

Media Capture: Slovakia

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Abstract

Various forms of media capture are common among many countries including the ones in European Union. In Slovakia, which is European Union state, media capture is existent. This paper aims to reveal the media ownership structure in Slovakia while tackling the question of whether there is a media capture or not in any forms. To answer this question, first a brief history of the country is presented. Secondly, the political structure of Slovakia is deciphered. Then, the regulations and laws that could be related to the media capture are stated by giving real life examples from Slovakia. A short comparison with Turkey is made and finally conclusions are given. The deductions attained through research signal the existence of media capture in Slovakia. On this basis, the similarities between Slovakia and Turkey in the forms of media capture could be striking.

Keywords: media capture, mergers, acquisitions, Penta Investments, Turkey, Slovakia

Introduction

In this article, the aim is to analyze the media capture in Slovakia by reviewing regulations and media ownership structure in Slovak media and making a short comparison with the situation in Turkey. At this point the focus is on Slovakia's media bosses and their buy-out activities.

Media capture is generally carried out through acquisitions and mergers. In this regard the study analyzes the media scene in Slovakia, starting from the bodies and regulations regarding media to the media oligarchs of the country. It is seen that Penta Investments is a key player in the media capture issue of Slovakia.

The following sections of this paper are organized as follows: In the next section, the brief history of Slovakia is presented. Then, the government's structure and political scene in Slovakia are reviewed. After that, the bodies and regulations that could be related to the preventing of media capture are introduced and the dominant players in different mediums are mentioned. In the last part scandalous events concerning media capture are addressed. The striking similarities between Slovakia's and Turkey's media ownership structures are stated and finally the conclusions are displayed.

1. Slovakia 101

Slovakia, formerly a part of Czechoslovakia, is located in Central Europe. The country's capital city is Bratislava which is quite close to the border of the Austria. The country is also surrounded by other countries like Hungary, Ukraine, Poland and Czechia with which the country parted its ways officially in 1993. The country is also in Eurozone which means Euro is employed as the form of currency. With the year 2021, Slovakia's total population is around five million. As Slovakia has several different ethnical layers existent in the country, it has a multicultural structure. Based on the data provided by The Statistical Office of the Slovak Republic, 83,8% of the total population living in the land, answered 'Slovak' to the question regarding the respondents' ethnicity. 10,8% of the respondents answered as that they belonged to the ethnic minorities. The ethnic groups which make up most of the non-Slovak population are Hungarian, Romani, Czechs and Ruthenians (The Statistical Office of the Slovak Republic, 2021). By 2019, the gender distribution of the population was 48,8% for the males, and 51,2% for the females. The age group with the highest amount of population is the one with people who are aged between 40 and 44 (United Nations Economic Commission for Europe, 2019). One could argue the fact that the most

crowded age group consists of those who are eligible to work is a great aspect of the population integrity.

As for the economic stats, according to Numbeo, the point Slovakia got in the Quality-of-Life index is the total of 147.9 in which the country ranked in the 30rd place out of 87 (Numbeo, 2021). According to Trading Economics (Trading Economics 2020), GDP of Slovakia in 2020 was 104.57 billion US dollars as found by World Bank (World Bank, 2020).

1.1 Slovakian History: Czechoslovakian Split

Modern Slovakia once was a part of Czechoslovakia until Velvet Revolutions which triggered the fall of communism in the first place. Even though it was Velvet Revolution that caused the split on the surface, there also have been reasons for the public rage leading to the revolution. According to Pavlinek (1995) Czechoslovakia split was mainly due to the unfair economic conditions between two lands. Especially after the communists stopped ruling in 1989, there had been uneven number of investments made between Czech and Slovak lands. The Slovak lands which had priorly been left out was once again within subordinate economic conditions. With the conditions worsening, people from both lands went into the streets to protest the regime which would later be called 'Velvet Revolution' (Krause, 2012). As a result of the street protests in 1992, leaders from both lands agreed on having an election. Movement for A Democratic Slovakia (led by Meciar) in Slovakia; and Civic Democratic Party (led by Klaus) in Czech lands won the elections (Pavlinek, 1992). The same year the power was left to Civic Forum and Public Against Violence. In 1990 elections Civic Forum (OF) from Czech lands won the majority of the votes, and in Slovak lands it was Public Against Violence (VPN) which won one in third of the votes. In the 1992 election, Civic Democratic Party (ODS) which was the successor of Civic Forum took the majority of the votes from the Czechs. From the Slovak lands; it was Movement of Democratic Slovakia (HZDS), the descendant of VPN negotiating the requirement of strengthening Slovakian presence within the Czech and Slovakian Federation. Then a negotiation between ODS leader Vaclav Klaus and HZDS leader Vladimir Mečiar had happened before the separation between Slovak and Czech lands took place in 1 January 1993 (Pavlinek, 1995). Both parties' mutual decision in parting their ways had been made operative. Thus, a new chapter had begun after the split of Czechoslovakian land.

