

## **The Media and the State: Television and the Press 1949-99**

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*Chapter in "Writing in the Republic: Literature, Culture and Politics in the Republic of Ireland, 1949-1999" (ed. Ray Ryan), Cambridge University Press, forthcoming.*

The 1948 general election signalled the end of an uninterrupted 16-year period of Fianna Fail rule, and the introduction of a decade of electoral volatility. This was a decade characterised, too, by a series of enthusiastic but often unsuccessful attempts by government to reorganise the media landscape, and by the first tentative steps towards the establishment and political regulation of the new and reputedly all-powerful medium of television. Fianna Fail's second 16-year period in office (1957-73) coincided with the emergence of the electronic media generally as a *champ de bataille* between government and the media. By the eighties and nineties, governments of quite differing political hues found themselves dealing, for the most part inadequately and hesitantly, with the new challenges of de-regulation, the future of public service broadcasting, concentration of ownership, globalisation, and the economic colonisation of many forms of Irish media.

The sixteen years before 1948 had indeed been characterised, insofar as the media were concerned, by a stability which mirrored that of Mr de Valera's governments. The appearance of the *Irish Press* in September 1931, while Fianna Fail were still in opposition, was a landmark. The new paper, the first daily paper to be established since the foundation of the State in 1922, filled a yawning gap in the media marketplace: the *Irish Times*, although it had to some extent come to terms with Mr de Valera's pragmatism in office, could never bring itself to encourage people to vote for him at election times; the *Irish Independent*, cautious and conservative to a fault, never espoused Mr de Valera's political opponents in Cumann na nGael (later Fine Gael) openly, but there was never any doubt where its real sympathies lay. The *Irish Press*, effectively, levelled the playing field, and played a major part in

maximising the support for Mr de Valera at the 1932 election and consolidating it thereafter. Mr de Valera retained his position as its Controlling Editor, even as head of government, and despite the claim in the new paper's prospectus that it would not be a 'party organ'. This was to produce some piquant anomalies: in 1932, Mr de Valera as head of government censored Mr de Valera as controlling editor when the government forbade the publication of controversial letters from the Governor-General, who claimed that he had been slighted by Mr de Valera; a year later, when a military tribunal sent the Political Correspondent of the *Irish Press* to gaol for a month for refusing to reveal his sources of information in a political trial, Mr de Valera refused to commute the reporter's sentence, but paid him a doubtless welcome visit in Mountjoy Prison.

The change of government in 1948, however, put an entirely different cast on things. The *Irish Press* came under the able stewardship of Mr Sean Lemass, who was Mr de Valera's second-in-command and fresh from a 16-year stint as Minister for Industry and Commerce. Lemass assumed the role of managing director of the paper, which adopted its new role as poacher with gusto. Lemass himself frequently contributed spirited political commentaries to the paper under a pseudonym. One of these columns so angered the Minister for Social Welfare and Leader of the Labour Party, William Norton, that he sued for libel, receiving only derisory damages. The main function of the paper, however, apart from attacking the government, was quietly to take sides in the policy argument that was developing within Fianna Fail. That party's old guard were still firmly wedded to the ideas of economic self-sufficiency, and to tariffs and import substitution as the main planks of economic policy. Lemass, convinced by the failures of the immediate post-war years that Irish industry was a weak reed which needed to be exposed progressively to competition if it was to thrive, was moving towards a position that was much more open on trade, and much more critical of past mistakes. Discreetly, almost subliminally, the Irish

Press weighed in behind him, and was to play an important role in marshalling support for his policies in the late 1950s and early 1960s.<sup>1</sup>

Within the new government, as it happened, the media were to assume a prominent place on the political agenda. This was chiefly due to the concerns of the Minister for External Affairs and leader of the small Clann na Poblachta party, Mr Sean MacBride, a former associate of Mr de Valera's who had come to believe that Fianna Fail had lost its original energy and momentum, particularly in relation to the question of partition. MacBride, a barrister by profession, had also worked as a journalist for the French Havas news agency, and had even at one stage been employed briefly, under an assumed name, by a unionist newspaper in London .

MacBride had a high but somewhat unrealistic expectation of the power of the media to generate change in political attitudes, particularly abroad, and made one of the principal planks in his platform the establishment of a new organisation, the Irish News Agency, whose main task would be, as he first enunciated it, to publicise the problem of partition abroad. For all that this idea had been current in one form or another since the War of Independence (1918-1921), when the IRA had shown itself adept at enlisting foreign journalistic and diplomatic support for the cause of Irish Independence, MacBride's proposal was poorly thought out and riven with flaws. It also marked a total break with de Valera's policy in this respect, which had been based on the almost equally unrealistic belief that a national short-wave radio service, aimed at the diaspora and at public opinion abroad, would energise international opinion on Ireland's side.

