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## Broadcasting Regulation in Europe. A Theoretical Design for Comparative Research

### La regulació de la radiodifusió a Europa. Un disseny teòric per a la recerca comparada

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*This paper presents a theoretical framework for comparative research on broadcasting regulation in Europe, exploring and contributing to the debate on National Regulatory Authorities (NRAs). The study seeks to build on Lijphart's (1999) and Hallin and Mancini's (2004) groundbreaking typologies of democracy and media systems to create a broader classification of NRAs. We focus on institutional aspects such as the appointment of heads and budget frameworks, discussing the potential for autonomy of regulators. Preliminary evidence suggests a strong correspondence between the degree of autonomy of NRAs and elements of consensus and majoritarian democracies. Examining regulatory authorities and the factors underlying their outcomes add new dimensions for measuring the performance of NRAs.*

**Key words:** NRAs, media systems, consensus, majoritarian democracy.

*Aquest article desenvolupa una nova aproximació teòrica per a la recerca comparada sobre la regulació de radiodifusió a Europa, que explora i contribueix al debat sobre les National Regulatory Authorities (NRA). L'estudi tracta d'aprofitar les tipologies de Lijphart (1999) i Hallin i Mancini (2004) sobre la democràcia i els sistemes de mitjans de comunicació per tal de realitzar una classificació més àmplia sobre les NRA. Se centra en els aspectes institucionals com ara el nomenament dels alts càrrecs i els marcs pressupostaris, tenint en compte les possibilitats d'autonomia dels reguladors. Les primeres evidències suggereixen una forta correspondència entre el grau d'autonomia de les NRA i els elements de les democràcies consensuals i majoritàries. Així doncs, s'estudiaran les autoritats reguladores i els factors subjacents als seus resultats per tal d'afegir noves dimensions a l'hora de mesurar l'actuació de les NRA.*

**Paraules clau:** NRA, sistemes de comunicació, democràcia consensual, democràcia majoritària.

Mass media and broadcasting in particular are considered important “for the proper functioning of a democratic society” (Council of Europe, 2008). Being responsible for “airing civil affairs and political debates”, broadcasting is under the “legitimate constant pressure” of legislators and governments (Open Society Institute, 2005). Political communication scholars have questioned “whether democracy is automatically supported when freedom of broadcasting is guaranteed or whether, instead, additional assurances are necessary” (Hoffmann-Riem, 1996). The traditional hypothesis that higher levels of democracy also infer higher levels of media freedom has not yet been demonstrated convincingly, although this assumption accounts as a basis for understanding the relationship between media and political systems (Hanretty and Koop, 2012). Exploring the contrasts between media systems and the division of political power in democratic or authoritarian nations creates the premises for a comparative perspective on the interrelations between media and politics.

Broadcasting is extensively regulated because it uses a limited natural resource, the radio spectrum, managed by national governments and international authorities. From the institutional perspective, three major trends have influenced the regulatory authorities and their outcomes for independence: setting up independent regulators, involving competition authorities and endowing convergent regulatory institutions on telecommunications and broadcasting (Spyrelli, 2003). Regulatory agencies are “subordinated bodies, supervised by a ministry. Each combine legislative, executive and judicial functions, interpret, define and supervise rules, and introduce sanctions” (Baldwin and Cave, 1999). Some of the key tasks are the following: assigning frequencies, licensing, monitoring, enforcement and sanctioning, appointing management bodies.

The advent of National Regulatory Authorities for broadcasting (NRAs) has stimulated the academic debate on the causal links between the institutional design and the regulatory outcomes. In this regard, this study seeks to build on Lijphart’s (1999) and Hallin and Mancini’s (2004) typologies of democracy and media systems a broader classification of NRAs in 47 European countries. Our primary research focus is to measure the potential for autonomy of NRAs, testing two indicators: appointment of heads and budget frames. We debate whether the patterns of Hallin and Mancini’s (2004) ideal media systems can be observed when studying the institutional design of broadcasting regulators in democratic contexts. We address the questions of institutional similarities or contrasting cases of NRAs across Europe and we explore how the proposed variables can be evaluated according to Lijphart’s dimensions of democracy. The connection between NRAs and political systems is narrowly postulated in the literature. There is no systematic comparative approach on broadcasting regulation in Lijphart’s (1999) and Hallin and Mancini’s (2004) axiomatic perspectives on democracy and media systems. Therefore, the innovative groundwork of our contribution

might have a strong impact, filling the existing theoretical and empirical gap in the communication scholarship.