Right before the split, it was in 1992 elections Meciar as the first prime minister started leading a one party HZDS government with the support from Slovak National Party

(SNS). The first ever parliamentary elections have taken place on 5th-6th of June 1992 and Slovak leader Meciar got the majority of the votes (Deegan-Krause, 2021). However, after so many of the mistakes were made by the Meciar's government of single party, SNS joined the ruling as a part of the formal coalition. In 1994, further mistakes kept being made by HZDS government and coalition fell into the minority leaving the place for a new coalition consisting of Christian Democrats, Former Communists and HZDS runaways. This coalition made the way for a new election in 1994 and Meciar again won almost the majority and returned to coalition government with SNS and Association of Workers of Slovakia (ZRS), along with this coalition Meciar governed as a prime minister until 1998 elections to be replaced by a coalition including Christian democrats, former communists, defectors from Meciar's party, and representatives from Slovakia's Hungarian minority. This coalition governed from 1998 to until 2006 under the Prime Minister Mikula Dzurinda (Deegan-Krause, 20212). In 2006, under Slovak Social Democracy (SMER-SD), Robert Fico was elected and he governed until 2010 to give the seat away to Iveta Radicova for her to only govern for two years. Robert Fico was elected again in 2012, and he ruled until 2016 to be elected again. Since 1992, nine different parliamentary elections occurred (Statistical Office of Slovakia, 2022).

1. Slovakian Politics

There are 12 political parties in the Slovakian parliament. The political parties of the parliament are as such; Ordinary People and Independent Personalities (OĽaNO), Direction-Social Democracy (SMER-SD), We Are Family (SR), Kotleba's People-People's Party Our Slovakia (ĽSNS), Progressive Slovakia (PS), Together-Civic Democracy (SPOLU), Freedom and Solidarity (SAS), For the People (ZA ĽUDÍ), Christian Democratic Movement (KDH), Slovak National Party (SNS), Bridge (MH), Network (SIEŤ). Regarding the names of the political parties, one can assume that the populist discourse is dominant in the Slovak political scene.

The president of the country is Zuzana Čaputová who has been at the office since 2019. Regarding the authority of her, related article in the constitution of Slovak Republic, pursuant to article 101 of chapter six could be referred as:

“(1) The President is the head of state of the Slovak Republic... (2) The President of the Slovak Republic is elected by the citizens of the Slovak

Republic in direct elections by secret ballot for a period of five years.”

(President Of the Slovak Republic, 2022)

Prime minister is Eduard Heger and he is a member of the Ordinary People and Independent Personalities Party (OĽaNO). A coalition government including OĽaNO together with We Are Family (SR), Freedom and Solidarity (SAS), For the People (ZAĽUDÍ), has been ruling the country since 2020 (Parties and Elections in Europe, 2020).

Components of the government contain 14+1 members with its ministries and Office of Deputy Prime Minister (Government Office of The Slovak Office, 2022). One can see typical examples of ministries in the country. The ministries are as is; Ministry of Economy, Office of the Deputy Prime Minister of the Slovak Republic for Investments and Informatization, Ministry of Finance of the Slovak Republic, Ministry of Transport and Construction of the Slovak Republic, Ministry of Agriculture and Rural Development of the Slovak Republic, Ministry of Interior of the Slovak Republic, Ministry of Defense of the Slovak Republic, Ministry of Justice of the Slovak Republic, Ministry of Foreign and European Affairs of the Slovak Republic, Ministry of Labor, Social Affairs and Family of the Slovak Republic, Ministry of Environment of the Slovak Republic, Ministry of Education, Science, Research and Sport of the Slovak Republic, Ministry of Culture of the Slovak Republic, Ministry of Health of the Slovak Republic, Office of Deputy Prime Minister.