MacBride had originally suggested the idea to de Valera at the end of World War II, at a time when belief in the propaganda value of various media had been heightened by Hitler's use of radio in particular. De Valera and his chief media advisor Frank Gallagher, a former editor of the *Irish Press* and thereafter Director of the Government Information Bureau, were cool about the proposal, arguing that

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<sup>1</sup> For more detail on this see Horgan, "Sean Lemass: The Enigmatic Patriot", Dublin, 1990, pp. 310-322.

nobody would believe in the impartiality of the statements issuing from any such agency under government control. MacBride's enthusiasm vaulted over such quibbles, and in speeches to the Dail on the setting up of the Agency, he managed to maintain simultaneously that it would not be a propaganda body, and that it would be the spokesman abroad for the Irish government's position on partition.

The agency survived, against the odds, for some seven years and three governments. That it survived at all was partly due to the adroitness of its first managing director, Conor Cruise O'Brien (then a civil servant in MacBride's department of External Affairs), and partly to the calibre of its staff, who were drawn from the cream of Dublin journalism, and paid - by the standards of the time - exceptionally well. It never performed adequately any of the functions for which it had been designed. Its chief activity became the export of general Irish news stories to foreign (usually British) publications, who returned the compliment by printing them only in the Irish editions of their newspapers. This was an almost entirely circular process, with little added value in propaganda or indeed any other terms. It finally succumbed to the combined assaults of the mandarins of the Department of Finance, who saw that it would never become economically viable, and the doughty members of the National Union of Journalists in Ireland, whose own tidy little business in exporting Irish news to UK publications had been seriously undermined by the Agency's activities.<sup>2</sup>

The short-wave radio experiment, initiated by de Valera as a means primarily of projecting Ireland to the American audience, died a slow and lingering death in 1957.<sup>3</sup> It was suffocated partly by the disinterest of non-Fianna Fail governments, who saw it merely as a hangover from the ancien regime; partly by organisational weaknesses (its relay of Irish radio broadcasts to the US was simultaneous with their broadcast in Ireland, which meant that the programmes reached the US at a time when

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<sup>2</sup> For more detail on this see Horgan, "Government, Propaganda, and the Irish News Agency", in *Irish Communications Review* 3 (1993), pp. 31-43.

<sup>3</sup> Cf. "The Irish World Service - the story of Ireland's short-wave station", unpublished MA in Journalism dissertation, Paul Cullen, Dublin City University, 1991.

most of the inhabitants of that continent were in bed); and partly by technological developments, as the emergence of FM radio and television dealt a death blow to the sale of short wave radios in the US.

In the embers of that short-wave service, however, there were sparks that were to be fanned into flame. Two developments, in particular, were of considerable political and cultural significance, and these owed their existence almost entirely to the short-wave initiative. One was the news service, and the other was the cultural extension of radio via the orchestra and the "Rep", or the Radio Eireann Repertory Company. Both of these developments found a home in the existing Radio Eireann service, which was at that stage completely under government control, and staffed and organised as an integral part of the department of Posts and Telegraphs.

The relationship of broadcasting to the State during this period was anomalous. The news service had traditionally been innocuous and non-controversial, in part because of the legacy of the war years, when strict censorship was the order of the day. Radio Eireann's role was also stringently demarcated by its explicit function as a public service organisation with the specific brief of protecting and promoting native Irish culture, notably language and music. It fulfilled this task with enthusiasm, at whatever cost to its ratings, in an era when Irish listeners could in many cases easily switch to the BBC, Radio Luxembourg, and other stations. It was not heedless of the consequences, and carried out surveys to establish which stations attracted Irish audiences, but was too embarrassed to publish the results, which showed that by the mid-1950s no more than 0.1% of the potential listenership tuned in to Irish language broadcasts.<sup>4</sup>

It was a Fianna Fail Minister for Posts and telegraphs, however, who began the process of inching Radio Eireann towards a greater degree of openness. After he became Minister on Fianna Fail's return to power in 1951, Erskine Childers (who had been Advertising Manager of the *Irish Press* in 1931), set about the creation of a new

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<sup>4</sup> Cf Robert Savage, "Irish Television: The Political and Social Origins", Cork, 1996, p.6.

structure which, although wholly advisory in character, at least offered the possibility of an input into broadcasting policy that was neither political nor bureaucratic. In a way that was still weak and ineffectual, it nonetheless presaged the developments that were to find legislative expression in the 1960s, and the eventual removal of broadcasting from the direct control of government.