This paper is structured as follows. First, it gives a brief overview of the recent contribution to the core of broadcast regulatory philosophy. Secondly, Lijphart’s (1999) and Hallin and Mancini’s (2004) theories are summarized and the innovation of this research is argued. The subsequent section discusses the variables to be investigated and the methodology to be used. Finally, we review the potential configuration of the macro-analytical framework of broadcasting regulators.

## LITERATURE REVIEW

Comparative research on media and political systems provides little systematic theoretical and empirical evidence to support the links between institutional arrangements and types of democratic regimes. The research to date has tended to focus on particular and specific national cases rather than cross-country comparative studies. Communication scholarship and public policy are “weakly connected” (Neuman, 2003). Although the literature on regulation is immense, the number of studies dealing with the political aspects of regulation is very limited. There is no systematic cross-country comparative approach on NRAs compressed into one structural study, but several involving singular cases of regulatory authorities. Evaluating peculiar paradigms “can provide a basis for accounting specific patterns, but lacks on presenting the consequences and outcomes of large-scale transformations” (Donsbach and Patterson, 2004). Systematic comparative research in a cross-national perspective can contribute with an encompassing panorama of the interrelations between media and political systems.

In recent years, scholars have analyzed the various models of broadcasting regulation testing criteria such as the means of ownership, control, financing, extent of services, programming policy. Some of the key questions in the literature can be summarized as follows: the main functions of broadcasting regulators (Hoffmann-Riem, 1996); the role carried out by ministries; the degree of independence and the extent of the autonomy of regulators affected by their dependence on the Government or Parliament (Verhoest *et al.*, 2004a, 2005b; Magetti, 2007; Dahl, 1989; Huntington, 1968; Walzer, 1983; Hills, 1986, 1991; Newberg, 1989a, 1989b). American researchers have classified broadcasting regulators examining some of the indicators mentioned earlier (ownership, control and financing). They explored areas such as history, economics in business, advertising, law and social aspects of regulation (Finn and Chester, 1978; Fedler, 1978; Head and Sterling, 1982).

By way of illustration, Bittner (1980) describes the attributes of the Federal Communication Commission (FCC), pointing out that controlling broadcasting “extends beyond government owned media (...) including privately owned broadcast media”. Bittner (1980) found that ownership may be by the Government, public corporation, private enterprise or hybrid arrangements (involving the state). A different theoretical approach for analyzing broadcasting is Howell’s (1986) “Four Worlds” taxonomy”, a method which helps describing the international relations; The First World —advanced democracies of the West; the

Second World— post-communist countries; the Third World —the emerging democracies in Africa, Asia, the Middle East, Central and Latin America; the Fourth World— the stateless cultures existing within nations. Howell (1986) tests indicators such as ownership typologies, financial support mechanisms, dominant national models, operational autonomy and organizational structure.

Albert Namurois (1972) reviews the world system of telecommunications, radio and TV services, presenting a typology of regulators based on four means of control: state-operated directly by a government ministry, department or administrative agency; public corporation operated autonomously under state charter; public interest partnership operated by legally chartered private corporations with state stock interests; private enterprise operated by private individuals or companies under governmental license with generally weak regulations.