2. Slovakian Media

One can state that the media in the country have been quite politicized. Regarding that statement, the policies made regarding to the media have been influenced by the politics immensely (Dragomir, 2020). In Slovakia, the only body to regulate the domain of media is The Council for Broadcasting and Retransmission (RVR). Its duties include giving licenses to new broadcasters and being operative in the reporting and regulation amendment processes concerning the media and lastly, being the check on those who are supposed to comply with the regulations, namely TV and radio broadcasters. This body could be considered to be a fairly powerful one as it holds the force to charge non-observant broadcasters. Even though Council for Broadcasting and Retransmission is said to be independent, one could believe that it is not indiscreet to state it works for the favor of the government as it ensures the broadcasters obey the local laws whose maker is basically the state itself regarding its legislative authority. Other slightly less salient tasks are comprised of publishing its activity reports on its official website which is an excellent aspect in the terms of transparency, and

reporting European Commission on the performances of the broadcasters (Drogamir, 2020). The legal requirement by the European Commission against the RVR could be interpreted as a decent aspect in that a third party, independent of the state party is included in the checking operations. One may express that related aspect could be beneficial in the future for the Slovakian media in the scenario of a total state capture, or a capture somehow the state is involved. In a twenty first century society like that of Slovakia, it could be crucial for the media overall not to lose its capability to be the fourth power as globally the media's power is bigger than ever.

It was when the government demanded the RVR to increase its revenue and be more active in the revenue generation mechanism when RVR started to fine more broadcasters. Alongside with the income it makes through fining of the broadcasters, it is one of two sources of revenue being received. Thus, the RVR increasing its revenue meant it to charge more broadcasters whether the action of charging is deserved or not. This for sure raised a lot of concern in various circles as that this would bring self-censorship of the outspoken journalists which are the warrantees of the democracy (Drogamir, 2020).

In the domains of print media and internet, there are no regulations existing. Also, Online platforms of media are not exposed to any form of restrictions or regulations (Drogamir, 2020). It might be expressed that online and print media outlets are relatively more liberal compared to television and radio channels which are supposed to comply with requirements issued by the RVR.

Another vital legal body existing is Antimonopoly Office of the Slovak Republic (Protimonopolny Urad Slovenskej republiky). It is a board founded to prevent the power to be held by a single hand. Every five years, seven officers are appointed to the council by the government to infer in when faced with monopolistic threats. It permits mergers or acquisitions. Like RVR, this body is important as well in regard of hindering monopolistic attempts. However, the fact that the members in the board are assigned by the government might raise question marks in some minds. One might consider that these members do not think and act independently as they have ties with the government (Drogamir, 2020).

3.1. Print Media

According to Školkay (2022), the newspapers are the least preferred medium in the country with the percentage of 19 as found by Eurobarometer (2015). Like the rest of the world, Slovak citizens also prefer to buy online subscriptions of the newspapers rather than

buying printed copies. It could be said that Slovakia only is keeping up with the trends as the majority of the world, in that the tendency towards subscription is getting bigger and thus the newspaper circulations are at decrease (see Çevikel, 2020).

Dragomir reports that the company publishing at most is Ringiel Axel Springer that is based in Zürich. Novy Cas, which is the most circulated newspaper of Slovakia is owned by Ringiel Axel Springer (Dragomir, 2018). One could think that because the company has German ownership and is based in abroad, the journalists working under the company do not feel as much inclined to perform self-censorship because the owners possibly would not be too politicized and force the journalists into self-censorship. Second largest influencer of the market is News and Media Holding (NMH) which is again based in abroad, Cyprus. The company had formerly been bought by Penta Investments which kept buying several other media outlets after the one being mentioned. The key actors in the print media medium are Sme, Korzar and Új Szó (published in Hungarian). Lastly, the publisher with the biggest share in the industry is Petit Press (Dragomir 2018).

2.2.Radio

Compared to other mediums, the radio broadcasting is such a small market (Dragomir, 2018). When Slovaks are asked how often they listened to the radio, 66% said 'daily' as stated by Školokay (2022). Because the market is not very extensive in size, it might be thought that the first ever radio channel Rádio Slovensko which is a state property is still one of the two most popular radio channels in the country, and the most popular one is the private Rádio Expres. The third most popular channel is Fun rádio whose owner is the leader of the political party We Are Family (Sme Rodina), Boris Kollár (Školokay, 2022). It might be said that a political leader having a media outlet should be liberating if not captivating.

2.3.Television

Television is the most preferred medium in Slovakia as it could be expected. 80 percent of Slovaks answered 'yesterday' when asked about the last time they watched television (Školokay, 2022). The most popular television channel in the country is Markiza TV which is owned by Markiza-Slovakia owning three other popular television channels in the country. The second competitor in the market is MAC TV holding two television channels TV Joj and TV Joj Plus (Dragomir, 2018). Lastly, public and also first ever broadcaster owns two channels in the country which are Jednotka and Dvojka. Jednotka is for a broader audience; it appeals to wider masses and its focus is more on entertainment and information. Dvojka aims

at those who come from specific layers of the societies like minorities and professionals from different domains proposing more refined content (Školkey, 2022).