The main impetus for change in the late 1950s, however, came, ironically, from within the depths of the civil service itself. Leon O Broin, Secretary of the department of Posts and Telegraphs, saw television looming on the horizon, and did his best to alert his political masters to its significance and its implications. His fellow-mandarins in the Department of Finance took fright, possibly seeing in it a newer and even more expensive version of the Irish News Agency. It would, one of them wrote, be

ridiculous to think of a Television service in a country which has manifested no interest in it and whose people would probably be opposed to the spending of considerable sums of public money on such a luxury available, of course, to a very limited number because of geographical and financial reasons.<sup>5</sup>

Politicians were hesitant at best: aware of the powerful pressures of religious and cultural interests, they were obsessed with questions of control, and seriously considered farming out the television service to private commercial interests, both as a way of finessing the cards played by the clerical/cultural lobbies, and as a way of saving the exchequer money.

The Government of Sean Lemass, who succeeded de Valera as Taoiseach in 1959, took an early decision to establish television as a new service under a public authority. This decision, which was against the weight of the advice they had been

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<sup>5</sup> Savage, p. 9.

tendered and against Lemass's personal view, was influenced primarily by fears that Irish culture would disappear from the agenda of a purely private television service. Indeed, Lemass had, since the 1930s, been in favour of private involvement in national broadcasting, and governments of this hue, although officially wedded in later years to the concept of public service broadcasting, were readily persuaded that the national broadcasting service was anti-government, and occasionally sought to rebalance the broadcasting equation more in favour of private interests, most dramatically in 1991.<sup>6</sup> Lemass himself was only dissuaded at the last minute from marking the new station's cards in a series of official government directives, and confined himself to enumerating the desiderata in a memorandum to his Minister for Posts and Telegraphs, Joseph Brennan, which made his own views quite clear. Subjects which might be covered, he opined, included:

1. The "image" of Ireland and of the Irish to be presented, including the avoidance of stage-Irishisms, playboyisms etc. The "image" should be of a vigorous, progressive nation,, seeking efficiency.
2. The handling of Social Problems, either general or local. The desirable course would be to encourage objective presentation of facts and constructive comment. The 'God-help-us' approach should be ruled out.
3. The presentation of features and comments on events abroad involving criticism of the policies of other governments. The attitude to events in Iron Curtain countries would require particular definition.
4. The coverage of events in Northern Ireland, with particular reference to criticism of the policies of the Northern Ireland

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<sup>6</sup> Cf *infra*, p. 17.

administration, and the encouragement of anti-Partition sentiment.

5. The presentation of plays and features which emphasise sex.
6. The policy to be followed in covering sporting events, and the prominence to be given to national games.
7. The utilisation of the service for religious instruction, and the facilities to be given to non-Catholics.
8. The utilisation of the service for instruction in scientific subjects, and the subjects which are suitable for such instruction.<sup>7</sup>

The surprising omission of the Irish language from this politically correct agenda of conservative Irish Republicanism was hardly an error: Lemass had little sympathy for it except in symbolic terms. In outline, however, it presaged accurately enough an era of close government attention to the new medium, particularly on political, economic and social matters. Cultural matters were not ignored: the official archives are replete with representations from spokespeople for various cultural organisations complaining about the allegedly bad effect television was having on Irish culture, and the Commission on the Restoration of the Irish Language (1965) in an interim report had made clear its belief that television and radio should play a much more prominent role in the language revival movement. But increasingly issues such as freedom of expression, editorial independence, and the coverage of news and current affairs on the new medium, came to dominate state-media relationships.

The 1960 Broadcasting Act, which established the Irish television service, in fact took two steps in one. It not only created a statutory basis for the new service, but also established a new relationship between broadcasters, government and the public. Removed from the tutelage of the department of Posts and Telegraphs and the well-

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<sup>7</sup> Lemass to M. Moynihan (Secretary to the government), National Archives of Ireland, S 14996D, 30 March 1960.



meaning but ineffective Advisory Committees, both radio and television began slowly to flex their muscles. It was, after all, the decade of the Sixties, when the rising international economic tide, allied to Lemass's expansionist and export-focused industrial policy, was creating a sea-change in Irish life. Some, at least, of the emigrants who had left in the nineteen fifties were returning to new jobs and better prospects than ever before. There was a palpable air of optimism, of challenges to established authority, and a sense that change was possible in many social and political fields.

The conflicts between government and broadcasters in the 1960s<sup>8</sup> reflect the strong desire of the governments of that time that the new medium should be used to promote, rather than criticise, national policy. The problem was that the new governing mechanism for television (and radio), an Authority established under statute, did not envisage direct contact between politicians and broadcasters. Nonetheless, politicians frequently contacted the Authority, or its individual members, and even station executives, to express concerns about a whole range of subjects. This practice was eventually codified in a 1967 memorandum by the Minister for Posts and Telegraphs designed to ensure that contacts between ministers and the station took place only via designated senior officials, thus reducing the possibility of inconvenient leaks about government interference.