European scholars have examined the changing practices, structures and contents of communication policies mostly focusing on particular regions such as the Nordic countries (Balcytiene, 2012; Lund, 2007), Western Europe (Humphreys, 1996; Kuhn and Stanyer, 1999; Rogers and Balle, 1985), Southern Europe (Botella Corral, 2001, 2007), Central-Eastern Europe (Balabanova, 2007; Splichal, 1994). Kuhn and Stanyer (1999), for instance, discuss regulatory issues in contemporary France and Britain, bringing out the relation between television and the state. The authors evaluate variables as market entry, media ownership and television content, arguing that setting regulatory bodies demonstrates “the refusal of those in power to become directly involved in the administration of the audiovisual sector”. Concepts such as “media ownership” and “public interest” are associated with liberal market values by scholars describing media regulation in the Baltic zone (Nieminen, 2009). Balcytiene (2009) argues that none of the Baltic countries have any laws against media concentration, although the state plays an active role in imposing restrictions on the amount of political advertising in the media. Moving towards the Central and Eastern Europe (CEE), the institutional models of regulation developed after the collapse of the communist system in the early 1990s are recurrent in the recent literature (Gross, 2002; Gulyás, 1999, 2003; Mihelj and Downey, 2012). In this area, economic and social-cultural variables might explain the divergent approaches to ethnic and cultural diversity across different media systems.

Studying the direct links among different models of democracies and NRAs is still a work in progress. So far, in the search for general communication patterns and their consequences, the investigation of institutional arrangements has been important when comparing systematically different media and political systems (Voltmer, 2000; Siebert *et al.*, 2006; Mughan and Gunther 2000; Hallin and Mancini, 2004; Snow, 1986). Preliminary work on institutional arrangements such as the budget frames and the appointment of the heads was undertaken by several scholars (Gilardi, 2001; Cukierman *et al.*, 1992; Bernhard, 1998; Siebert, Peterson and Schramm, 1963; Stone, 1991). Warrick Smith (1997) classifies the regulators according to their institutional independence, dividing these bodies in traditional ministerial and fully independent authorities. Geradin and Petit (2004) list a typology of regulators according to the tasks they have to perform: implementation, observation, cooperation, yet-to-be-implemented tasks. Another ap-

proach has been undertaken by Emmanuelle Machet (2002). She looks at the appointment of heads and the funding of regulatory bodies, identifying five main models of appointment and three different models of funding: appointment by the executive (“the Northern European model”), by legislative (“the Central European model”), by both executive and legislative (“the French model”), by the judiciary, social movements and groups/civil society (“the German model”). Machet (2002) presents three models of funding: through the state budget, through a percentage of licence fees or advertising revenue, and through a mixed system.

A more recent contribution is the INDIREG report (“Indicators for independence and efficient functioning of audiovisual media services regulatory bodies for the purpose of enforcing the rules in the AVMS Directive” SMART 2009/0001, 2011), which identified indicators for independence and efficient functioning of audiovisual media regulatory bodies. The outcome is an assessment of the level of independence and of the efficient functioning in five different dimensions: “status and powers”, “financial autonomy”, “autonomy of decision-makers”, “knowledge” and “accountability and transparency”. The main objective is to give an overview on the *status quo* of audiovisual regulators in 43 countries (Member States of the EU, candidate and potential candidate countries to the European Union, the European Free Trade Association (EFTA) countries, USA, Australia, Singapore and Japan). The INDIREG report (2011) fails in the attempt to create categories of broadcasting regulators, due to “the very specific development paths of media regulation in different countries”. The authors argue that the project “turned out not to be successful, since there is no analytical necessity for regulatory settings in different countries to follow distinct patterns”.

The study in hand aims at scaling the potential for autonomy of NRAs across Europe. The series of characteristics of the two indicators we test —appointment of heads and financial settings— are presented later in the paper.

## CONSENSUS AND MAJORITARIAN APPROACHES TO NRAS

In this section we explain why we apply Lijphart’s (1999) and Hallin and Mancini’s (2004) theoretical frameworks as explanatory tools for mapping broadcasting regulators in Europe. For this purpose, we infer theoretical arguments quoted in the literature.

