coverage Plan "does not meet the criterion of reasonably *well-balanced* proportionality imposed by respect for the principles of political pluralism and news neutrality". While on 26 May of the same year, regarding the news coverage Plan of TVE and RNE for the elections to the Galician Parliament, the JEC demanded from RTVE that "the news coverage of the campaign acts of the different political bodies attend *strictly* to the results obtained in the previous (equivalent) elections". However, on 7 February 2008, as a result of the general elections the following month, it demanded the application of a criterion "proportional to the number of votes obtained in a *well-balanced way*" in the equivalent previous elections (the italics are ours).

Although it is impossible to establish a clear doctrine with regard to whether proportionality must be strict or well-balanced, what is clear is that the JEC has fully taken on board the criterion of proportionality and, as from 2005, would go even further, establishing repeatedly more specific criteria, such as the order of appearance of news blocks drafted in this way (Agreements of the session of 25 June 2005, 1 June 2006 and 6 June 2006, for example) or the explicit demand that "minuting" should be daily (Agreements of the session of 7 February 2008, among others).

It's therefore possible to say that an analysis of the JEC's doctrine, especially observing it in the first stage (1977-1988), highlights how this does not come from an interpretation of the LOREG but from a gradual and changeable assimilation of the criteria of political parties, embodied in various ways depending on the place and time but agreed based on the idea of proportionality in terms of previous votes, especially on the part of the dominant parties.

2.3. The blocks on TV3

Set up in 1983, TV3 inherited this scenario, as did the rest of the autonomous broadcasters, all of them equally subject to

the provincial and central electoral boards regarding appeals by political parties. Paradoxically, twenty years after the pact of 1989, most Catalan political parties and those related to it also brandish the JEC's criterion as proof that blocks must be applied by legal mandate and that not doing so is breaking the law (particularly CIU and PSC, for example see *Avui*, 30/05/2009),⁷ forgetting that it is the parties themselves, principally the large ones, that have shaped the JEC's criterion since the 1980s and that the LOREG in no way stipulates that the protection of pluralism or news neutrality must be translated into calculations of time or orders of frequency of any kind in election news.

Within this context, the complaint by Catalan public professionals has forced managers of, firstly, the Catalan Radio and Television Corporation (CCRTV) and of the Catalan Corporation of Audiovisual Media (CCMA) afterwards, to make different attempts to make the blocks more flexible. The criticism of Catalan professionals, the ones most active in Spain against blocks, has always essentially come down to three issues: electoral blocks trample on the right of professionals to freely inform; they result from an agreement between political parties with parliamentary representation; and they remove citizens even further from the political classes and politics in general by generating news coverage distorted by the interests of political parties (*El Periódico*, 16/06/2009).

The first complaint against electoral blocks comes from 1996 on the part of the Union of Journalists of Catalonia. As from 2003, complaints by professionals are constant. That year, on 29 October, the professional committees of TVC and Catalunya Ràdio, the corporate committees of TVE, RNE, COM Ràdio and BTV and the editing team of TV L'Hospitalet signed an initial joint manifesto against electoral blocks, claiming that following strict proportionality violated professional criterion and that time fixed by the two large Catalan parties (CIU and PSC) was out of proportion while that fixed for the smaller parties such as ICV-EuiA was insufficient (*La Vanguardia*, 30/10/2003). This complaint by Catalan professionals spread gradually among professionals in the rest of Spain and, in 2008, the College of Journalists of Catalonia, the Press Association of Madrid and the Professional College of Journalists of Galicia jointly brought a contentious-administrative appeal before the Supreme Court against the agreement adopted by the Central Electoral Board (JEC) on 14 February of that year, with regard to the News Coverage Plan for the RTVE corporation for the general elections of 9 March. The Supreme Court did not hear the appeal (in a ruling that would not arrive until November 2009) after listening to the reasons of all parties, including documents from *Convergència i Unió* and the Basque Nationalist Party defending the blocks established by the JEC.