Lemass personally made no bones of his conviction that the role of the new medium should not lose sight of overriding national considerations or indulge itself in the "undue representation of our faults" under "the pretext of objectivity".<sup>9</sup> He was not slow to mark the new Broadcasting Authority's cards, even in minor matters, but he was especially sensitive to critical programmes on economic matters and on emigration. He described one current affairs programme as increasingly "a medium for the uncritical presentation of the views of persons associated with various ramps

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<sup>8</sup> For more detail on this era see "Sit Down and Be Counted", eds. Doolan, Dowling and Quinn, Dublin, 1969.

<sup>9</sup> Lemass to Michael Hilliard (Minister for Posts and Telegraphs), National Archives of Ireland, D/T, S 14996D, 12 April 1960.

and crank projects"<sup>10</sup> and urged Telefis Eireann, via his press secretary, to "take the whine out of their voice".<sup>11</sup>

His view of what should be done was simple and old-fashioned: if any programme projected the wrong view, Telefis Eireann should immediately prepare and transmit a corrective programme. He was persuaded against insisting on such a course of action by the television authorities, who correctly argued that news of such an initiative would compound the original problem instead of solving it. For their part, the controllers of the new service managed to avoid taking any disciplinary or other overt action which would have led to questions about the station's credibility as a commentator on and analyst of public affairs.

It was inevitable that these mini-controversies, which took place in private, should be accompanied by more explosive exchanges in public. The most dramatic of these took place in 1966, almost on the eve of Lemass's resignation as Taoiseach and in the midst of a major confrontation between the government and the National Farmers Association. It was an open secret that the government was dismayed by the latitude being given to the protesting farmers by the broadcasters, and had done its best to bring the station to heel. Lemass, questioned about this in the Dail, gave a typically blunt assessment of the relationship he thought should subsist between broadcasters and government:

Radio Telefis Eireann was set up by legislation as an instrument of public policy and as such is responsible to the Government. The Government have over-all responsibility for its conduct and especially the obligation to ensure that its programmes do not offend against the public interest or conflict with national policy as defined in legislation. To this extent the Government reject the view that RTE should be, either generally or in regard to its current affairs

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<sup>10</sup> Lemass to Padraig O hAnnrachain (head of Government Information Bureau), National Archives of Ireland, D/T S 3532 C/63, 13 September 1962.

<sup>11</sup> Lemass to O hAnnrachain, National Archives of Ireland, D/T S 3532 C/63, 4 January 1963.

and news programmes, completely independent of Government supervision. As a public institution supported by public funds and operating under statute, it has the duty, while maintaining impartiality between political parties, to present programmes which inform the public regarding current affairs, to sustain public respect for the institutions of Government and, where appropriate, to assist public understanding of the policies enshrined in legislation enacted by the Oireachtas. The Government will take such action by way of making representations or otherwise as may be necessary to ensure that Radio Telefis Eireann does not deviate from the due performance of this duty. . . . There is, I think, a very special obligation on Government to ensure that the decision to entrust this responsibility to an independent authority does not conflict with the public interest.<sup>12</sup>

This was to remain the official statement of government policy, and was publicly implemented again under his predecessor, when the Minister for External Affairs, Frank Aiken, succeeded in preventing the sending of an RTE reporting team to North Vietnam. It was not long, however, before these skirmishes paled into insignificance beside the problems created by the eruption of violence in Northern Ireland in 1968-69, when the attempt by broadcasters to come to grips with a situation led to new crises in government-media relationships. Sean Lemass's statement from 1966, although it evoked strong protests from many Irish journalists inside and outside the broadcasting organisation, was in fact little more than an exegesis of section 31 of the 1960 Broadcasting Act, which gave the government the important residual power to insist that the state broadcasting service should broadcast anything the government believed to be essential, and to prevent the broadcasting of any material the government found objectionable. This power was not the object of any

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<sup>12</sup> Parliamentary debates, Dail Eireann, Vol 224, Col. 1045-6 and 1048, 12 October 1966.

journalistic criticism when the Act became law: for a quarter of a century after the eruption of political violence in the North, it was to be the lynch-pin of controversy.

The emergence of the civil rights movement in the North, the re-appearance on the scene of the IRA in 1969, and the rapidly escalating conflict, pushed the politics of partition back onto the media agenda in a way that had not happened since Lemass's brief visit to Northern Ireland to meet the Northern Prime Minister, Terence O'Neill, in 1965. The problem was that there were, effectively, no guidelines to deal with a situation in which a legitimate political party - Sinn Fein - was the acknowledged public face of an illegal paramilitary organisation - the IRA. The situation was complicated by the fact that Sinn Fein's ideology was unambiguously directed, not just to the extirpation of Unionism and the re-unification of the island, but to the destruction also of the Dublin government and political system, which it saw, in a semi-theological way, as illegitimate inheritors of the Republican tradition, established on the flawed basis of the 1921 Anglo-Irish Treaty.