2.4. Digital Media

According to Školkey (2020) in the age group 14-25 the daily usage of the internet is around 91 percent that is being the highest frequency of all age groups (Eurobarometer, 2015). Ringier Axel Springer, which is a German originated company owns most of the online news platforms like Azet.sk, Zoznam.sk and Aktuality.sk (Dragomir, 2018).

According to the report of Dragomir (2020), in the great scheme of things, the company making the biggest amount of money in 2018 is found as Markiza-Slovakia which is operative in the television broadcasting market with the net profit of 14, 154 euros. The second biggest earner is D.Expres broadcasting on radio with the net profit of 4, 345 euros and the third biggest profiter is Petit Press broadcasting on the mediums of print and online with the earnings of 3, 361 euros as found by Slovak Trade Registry (2018).

3. Media Capture in Slovakia

Penta Investments was founded by partners Marek Dospiva and Jaroslav Haščák while the two were studying in China. The business which started out by importing textiles from China to Czechoslovakia grew out of its shell to be named Penta Brokers when Martin Kúšik and Juraj Herko joined them in 1993. The company set great examples of horizontal mergers.¹ The company increased its shares in so many sectors by buyouts at some point. Being the 'shopaholic' that it is, the company has been active in many markets. What is intriguing is that Penta Investments could buy numerous properties throughout the country for all that PMU (Antimonopoly Office of the Slovak Republic) puts forward. Regarding that, one might get curious on how the company could perform such monopolistic purchasing patterns without getting stopped. Contemplating about how this was made to be possible may bring one to the assumption that the key people in Penta Investments have relations with the government.

¹ Merger can be explained as incorporating two companies as one while only one of two sustains the process (Chon, et Al., 2003). Mergers have two kinds; as horizontal and vertical mergers. In horizontal merger, the company merges with another one to be able to be active in different fields. This kind of mergers risk the competence in the field by possibly removing smaller competitors. This kind of mergers might provide the merging companies reduce the expenses of the production transactions (Özer, 2020).

Penta Investments has been on a 'shopping spree' throughout the years so to say. The company expanded itself so much; today it operates in many fields from healthcare to telecommunication. Martin Danko, one of the key actors in Penta, has been working in the company since 2015 and responsible for dealing with acquisition (Dragomir, 2018). Other important figures in the company could be listed as Marek Dospiva, Michal Teplica, Jaroslav Haščák, Martin Kúšik and Jozef Oravkin. According to The Slovak Spectator, the last three of which on the list are some of the richest people ranking 2nd, 10th, 17th in order in the country (The Slovak Spectator, 2021). What is striking is that these three people are among the founders of Penta Investments- one of the key companies owning influential media channels. Considering how the company has made itself visible to the public has been throughout the buy-outs, it is not very surprising to see the key actors in the company making their ways to 'the rich' list. That the financially powerful masses are able to simply shop media outlets might lead to standardization by giving way to monopoly with the loss of pluralism.

4.1 Penta Investments: Gorilla Scandal

In 2011, a scandalous event consisting of Penta employees proposing bribes to the government officers in the sales of public properties occurred (Cross, 2021). The names involved in the conversations claimed that the conversations were fake. Following the denials, Slovak citizens were on the streets to protest this set of dirty relations between the media stakeholders and the government. Penta's buying spree on the media outlets has been interpreted as its efforts to have a voice in the media to control the allegations about themselves, especially after 2011. The interpretations mentioned were existent after Penta bought 7 PLUS and Plus 7 Dní before acquiring its biggest investment: 50% stake in Petit Press. In the midst of the shopping craze, journalists working in Sme protested indirect sale of the newspaper to the Penta however their resistance was no help. They had to resign upon the acquisition as they did not want to get associated with Penta Investments (Dragomir, 2018). At the end, Týždeň was believed to be the last independent newspaper in the country before the reveal of Penta's having had funded the newspaper (Cross, 2021).