For its part, the Consell de l'Audiovisual de Catalunya has attempted to establish its own doctrine in order to overcome the rigidity of the electoral block system by means of a mechanism that might be accepted by the political parties, in order

to avoid appeals being brought before the JEC, and by journalists, in order to avoid their public complaints. For this reason, in 2007 some recommendations were published that proposed four reference criteria for the news coverage of election campaigns (CAC 2007a): fairness, professionalism, news interest and equal opportunities. These criteria take into account the previous electoral representation of the parties and coalitions to allocate news coverage time but adjust proportionality - hence the term "fairness" - with professional criteria based on news interest and also take into account those candidatures without parliamentary representation.

Based on these criteria, the board of governors of the CCMA approved a coverage plan for the general elections of 2008 that established a range of time allocation among parties of between 1 and 2.5 minutes (strict electoral proportionality placed this range between 1 and 7 minutes) and the same was done for the European elections of 2009 without any political party bringing an appeal before the JEC. Both plans, however, were criticised once again by professionals who felt that, in spite of the weighting carried out proportionally, they were still forced to calculate time mathematically, with the contradiction this entailed for professionalism and news interest. The CAC, which had supported the plans of the CCMA, has constantly criticised these complaints by professionals, considering that they harm the credibility of the public media and do not recognise the efforts made to make strict proportionality more flexible (CAC 2007b; CAC 2008 and CAC 2009b).

On the other hand, research into this area has not been able to show clear benefits for pluralism by using blocks. A study carried out by the CAC for the period 2003-2005 concluded:

"The data analysed, based on a specific case study, do not allow us to reach definitive conclusions on the need for electoral blocks to ensure pluralism. Although electoral blocks distribute the presence of political parties very clearly according to their representativeness, the situation is not so different outside election campaigns, at least not during the period 2003-2005" (Ortin 2006: 64).

Another study, also carried out by an analyst from the CAC, this time on the presence of political actors in TV news, pointed to the same conclusions. The media presence between January 2003 and December 2005 of political actors on the channels studied (TV3, TVE a Catalunya and BTV) provided, among other elements, the following conclusion: "The ordering of parties according to the respective speaking time reproduces, in general terms, the composition (the order according to the number of seats) of the parliaments" (Rodas 2006: 53). In other words, when there are no fixed blocks, it seems that news ends up, in terms of duration and order, structured in a very similar way to the distribution of political forces in the parliament.

And, in fact, this is what happens in most western countries: political news in ordinary periods and political news in election periods does not undergo any qualitative leap

between periods. And although electoral blocks as we know them today have sometimes not existed in some period, at least these are the results of a comparative study carried out on nine European countries, whose conclusions we summarise below.

3. Political news coverage in the European public media

The study carried out⁸ aimed to identify the formula to guarantee political pluralism in the news programmes of the European public media, both for ordinary periods and elections. It did not study either party political broadcasts or special news programming (debates, interviews, round tables, etc.), for elections or otherwise. The case studies chosen (Germany, the Flemish community of Belgium, Finland, France, Italy, the Netherlands, Portugal, the United Kingdom and Sweden) were selected for their political and historical relevance to the European Union, for their geographical representation and for their different media traditions. Not including eastern European countries in the sample was not considered to be a drawback as most of these countries had only very recently developed their regulations or mechanisms to protect pluralism and had almost always taken into account, as a model, one or more of the countries already included in the sample.

The methodology employed by the research was based on document analysis (similar research, national legislation and documentation by the specific broadcasting authorities in each country); in-depth interviews (with representatives from public channels, broadcasting authorities, professionals and representatives from groups of journalists and academics); a survey carried out on broadcasting authorities (carried out through the European Platform of Regulatory Authorities, EPRA);⁹ and specific consultation with academic and business specialists and professionals.

The study of the public media's coverage of political actors in these nine countries provides the following conclusions.

3.1. Instruments to protect pluralism

Of the nine cases studied, only Portugal granted jurisdiction over the media to an electoral body (la Comissao Nacional de Eleicoes), whose function was to safeguard pluralism during election campaigns but in no case impose any time allocation for election news. In Finland the Party Act refers in general to political news coverage (in general, both in ordinary and election periods) but specifies that, in all cases, all political parties must be treated impartially and uniformly. In the rest of the countries the fundamental regulations, broadcasting legislation, broadcasting authorities and/or self-regulating mechanisms of the channels themselves are the main instruments to protect political pluralism, both during election campaigns and at other times.