In this confused and volatile situation, the government became increasingly apprehensive about the prominence being given to Sinn Fein statements on the broadcast media. It was not only a law and order issue: it was something which went to the root of the government's self-understanding as the legitimate, democratic heir to the tradition of Pearse and the other 1916 leaders. Accordingly, when in September 1971 Telefis Eireann carried interviews with two IRA spokesmen, the government issued for the first time a Directive under Section 31 of the 1960 Act instructing the authority to "refrain from broadcasting any matter that could be calculated to promote the aims or activities of any organisation which engages in, promotes, encourages or advocates the attaining of any political objective by violent means." The Authority sought clarification, which was refused. In November 1972, following the broadcasting of a lengthy summary of an interview with an IRA spokesman, the government dismissed the Broadcasting Authority in its entirety and replaced it.

This inaugurated a period of low-level guerilla warfare between broadcasters and government. The new Authority was positioned uneasily in the middle, anxious to

ensure the continued credibility of its broadcasts, but perennially sensitive to the government's power of the purse - decisions about whether, when and by how much the annual license fee should be raised, with major implications for the station's income, were (and remain) entirely a matter for Cabinet.

A change of government in 1973 removed Fianna Fail from office after another uninterrupted 16-year period. The new Labour Minister for Posts and Telegraphs, Conor Cruise O'Brien, was if anything even more hostile to militant Republicanism than his predecessor had been (he once intimated that he would like to introduce legislation which would allow him to take action against the editor of the *Irish Press* for publishing letters from pro-Republican sources in his columns). He was also, however, more sensitive both to broadcasting procedures and to the concept of public accountability. Accordingly, the 1976 Broadcasting Amendment Act, which he initiated, clarified the terms under which directives would be given to the broadcasters, making them less ambiguous, and also enacted that no government could dismiss the Authority without the prior approval of both houses of parliament (the Dail and Seanad). The Act also instituted, although in a milk-and-water form which made little difference to broadcasting practice, a Broadcasting Complaints Commission.

The arguments about political censorship of broadcasting, however, although it involved centrally important questions of principle and practice, was one essentially carried on by a political and journalistic elite. In the years between 1971 and 1994 (when the directive ceased to be renewed on an annual basis) not one member of either house of parliament queried government policy. Fifteen years after the ban had first been instituted, more than a third of the respondents to a Dublin survey indicated that they had never heard of it.<sup>13</sup> When it was finally allowed to lapse in 1994, it was less because of the existence of a new climate of rapprochement between government and broadcasters, more because it was seen as a political

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<sup>13</sup> Unpublished survey by Niall Meehan and Jean Horgan, School of Communications, Dublin City University, 1987.

obstacle in the movement towards the first major IRA cease-fire. Its legacy, apart from a series of sometimes grotesque case-histories, has been an enhancement of the propensity to self-censorship evident in any organisation subject to government control (however remote and intermittently exercised) which has taken a further five years to begin to dissipate.

In the meantime, other developments were taking place - developments which had a far higher public profile than the arguments about Section 31, for the very simple reason that they affected, more immediately, a far higher proportion of the viewing public. These were the issues related to viewer and listener choice which, although originally discussed only in terms of the national provision of broadcasting services, formed the basis for a further series of government decisions into the eighties and nineties which moved government-media relationships onto a new plane.

The cultural and social changes which under-pinned these developments were in themselves significant. In 1963, two years after the introduction of a native television service, there were still three radio licences to every two television licences. By 1969 there were 161,000 radio licences and 433,000 television licences. By 1989 (when the stand-alone radio licences had been abolished) there were 782,000 television licences.<sup>14</sup> There are currently (1998) 990,000 licences. In addition, a wide swathe of residents along the eastern coast of the island and parts of the midlands had free (if qualitatively spotty) access to UK television channels from transmitters in Wales or Northern Ireland. As early as 1966, indeed, the government had insisted (against the wishes of the Irish broadcasting organisation) that new tower blocks of public housing in the northern suburbs of Dublin should be fitted with special aerials so as to enable them to receive the UK channels. Elsewhere in the country, reception was confined to programming generated by Radio Telefis Eireann or RTE (as Telefis Eireann had been renamed in the 1976 legislation).

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<sup>14</sup> Figures (rounded) from Dermot Keogh, "Twentieth-Century Ireland: Nation and State", Gill and Macmillan, Dublin, 1994, p. 253.