The links among regulatory authorities in broadcasting and consensus and majoritarian democracy are advanced in the normative study *Comparing media systems* (2004). When exploring and classifying media systems in 18 nations within North America and Western Europe, Hallin and Mancini (2004) focus on political variables such as political history, consensus vs. majoritarian government (Lijphart, 1999), individual vs. organized pluralism, and rational-legal authority. As media variables, four dimensions were proposed: the structures of the media market, political parallelism, the development of journalistic professionalism, and the role of the state.

In their normative study, Hallin and Mancini (2004) show that features of media systems correspond with the two dimensions of democracy in Lijphart’s

(1999) terms: “Political system characteristics are manifested more or less directly in media structures, as for example majoritarian or consensus patterns of government are reflected in the organization of public broadcasting institutions”. The authors present four basic models of governance of public broadcasting, that by approximation may frame the political control over NRAs. In the government model public broadcasting is controlled directly by the government or by the political majority (Western Europe, Greece, Portugal and Spain). Here, directors of public broadcasting are appointed by Parliament, not directly by the government, “but this in the end gives the majority party effective control” (Hallin and Mancini, 2004). The second model is the professional one, where a strong tradition developed that broadcasting should be “largely insulated from political control” and run by broadcasting professionals (UK, Canada, USA, Ireland, some Scandinavian countries). In the parliamentary or proportional representation model control over public broadcasting is divided among political parties by proportional representation (PR). Finally, in the civic or corporatist model the control of public service broadcasting is distributed among various social and political groups (Germany, Austria and Netherlands).

When accounting the three-fold classification based on the mentioned indicators, Hallin and Mancini (2004) make an important statement: “the relationships (between the variables) proposed must be considered hypotheses, given the preliminary nature of this research”. Following these normative assessments, our study aims to fill the existing gap left by the limited articulations on the reflection of majoritarian and consensus patterns of government over NRAs in different media systems. For this purpose, we focus on a set of characteristics of democracy in Lijphart’s (1999) terms to examine the effects of legislative provisions (such as appointment of heads and means of funding) on the independence of NRAs across Europe. Before describing in detail variables such as the independence of Central Banks, Proportional Representation (PR), and Veto Players, we present briefly Lijphart’s typology of modern democracy, considered to be one of the most “innovative contributions” in comparative politics (Mainwaring, 2001).

The main argument for being “the single most influential” is that the patterns of consensus and majoritarian democracies cannot be identified beyond his original sample (Bormann, 2010). In his book *Patterns of Democracy* (1999), Lijphart asks the question “who governs and in whose interest in cases of disagreement” and his empirical tests provide relevant differences between majoritarian and consensus democracy in terms of power sharing. The majoritarian model features a majority cabinet, a two-party system, a disproportional system of elections, a unitary and centralized government, and unicameralism. Diametrically opposed, consensus democracy tends toward power sharing, a broad coalition cabinet, a multi-party system, a proportional electoral system, a federal and decentralized government, and a strong bicameralism. Lijphart concludes that consensus democracies are better, “kinder and gentler” forms of ruling than majoritarian ones (Bormann, 2010).

The connection among the institutional design of NRAs in different media systems and the configuration of political systems is narrowly analyzed in the literature. The potential for autonomy of regulators has been discussed in co-