3.2. Control mechanisms

Broadcasting authorities¹⁰ are the main instrument of external control in half the cases studied in the area of pluralism (in the Flemish community in Belgium, France, Italy, Netherlands and Sweden). Portugal also grants the control of pluralism to the broadcasting authority but this control is shared in election periods with the national electoral committee, with the characteristics specified in the previous point. In the remaining three cases (Germany, Finland and the BBC in the United Kingdom),¹¹ control of public broadcasters is internal, because the broadcasting authorities have no authority over the public channels.

3.3. Types of regulation

The types of regulation detected in the nine cases studied can be classified in terms of the criteria applied. These criteria are essentially of two kinds: qualitative and quantitative.

By qualitative criteria we mean the use of generic criteria (objectivity, impartiality, independence, non-discrimination, accuracy, etc.) that might be very conscientious but do not entail any quantification, either implicit or explicit. These criteria are particularly related to the quality of the journalistic information and can be considered of a professional nature, i.e. they are traditionally related to the usual guidelines for quality journalism. These criteria can be found in the regulations of all the cases studied to a greater or lesser degree.

By quantitative criteria we mean the use of specific criteria of proportional or fair allocation of time that, in this case, can include quotas, blocks or mathematical distributions of time. Here the criteria can be implicit (referring to fairness, equality, balance, etc., always in relation to representation in parliaments) or explicit (referring to proportionality and/or distribution of a mathematical calculation of time). Quantitative criteria are particularly related to the concern of political parties for equal or proportional allocation of time among political forces and they can therefore be considered as political in nature, insofar as they subject news coherence to non-journalistic criteria.

In all the cases studied, only in France do we detect explicit quantitative criteria (apart from Spain) but always for ordinary news not for election news. On the other hand, we find that France, Italy and the United Kingdom mention the previous parliamentary situation as a reference for measuring election news, what we would constitute as implicitly quantitative references but without mathematically specifying the allocation of time.

Germany and Portugal also make implicitly quantitative demands but these countries do not take the parliamentary situation as their reference but rather talk of applying criteria of equality, both during ordinary periods and at election time.

In summary, the situation observed is as follows:

Only **France** applies explicit allocation criteria for political news time under the principle of political pluralism.¹² During election time, this principle is applied to non-electoral political

news while, for election news, criteria are applied *ad hoc* for each assignment, taking parliamentary representation as their reference and the effectively involving extra-parliamentary parties, although this is not mathematically explicit. In **Italy** and the **United Kingdom**, the reference of parliamentary representation is taken for election news coverage but neither country specifies this reference with a mathematical range to allocation time. In the British case, the need to take other factors into account is highlighted, in addition to support in the previous election (the appearance of new parties, division of parties and other evidence of potential changes in support that might have occurred during the period between elections).

We must not confuse the obligation to calculate the time dedicated to each party in the news with the counting of time that may be carried out *a posteriori* by broadcasting authorities. Three countries of those studied control the number of minutes political parties appear in election news during the campaigns: **France**, **Italy** and **Portugal**.¹³ These controls are carried out *a posteriori* by the broadcasting authority and only in the French case have they had any effect on regulation.

Outside the countries mentioned in section a, in the remainder of the cases, both for election periods and ordinary periods, the protection of political pluralism is always regulated by qualitative criteria, i.e. there is no obligation for journalists to time coverage. Specifically, at election time, **Germany** establishes that election news must be covered with balance, without discrimination and with equality; the **Flemish community in Belgium** specifies that all points of view must be treated equally; **Finland** talks of the impartial and uniform treatment of all political parties; the **Netherlands** refer to taking social balance into account; **Sweden** mentions the need for impartiality in coverage; and **Portugal** talks of equality and non-discrimination in treatment.

4. Conclusions

The daily coverage of political news in the public media of nine of the main states in the European Union (German, Belgium - in its Flemish community, Finland, France, Italy, the Netherlands, Portugal, United Kingdom and Sweden) are subject to a range of regulatory criteria but, as a whole, it can be stated that the parliamentary representation of the political actors is not a decisive criterion except in one case, France (and, paradoxically, not applied to election news) and is a noticeably and explicitly stated reference in two others (more explicitly in Italy and more nuanced in the United Kingdom). For the rest, although logically the relation of the political forces is an underlying reality that is recognised implicitly, the regulations, however, place more emphasis on equality and non-discrimination or refer to qualitative criteria that appeal to professionalism in order to guarantee pluralism (impartiality, independence, objectivity, accuracy, etc.), both for ordinary and election periods.