Pressure for choice of viewing escalated throughout the 1970s, and a Broadcasting Review Committee (1971-74) recommended that RTE be given a second channel. The new Minister, Conor Cruise O'Brien, counter-proposed that a second national television channel should be set up, whose function should be to re-broadcast BBC 1 programmes throughout the state. His parallel intention was that RTE should be re-broadcast throughout Northern Ireland as an act of reciprocity by the British government, but the total plan was swamped in public protest and effectively undermined by an RTE survey (1974) which showed that the majority of respondents wanted a second RTE channel. This was duly provided, but not under his stewardship. In the meantime, the spread of cabling in Dublin, and the increasingly sophisticated use of aerial and re-transmitter technology, introduced UK broadcasting channels to an ever widening Irish audience. This mirrored a trend which had long been evident in the print media, and which was to be the subject of more intense controversy in the nineties: the penetration of the Irish print media market by UK-published newspapers, which have for many years accounted for almost one in four of morning papers, and one in three of Sunday papers sold in the State.

The playing field thus levelled for television remained comparatively undisturbed until the late nineties, when, with the licensing of a second Irish television station (in private ownership) and an acknowledgement of the major challenges facing Irish public service broadcasting in the new millennium, government-broadcasting relationships assumed a new intensity. In the meantime, the battle-ground shifted towards radio where, not least because of the dramatically lower capital costs involved, the possibility of providing wider listener choice involved government and broadcasters, public and private, in a series of running skirmishes throughout the last three decades of the century.

Overshadowed by the advent of television, RTE radio had, by the late 1960s, become something of a backwater. It was set in its ways, and had little in the way of real competition. It was a service that was - despite small oases of quality, not least in cultural programming - obstinately middle-aged, and middle of the road. If

government and broadcasters did anything, it was generally because they were pushed, rather than on foot of any interventionist strategy. Interventionism, such as it was, emerged as a response to pressure group politics and activities rather than as part of any overall coherent broadcasting policy. The decision to establish Radio na Gaeltachta in March 1972, for instance, was fuelled partly by Fianna Fail's fear of losing votes in key west of Ireland constituencies, and partly by the dangerous attraction of pirate radio in the Irish language, which, unlike its music-driven English-language counterpart, was overtly libertarian, communitarian and anti-authoritarian in tone. There is a particular irony in this: the proposal for a separate Irish-language radio station had been made intermittently since the 1920s, but had been ignored by successive governments. This was due partly to natural departmental inertia, partly to the fear that such a station might prove a focus for alternative politics, and partly to the national ideological fiction that, since all Irish people spoke Irish anyway, Irish-language broadcasting could most appropriately be integrated with the general national service rather than being ghettoised in a service of its own. The later establishment of an Irish-language television service, Telefís na Gaeilge (1996) was due to similar forces, including the broadcasting from a pirate Irish-language television station in one of the major Irish-speaking areas in 1987. Telefís na Gaeilge, as it happened, placed a fresh burden on the national broadcasting station, which has been obliged to supply it with a certain quantity of free programming.

The growth of the pirate radio phenomenon in English, which began in the 1970s,<sup>15</sup> and was initially largely urban in character, was driven in part by a genuine search for alternatives, in part by an aggressive (often UK-financed) entrepreneurship that saw the opportunity for massive and quick profit-taking. It was also, of course, illegal, but the 1926 Wireless Telegraphy Act, the main weapon in the government's armoury, was old, rusty, and quite likely to explode in the hands of anyone who attempted to utilise it.

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<sup>15</sup> Cf. Peter Mulryan, "Radio Radio: the story of independent, local, community and pirate radio in Ireland", Dublin, 1988, *passim*.



By the time that the government decided that something had to be done, the situation was almost out of control. The most successful pirate stations were attracting hundreds of thousands of listeners, and millions of pounds worth of advertising. The political risks involved in banning them, in the absence of any equally popular (but legal) alternative, were so foreseeable as to induce legislative paralysis. RTE, belatedly aware of the problem, introduced a new "pop" radio channel, Radio 2 (later renamed 2FM) in May 1979, but this slowed the tide marginally, rather than stemmed it.

In 1985, the then Coalition government led by Garrett FitzGerald established an Interim Radio Commission to advise on the future shape of radio, but that Commission's deliberations were side-lined by an intra-governmental dispute about the future control of local broadcasting. RTE had, in a pre-emptive strike, put forward a proposal for a whole series of local or regional stations under its control. This proposal was strongly backed by the Labour Party, the minority party in government, which had links with trade unions in RTE. Fine Gael, the majority partner in government, was far more oriented towards privatisation, but was unable to persuade its Labour partners to shift their ground, all the more so because this particular issue became a surrogate for a number of other issues on which the parties were divided. Fianna Fail then made it an issue in the 1987 general election, reasoning correctly that they had nothing to lose: indeed, their overt support for the legalisation of private commercial radio was a major plank of their appeal to younger voters. Back in government in 1987, they rapidly legislated to rationalise the status quo with the support of Fine Gael, now liberated from its relationship with Labour.