relation with the independence of Central Banks (Rogoff, 1985). This issue represents a core concept in Lijphart’s work on democracy, as the independence of Central Banks is highly correlated with the federal-unitary dimension (the guaranteed division of power). Lijphart (1999) argues that central banks play a crucial role in the policy process if they are strong and independent. In cases when central banks depend on the executive, the degree of independence decreases. According to Lijphart (1999), in consensus democracies central banks enjoy a higher rate of independence, while in majoritarian systems the potential for independence declines: “Giving central banks independent power is yet another way of dividing power and fits the cluster of divided-power characteristics (the second dimension) of the consensus model of democracy; central banks that are subservient to the executive fit the concentrated-power logic of majoritarian democracy” (Lijphart, 1999). **Central Banks independence comprises two elements** (Alesina and Summers, 1993; Maggetti, 2007): political independence, “as the ability to select policy objectives without influence from the government”, and economic independence, “the ability to use instruments of monetary policy without restrictions”. The distinctions between formal (*de jure*) and informal (*de facto*) independence of different regulatory agencies are drawn by Gilardi (2001) as follows: the status of the agency head and/or management board; the relationship among the agency and politicians; the budget; the competencies delegated to the authority. Considering Lijphart’s (1999) empirical findings on the independence of Central Banks and indexing indicators for potential of autonomy of NRAs looking at the appointment procedures and budget frames, it may be hypothesized that majoritarian Polarized Pluralist countries (Hallin and Mancini, 2004) correspond with lower ratings of institutional autonomy of regulators. In opposition, due to the appointment procedures and budget frames, we estimate a higher rating of institutional autonomy in consensus Democratic Corporatist and Liberal countries. We present a more detailed argumentation later in the Discussions section.

Proportional Representation (PR) is the second key indicator that can configure the potential for autonomy of NRAs. **Proportional representation (PR) divides and distributes political power among different parties in proportion to the votes they receive.** Proportional Representation “is likely to be associated with multiparty systems, coalition governments (including, in many cases, broad and inclusive coalitions), and more equal executive-legislative power relations” (Lijphart, 1999). In other words, consensus democracy tends toward proportional representation (PR), while the typical electoral system of majoritarian democracy is “the single-member district plurality or majority system”. We question whether the distribution of political power is reflected in the composition of the board members of NRAs and if PR influences the degree of financial autonomy of regulators. The literature on regulation mentions two types of affiliations between the public broadcaster and the state (INDIREG, 2011). Countries such as Germany, Austria and Netherlands represent the proportionality model, where the influence of political parties and civil society groups is reflected in the governance of the public broadcaster. In the insulated public broadcaster model independent regulators are required (the UK, Ireland and the Scandinavian countries). A key ar-

gument favouring PR in the board of regulators is that “the fair representation of <socially significant groups> can guarantee a certain degree of independence from political interference, as (...) all main parties have a voice” (INDIREG, 2011). On the other side, there is an increasing risk of political constraints: politicians can be appointed in boards and “socially significant groups already have strong political allegiances” (INDIREG, 2011). Preliminary estimations regarding the influence of Proportional Representation (PR) on the appointment of heads and budget settings of NRAs are presented in the fifth part of the paper.

We analyze the potential for autonomy of NRAs in relation with the number of Veto Players in a polity (Hanretty, 2010). Veto Players focuses on “how many individual or collective actors need to agree in order to change the status quo” (Tsebelis, 2006). According to Lijphart (1999), the number of Veto Players and their polarisation influences the differences among presidential and parliamentary systems. In terms of regulatory issues, this means that the independence of NRAs in different political regimes is directly linked with the existence of Veto Players and influenced by the degree of ideological distance (Hanretty and Koop, 2012). In countries where political parties are polarised (consensus democracies) a higher degree of autonomy of regulators is expected, as we will emphasize in section V. Hanretty (2010) argues that where multiple Veto Players “need to agree, the match between any appointing actor and the appointed person will be looser”. Consequently, in consensus democracies regulators enjoy a higher degree of autonomy due to the influence of Veto Players in NRAs’ appointment procedures. Contrary, we rate NRAs in majoritarian democracies with a lower degree of autonomy due to the influence of Veto Players in appointment procedures.

Following this line, our research aims to test the interrelations among features of democratic political regimes in different media systems. At this point, we hypothesize a strong relationship between the degree of autonomy of NRAs and elements of consensus and majoritarian democracies. We are filling the existing gap left by the limited ties between broadcasting regulation and political systems, exploring whether Hallin and Mancini’s hypotheses regarding the reflection of majoritarian or consensus patterns of government over broadcasting regulatory institutions can be theoretically and empirically argued.