The mechanism of electoral blocks and the jurisdiction held in Spain by an electoral body such as the Central Electoral Board have no reference in Europe, at least in the cases studied, and this indicates the high degree of politicisation of the regulation and of its interpretation in our country. However, this is completely in line with how researchers into media systems see the Spanish state, namely that it is characterised by a low level of professionalism and self-regulation and a high level of media instrumentalisation by the political parties (Hallin and Mancini 2007).

Notes

- 1 Exceptional cases are those where, as in France, the press is still partially governed by law (Loi n. 86-897 du 1 août 1986. Portant réforme du régime juridique de la presse).
- 2 In Spain, the penetration of television among the population was 88.5% in mid-2009, followed by radio with 54.4%, magazines with 52.9%, newspapers 41.6% and the internet 31.7%, according to the first wave of the General Media Study (AIMC 2009). Although internet consumption among the population is greater than that for television in some age groups, on average nine out of every ten Catalans (89.8%) declared that they watched the news on television in April 2009, a proportion that is also maintained for groups aged between 16 and 44 (CAC 2009a).
- 3 "Calviño stated that, in the TVE news programmes, the time is directly related to and in proportion with the number of votes obtained by the parties in the elections of October 1982", quoted in *El País*, 24 October 1984 as part of the item "Calviño afirma que los telediarios de TV-3 dedican un 82% de su tiempo a Pujol" [Consulted online on 28 December 2009].
- 4 A criterion that would be used by a large number of autonomous television broadcasters (explicitly in some cases in their legal texts on access to party political broadcasts, debates, interviews, etc.).
- 5 The name adopted by the political coalition led by Miquel Roca in Spain.
- 6 We have not been able to find, officially, the criteria of the administrative council of RTVE during this period but it is possible to infer, from the news items appearing in the relevant press and based on comments by the JEC, that the public entity had applied a proportionality that was considered direct by the body (see footnote 3) while the opposition did not agree (for example, see the aforementioned *ABC*, 19/12/1982 or *La Vanguardia* 15/05/1986).
- 7 In fact, Iniciativa per Catalunya and Esquerra Republicana have at times taken up a position against blocks (such as when they accompanied professionals in presenting their manifest against the blocks at the College of Journalists in 2003, mentioned later on).
- 8 The original study, entitled "La regulació de la informació sobre els actors polítics als mitjans públics europeus amb especial incidència als períodes electorals", was commissioned by the administrative council of the Corporació Catalana de Mitjans Audiovisuals a l'Institut de la Comunicació (Incom-UAB). The findings were presented to the CCMA in December 2008. A more detailed explanation of the comparative findings can be found in: ALMIRON, N.; CAPURRO, M. and SANTCOVSKY, P. (2010): "The Regulation of Public Broadcasters: News Coverage of Political Actors in Ten European Union Countries" in *Comunicación y Sociedad*, vol. XXIII, no. 1.
- 9 The questionnaire sent to the EPRA was processed thanks to the efforts of Professor Joan Botella, from the Universitat Autònoma de Barcelona.
- 10 It should be remembered that Spain still did not have a state broadcasting authority in 2009, while such a body did exist at the level of autonomous community in Catalonia, Andalusia and Navarre.
- 11 We only studied the case of the BBC in the United Kingdom and not that of Channel Four, also public, which does come under the British broadcasting authority (Ofcom).
- 12 In June 2009, the CSA replaced the rule of three thirds and the reference principle, which had been enforced up to that time, with the so-called Principle of political pluralism. This principle establishes that the speaking time granted by the media to the parliamentary opposition cannot be less than half the accumulated speaking time for the parliamentary majority (which, in addition to including the members of parliament who make up the majority, also includes members of the government and collaborators of the head of state when making statements relevant to political debate).
- 13 In the United Kingdom and starting recently, the BBC also counts up the time at the end of election campaigns but the nature of this monitoring is totally internal and voluntary and has no formal basis.

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