The decade that followed saw the gradual emergence and evolution of structures designed to put government-media relationships on a new footing, but progress was slow and often dogged by controversy. The model originally chosen for private commercial broadcasting was the Independent Radio and Television Commission (October 1988), which was charged with the task of establishing a network of local and regional radio stations, and awarding a franchise for a second,

private, television network. Some commentators suggested that, in a total population of little more than three and a half million people, this was optimistic and, as events turned out, they were proved at least partly right. Many local stations did in fact get off the ground, the first of them in Dublin in July 1989. Some of the regional stations have achieved substantial listenership in their target areas with a format modelled partly on mid-range music choices and partly on traditional local print media.

Nationally, the story has quite different. An initial attempt to establish a national alternative to RTE radio (Century Radio) was seriously under-capitalised and under-researched. It was launched in September 1989, and collapsed in November 1991, in the midst of a controversy which showed plainly that the government was prepared, if the occasion arose, to change the rules in favour of private commercial interests. It was hardly a coincidence that a number of those who had put capital into century Radio initially had also been associated with Fianna Fail, especially as donors. In the event, the Minister for Communications, Ray Burke, proposed a radical re-organisation of the financing of broadcasting, which would have involved turning the national 2FM service, which had by then established a successful popular music service and was attractive substantial advertising, into a purely public service station with no advertising. Under this scenario, Century would become the only national popular music station; £3 million of the annual license fee revenue would be diverted to the private commercial stations generally; and a "cap" would be put on RTE advertising so as to divert revenue from this source into the commercial sector. The minister was forced to back down under political pressure from his coalition partners, and in the face of a threat by RTE journalists to "black" an EEC summit in which he and other Cabinet ministers were participating in Dublin. Its successor, Radio Ireland (1997), staggered into its second year on the airwaves only courtesy of an expensive re-launch which saw it re-christened as Today FM. TV3, the projected alternative to RTE television - more properly the projected domestic alternative, as cable and satellite are now providing an ever-wider choice to many Irish homes - was awarded

its original franchise in April 1989, but did not come on the air until late 1998, after bouts of capital starvation and re-investment.

In the meantime two other developments, each of them linked to the trend towards media globalisation, provided government with a series of new challenges which, as had now become the norm, were only partially and hesitantly accepted. One was the need to find a new sense of direction, purpose, and perhaps new forms of organisation and financing for public service broadcasting as it entered the era of globalisation; the other was a growing concern about the future of the indigenous print media, fuelled by the collapse of the Irish Press group in 1995, by concerns about the increasing market share controlled by one major player (Independent Newspapers), and by the increasing presence in the Irish newspaper market-place, not only as wholesalers but as owners, of UK media interests.

The development of government policy in relation to broadcasting during this period was marked by a sea-change. As has been noted, government interventionism in the past had been largely related to questions of content, and were often low-level in character. The nineties, however, were marked by a number of important structural initiatives by the state, the details of which are still in the process of being worked out. Michael D. Higgins, as Minister for Broadcasting in the 1994-97 coalition governments, published a Green Paper (March 1995) in which, for the first time, important initiatives in relation to existing structures were outlined. Principally, the Green Paper suggested the creation of a Super-Authority which would combine many of the existing functions of the current RTE Authority and the IRTC, take over certain housekeeping functions from the Department, and centralise arbitration functions and complaints procedures. Even more controversial was the suggestion that the new Authority should have power to change internal RTE structures and assess its performance in key areas. Taken together, these marked a high point in interventionism by the state: the argument, as ever, is about the extent to which such powers, created for positive reasons by a government which had a bias in favour of

public service broadcasting, could be used for malign purposes by governments of a different hue.

These proposals were strongly resisted by RTE, but taken up in a modified form by his successor, Sile de Valera, but have not yet appeared even in draft legislative form, and are unlikely to do so for some time. Mr. Higgins's other major domestic intervention, however, is already on the statute books. This was the 1993 Broadcasting Bill in which - persuaded at least in part by doubts about RTE's ability to provide innovative and creative programming - he sequestered a fixed percentage of the RTE budget for independent film-makers. This decision is being modified slightly by his successor, but the principle remains intact. One of his other important initiatives, however, was on the international level. During intergovernmental negotiations leading up to the drafting and passage of the EU's Amsterdam Treaty, he succeeded in inserting an important protocol defining and protecting the rights of public service broadcasting organisations, in the teeth of considerable opposition from European commercial broadcasting interests who felt that they were entitled to a proportion of license fee income insofar as their output was oriented towards public service.