## HYPOTHESES

**Hypothesis 1.** *In consensus democracies the potential for autonomy of the heads of NRAs increases due to the appointment procedure. In majoritarian democracies the potential for autonomy of the heads of NRAs decreases due to the appointment procedure.*

It can be predicted that political control over NRAs decreases with the number of players involved. The partisanship of nomination, representation or reproduction of political power structures in the board composition of NRAs is more likely to mirror political majorities (INDIREG, 2011). In majoritarian political systems,

appointment of the governing board of NRAs by proportional representation results in control of the political majority, even if broadcasting regulators are formally under the authority of parliament and not directly supervised by the government (Hallin and Mancini, 2004).

**Hypothesis 2.** *In consensus democracies the potential for autonomy of NRAs increases due to the influence of more players regarding the budget allocation. In majoritarian democracies the potential for autonomy of NRAs decreases due to the influence of one single player regarding the budget allocation.*

It can be expected that significant changes in the budget allocation for regulators indicate less institutional autonomy of heads of NRAs. A higher degree of institutional autonomy is expected in countries where there is a relative stability and continuity in allocating the budget. According to the literature consulted, political parties do not constrain regulatory bodies in countries where the parliament sets and approves the budget. Also, in countries where the budget frames is protected by legislative means, evidence suggests less political pressure on NRAs. In contrast, where external parties have a “legal influence on the level of the budget, they can undermine its operational capacity by denying its adequate financing” (INDIREG, 2011).

## DATA AND METHODS

We develop comparative research on broadcasting regulation across 47 European countries, testing two variables: appointment of heads and means of funding. We expect that the examination of various regulatory systems highlights the degree of institutional autonomy of NRAs. The sample selected allows newer democracies to be contrasted with older ones. We are currently constructing a database on NRAs across Europe, collecting data from different sources such as official documents, statutes, constitution, laws, terms of reference, rules of procedures, the financial regulations. Also, this comparative study relies on a secondary evaluation of existing material that has already been produced in the countries in question. The evolution and the forms of broadcasting regulation across Europe is presented in a cross-national, cross-time, and cross-issue analysis of patterns of regulation. To answer the proposed research questions, we triangulate different methods:

- Analysis of documents and academic literature;
- Evaluation of statistical data (EUROSTAT);
- Cross – cases comparison: legal frameworks, national regulatory structures and political systems;
- Questionnaires about political and media environments in which national regulators operate;
- Interviews with the head members of NRAs in Europe (a representative NRA for each model of media system).

## TESTING THE POTENTIAL FOR AUTONOMY

### *Appointment procedure*

From the literature we derived the following indicators regarding the appointment procedure, which outlined our first hypothesis aimed at measuring the degree of autonomy of the heads of NRAs (Gilardi, 2001; INDIREG, 2011; Fernandez-i-Marín, Saz-Carranza and Vandendriessche, 2012):

- Nomination body
- Appointment body
- Appointment mechanism
- Veto capacity
- Term of office
- Renewability of office
- Dismissal procedure
- Eligibility
- Incompatibilities

Data is also collected on the term of office of the heads of the regulatory body (if coincides or not with the election cycle), on the renewability of appointment (limited to one or two instances), on the partisanship of nomination, representation or reproduction of political power structures in board composition, the possibilities of the appointing body to exert pressure on the appointed member, tenures and salaries. The data collected on the appointment procedure may indicate the level of control over the heads, and by approximation, over the NRAs (Fernandez-i-Marín, Saz-Carranza and Vandendriessche, 2012).

The literature on regulation does not mention a unique correct model for nomination and appointment procedure. Across Europe there are different models of appointment of heads of NRAs. For instance, countries where the Executive is predominant in the appointment procedures are Austria, Ireland and Malta. Czech Republic, Estonia, Latvia, Portugal and Greece are models with a predominance of parliament. Countries like Italy, Spain, Romania and France are models involving both parliament and the executive in the nomination and appointment procedures. In some cases, such as Bulgaria, some of German Länder, Hungary and Lithuania, civil society and relevant professional organisations are involved in nomination and appointment of heads of NRAs.