4.2. Aktuality.Sk: The Murder of Journalist Jan Kuciak and Architect Martina Kusnirova

On February 21, 2018 the country was shaken with a mournful set of news stating that the investigative journalist Jan Kuciak and his fiancée Martina Kusnirova were found dead by the police in their home five days after the murder. He used to work in Organized Crime and

Corruption Reporting Project (OCCRP) and had the efforts to uncover corrupted relations between government officers and the Italian mafia and individuals such as Marian Kocner (Dragomir, 2018). Then both aged 27, the murder of the couple led to the street demonstrations attracting over 60,000 people becoming the second biggest protest since Velvet Revolution in 1989 which had caused then-the leading party to throw over its role. Weeks after the tragic event, some students and the friend of the couple started an initiative named 'For A Decent Slovakia' performing demonstrations calling out for a proper investigation on the event and the government to resign. The country had experienced the first biggest public rage after the Velvet Revolution; the people went on the streets to ask for the government's resignation as that they could not protect a journalist. Upon the events happening, the then-president accused the movement to be linked with philanthropist George Soros and the opposition, attracting even more public rage that eventually forced him to tender his resignation. At that time, former Prime Minister Robert Fico had to resign due to the immense rage of the public. The Slovaks had filled with hatred remembering his long before told words about journalists such as "dirty, anti-Slovak prostitutes" (Cross, 2021). It was found that Slovak entrepreneur Marian Kocner was the one who solicited to murder of the Kuciak as he was writing investigative articles in Aktuality.sk allegedly risked the reveal of Kocner's illegal actions including money laundering. Kuciak has been the first journalist to be killed in the country. The event was considered to be one of the biggest tests the Slovakian democracy had to pass (Sirotnikova, 2020). What was shocking happened after the search of the establishment belonging to Kocner, police also discovered the audio copies of the Gorilla tapes which implied the relations between the government, Kocner and Penta.

Even at first it seemed as if the capture of the media was inevitable, due to the public reactions to the scandalous events occurred, the capturing activities somehow slowed down. Interestingly, after the horrendous murder the privatization process of the media was weakened to some extent. The journalists commented on that as if the speed of 'media capture' process started to decrease. Richard Vašečka, member of the Slovak National Council named this new start as 'detox' (Sirotnikova, 2020). Even though the murder was extremely horrific, it kind of stopped or slowed down the media capture.

4. Comparison of Turkey and Slovakia: Striking Similarities

In the previous section of the paper, it is mentioned that Antimonopoly Office of the Slovak Republic (PMU) is implemented by the government to control the ownership structures in the markets and to prevent monopolistic tendencies. In spite of the anti-monopoly body, Penta Investments which allegedly have strong relations with the government could own countless properties in several markets. With all we are given about the way how this body might not be working in the way it is supposed to do, one could assume that future of the markets and especially media domain in Slovakia may suffer from dominance projected by a few holders or the single holder; which in both cases there would be reiterant market structures such as duopoly or monopoly. In the long terms, it means that the content offered would be identical to one another as the holders of the media outlets would be the same group of people, and this as a result of cancels the democracy and pluralism (Dağtaş, 2020). Similarly in Turkey, Savings Deposit Insurance Fund (TMSF) has been being adopted by the government with aim to control the media ownership structure by dealing with the management and debts of the companies went bankrupt. In 12th of December, 2003 TMSF was given wide range of authorizations including assigning new chairmen to the foundations acquired pursuant to Law on Banks and Law of Amendments on Some Laws Related to The Amendments to Be Made through the article of 5020. With reference to the new law made, TMSF was able to acquire 219 companies that formerly belonged to Uzans (Saran, 2014). As in many other instances, TMSF was put to use when media industry was being re-arranged. Moreover, it can be seen that in the previous sections the fact that the government puts stress over The Council for Broadcasting and Retransmission (RVR) to fine more broadcasters poses a great risk for transparent and free media. One might believe that governments' telling RVR what to do might later bring independency issues over journalism. Similarly in Turkey, Radio and Television Supreme Board (RTÜK) is sometimes being utilized by the government to fine the outlets speaking to the detriment of the government. In 2020, upon the donation campaign started by the government was criticized by the journalist presenting in a critic channel named FOX TV, the television channel was fined by RTÜK (BBC, 2020). The government being operative in a process that needs to be independent of politics is manipulated in both countries. Likewise, Penta Investments, Çalık (Turkuvaz) Group in Turkey has close relations with government. It is known that son-in-law of the President Erdoğan is the brother of the chairman of Çalık

Group. In the media outlets that Çalık Group owns, it is very common to see pro-Erdoğan propagandas.

5. Conclusions

Even though Slovakia has an anti-monopoly institution like Antimonopoly Office of the Slovak Republic, it is very likely for one to think about the lack of independence of this institution as the checking mechanism is supported by officers of the government. Because of the fact that the anti-monopoly institution depends on the government, there might have been some neglects. The monopolistic tendencies of Penta and the success they acquired cannot be explained. It is seen that media bosses in Slovakia have close relations with the government and thus some of them take advantage of the relationships they build with the officers from the government. Finally, the traumatic experience of death of the Kuciak and Martina Kusnirova might have slowed down the monopolization process if not stopped.

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