A question which began to mature in the later nineties was that of digitalisation, which had not been dealt with to any great degree in the Green Paper or in the discussions surrounding it. As the century closed, however, it became evident that this new technological development, and the capital required to fuel it, raised important questions of regulation, deployment, and ownership. These questions are still at an early stage of discussion, but the government has already signalled its acceptance of RTE's contention that it should, as the state broadcasting service, be centrally involved in the process, and has agreed that RTE should control 40% of the shares in a new company which will be set up to oversee Ireland's entry into the digital age.

Throughout the nineties, the indigenous print media landscape was also undergoing dramatic changes, and government was being drawn, generally

unwillingly, into the hot-house atmosphere of circulation wars, ownership problems, and questions of political influence. The indigenous industry had established its own pressure group, National Newspapers of Ireland (1985), mainly to campaign for better fiscal treatment from the government and for changes in the libel laws, in neither of which did it notably succeed. In 1995 the Irish Press group, plagued for years by under-capitalisation and poor management, succumbed. Four years earlier, it had become involved in a joint venture with an American newspaper magnate, Ralph Ingersoll, as part of its attempt to raise fresh capital. The relationship soured, and ended in the courts. In the intervening period, and just before the collapse of the group, the Irish Independent group had taken a minority stake in the Irish Press, less as a white knight, more as a prophylactic against the projected involvement of the UK Daily Mail, which would have provided the Independent group newspapers with powerful competition on their home turf.

These developments, in turn, prompted political calls for an official investigation into the state of the newspaper industry, as the Independent Group now controlled a huge slice of the indigenous market. It had a minority stake in the loss-making Sunday Tribune, which had already been the subject of adverse comment by the Competition Authority; a 50% stake in the tabloid Daily Star (the other 50% being owned, as part of a highly successful joint venture, by Express newspapers); it owned two Sunday newspapers, one morning newspaper, Dublin's only evening newspaper, and a swathe of profitable provincial weeklies; and it had a 50% stake in Princes Holdings, a company that held potentially highly profitable franchises for the distribution of television and other services via MMDS technology.

The government therefore established a Commission on the Newspaper Industry (1995-96), more as a holding exercise than anything else. It was reluctant to challenge the Independent group's power, partly for obvious political reasons, partly because the penetration of the Irish print media marketplace by UK-based publications meant that a court might decide that the Independent group did not hold a dominant position in the total market-place within the terms of anti-monopoly

legislation. Any challenge it might make to the Independent group, therefore, would unleash a lengthy legal battle without any guarantee of a successful outcome.

The Report of the Commission drew attention to the dangers of concentration of media ownership and the dangers of cross-ownership, but was unable to come to any firm conclusions about the role of the Independent group in particular. Its report, however, had little or no effect on the central issues it addressed. The Sunday Business Post, a national newspaper originally started by Irish journalists, went through French and German ownership before ending up in the hands of a UK conglomerate; and the powerful UK Mirror Group, in 1998, bought into the profitable Irish regional newspaper market in Donegal. was very rapidly overshadowed by events surrounding the general election of 1997 when the daily Irish Independent, in a total break with tradition, urged its readers, in a front-page editorial to vote for the Fianna Fail opposition. Fianna Fail formed the next government - despite receiving the second lowest share of the total national vote in the party's history - but both party and paper were almost immediately mired in a controversy involving allegations of political favouritism and hidden donations to party funds.<sup>16</sup>

One element of the controversy involved Princes Holdings, whose quest for profitability had been hindered by a government unwillingness to legislate against pirate deflectors of UK television signals: at a key pre-election meeting between company executives and representatives of the outgoing government, the newspaper's dissatisfaction with government policy in this regard was made abundantly clear. Another element involved political donations: it was revealed in 1998 that a company controlled by the Independent's chairman, the millionaire Dr. A.J.F. O'Reilly (although the company concerned was not part of the Independent group), had made a substantial donation to a senior Fianna Fail figure in highly controversial circumstances. Shortly afterwards it was also disclosed that the Independent group itself had made regular donations to political parties over a number of years, although

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<sup>16</sup> For further information on the Independent Group, cf Horgan, "The Life of O'Reilly", *British Journalism Review*, 1998 (9) (2), 1998, pp. 29-35.

the amounts and recipients were not identified. Recent legislation ensures that all such donations over a certain limit will now have to be publicly identified by the recipients.

As the new century approaches, therefore, the relationship between state and media has moved from stability, through uncertainty, into turbulence. The decreasing amount of controversy about content suggests that broadcasters have established an important and relatively widespread freedom of action under existing legislation. A new range of controversies about the financing, structures and accountability of broadcasting, however, also have implications for content, but of a less direct kind than heretofore.