### *Financial settings*

The means of funding of NRAs represent the second key variable in our analysis and framed the second hypothesis of this study. Here, two aspects are crucial: the amount and the source of funding. Data indicate that the most common model of funding is directly from the state budgets (INDIREG, 2011). In some countries like Austria, Germany, Ireland, Italy, Lithuania and Slovenia the budgets for regulators are supplemented by licence fees, the revenues from technical fees or

application fees, taxes on private broadcasters' income, donations and grants. The procedures of budget settings influence the degree of autonomy of regulators. We expect to see less institutional autonomy in cases where the budget of the regulatory authorities depends exclusively on the governments and where NRAs do not have "a maximum control of the input of resources on which they are dependent" (Baudrier, 2001).

## DISCUSSION AND CONCLUSION

In this section we present some preliminary estimations regarding the potential for autonomy of NRAs, with a detailed analysis of the two variables, appointment of heads and budget settings. Further research should be done to confirm our hypotheses. The study focuses on NRAs in 47 European countries. The innovation of our work consists in introducing new data on the appointment of heads of NRAs and budget frames, using these indicators to create a proxy for the autonomy of regulators. We assess the effects of legislative provisions on the independence of NRAs in different media systems, accounting for such factors as the degree of independence of Central Banks, proportional representation and the number of veto players in the polity.

The first dimension to analyze is the potential of autonomy of NRAs measuring variables drawn from the literature (Fernandez-i-Marín, Saz-Carranza and Vandendriessche, 2012): the body responsible for the nomination and appointment, the mechanism of appointment, the possibility of vetoing the candidate, the length of the mandate, the possibility of renewal of the mandate, the dismissal procedures, the body or person with the power to dismiss and formal limitations of eligibility of candidates. According to our preliminary index of democracies, the Democratic Corporatist countries (Austria, Belgium, Denmark, Finland, Germany, Netherlands, Norway, Sweden, Switzerland) tend towards consensus features of democracy: many political parties, broad coalitions, the practice of power sharing between parties, interest groups and cultural communities. In opposition, the Liberal systems (Britain, United States, Canada, Ireland) cluster majoritarian elements such as small numbers of political parties, domination of two broad, catchall parties, the existence of a unitary public interest. Mediterranean countries (France, Greece, Italy, Portugal, Spain) have government-controlled systems that "leads to diminished credibility with audiences and sharp conflict between government and opposition" (Hallin and Mancini, 2004). In countries such as Belgium, Cyprus, Denmark, Finland, the Netherlands, Slovenia and the UK the appointing authority is the executive body (minister/government/council of ministers). In other cases, the appointing authority is the parliament (Czech Republic, Estonia, Latvia, Portugal), socially relevant groups (Germany, Hungary) or a mix of parliament and the president (Italy, Spain, Romania, France) (INDIREG, 2011). The term of office of heads ranges between two and seven years and does not coincide with the election cycle, except for Belgium, Denmark, Estonia, Lithuania, Slovenia, Albania, Bosnia and Herzegovina, Serbia and Iceland. In Finland, Norway and

Switzerland the general director has a permanent term of office. Specific rules for limiting the possibility of dismissal of NRAs heads exist in most of the European countries, excepting the case of Belgium, Denmark, Estonia, Greece, Sweden, Iceland and Luxembourg (INDIREG, 2011). The possibility for autonomy increases in cases where appointments last for a long time. The more frequent and easily revoked heads' appointments suggest the opposite (Gilardi, 2001). Considering Lijphart's (1999) empirical evidence on the independence of Central Banks described in section III as an indicator for potential of autonomy of NRAs, we estimate that regulators in consensus democracies enjoy a higher rate of autonomy, while in majoritarian systems the potential for autonomy declines. In other words, due to the appointment procedures we rate the Democratic Corporatist and the Liberal media systems with a higher degree of institutional autonomy. In opposition, the majoritarian Polarized Pluralist model is rated with a lower degree of institutional autonomy.

Recall from section III that the autonomy of NRAs is directly linked with the existence of Veto Players. Hanretty and Koop (2010) argue that where few Veto Players are involved in appointment of NRAs' heads "the closer the match between the ideal point of the appointing individual and that of the appointed person"; conversely, where multiple Veto Players need to reach consensus on appointments "the match between any appointing actor and the appointed person will be looser". We question whether the autonomy of NRAs is influenced by veto players such as courts or special appeal bodies (ministries or governments) that can overturn regulator's decisions (as in Belgium, the Netherlands, Norway, Liechtenstein). In Bulgaria, Cyprus, Denmark, Finland, France, Ireland, Italy special appeal bodies have powers to give instructions to NRAs. With few exceptions, decisions taken by the regulators can be appealed to courts of law. In Estonia, Iceland (subject to certain exceptions), Germany there is no appeal procedure in place for the decisions taken by the regulator. In most of the European countries, courts do not have the power to replace the regulator's decision with their own, but can cancel the decision and remit it back to the regulator. External appeal courts can replace regulators' decisions in thirteen European countries: Ireland, Latvia, Lithuania, Malta, the Netherlands, Poland, Portugal, Slovenia, Sweden, Croatia, Former Yugoslav Republic of Macedonia, Norway and Switzerland. From these preliminary findings we can estimate that NRAs in consensus democracies enjoy a higher degree of potential for autonomy due to the involvement of more veto players in appointment of heads. Contrary, the fewer veto players, the lower the rate of autonomy of regulators.

The second dimension to analyze is the financial means of NRAs that represents a relevant criterion for the autonomy potential. The most common model of funding the regulators is directly from the state budgets. The government proposes and the parliament approves. In Greece, Italy, the Netherlands, Slovenia, Spain and the UK, the budgets are only subject to the approval by government. We predict that NRAs in consensus democracies have a higher degree of institutional autonomy due to the influence of proportional representation (PR) on budget settings, while NRAs in majoritarian democracies present a lower degree of institutional autonomy due to the influence of proportional representation

(PR) on the budget. The reflection of Proportional Representation (PR) on the financial autonomy can be hypothesized based on Lijphart's (1999) findings regarding the allocation of state budgets. He demonstrates that the proportional allocation of public funds can be based "on the strengths that the several segments have demonstrated in the PR elections". Where external parties have legal influence on the budget, they may exert pressure to get politically motivated decisions and to undermine NRAs' operational capacity through inadequate financing. The greater the influence of a single player regarding the budget allocation, the more likely it is to be used to punish or reward the body to generate politically motivated decisions (INDIREG, 2011). To sum up, considering Proportional Representation (PR) an indicator for the financial autonomy of NRAs, we rate the Democratic Corporatist and the Liberal media systems with a higher degree of institutional autonomy. In opposition, we predict a lower degree of institutional autonomy in the case of the Polarized Pluralist model.

As mentioned in the beginning of this section additional research should be done to confirm our hypotheses, as our estimations regarding the potential for autonomy of NRAs are preliminary.

Comparing the institutional design of NRAs in the European countries is representative taking into account the potential of diversity of the audiovisual framework. Provisory analysis of our data suggest that measuring the potential for autonomy of NRAs, based on the appointment of heads and the financial means can lead to a variety of outcomes. As stated, our core hypothesis is the strong relationship between the degree of autonomy of NRAs and countries corresponding with consensus and majoritarian features of democracy. To sum up, the objective of this research is to contribute to the debate on broadcasting regulation across Europe proposing measures for autonomy of National Regulatory Authorities (NRAs). We are filling the gap left in the debate on Hallin and Mancini's (2004) paradigm of media models and Lijphart's (1999) extension of democracy. Our provisory analysis suggests that there is a strong correlation between the degree of autonomy of NRAs and features of democratic regimes. Triangulation of different qualitative and quantitative methods indicate the differences between the various levels of autonomy of broadcasting regulators in Europe. Indexing regulatory authorities and their outcomes in decision-making processes add new dimensions for measuring the performance of government institutions.

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