

Portugal

PINTO, M. e SOUSA, H. "Portugal" KELLY, M., MASZOLENY, G e MCQUAIL, D., "The Media in Europe", The Euromedia Handbook, Londres, Sage, 2004, pp. 180-190

Autores

Manuel Pinto and Helena Sousa

mpinto@ics.uminho.pt and helena@ics.uminho.pt

Departamento de Ciências da Comunicação, Universidade do Minho

Resumo

Este capítulo analisa as principais características da estrutura mediática em Portugal. Faz parte de parte de um livro que procura dar conta dos sistemas mediáticos dos países europeus, de forma a possibilitar um estudo comparativo entre os diversos países deste continente. O capítulo sobre Portugal, tal como os restantes, tem a seguinte estrutura: História, Estrutura e Propriedade dos Media (Media impressos, electrónicos e em rede), Política, Lei e Regulação. O capítulo termina com a apresentação dos principais dados estatísticos relativos aos vários sectores.

1. National Profile

Portugal is one of the oldest countries in the world. It is an independent country since the first half of the 12th century. Located in the Iberian Peninsula (Southwest of Europe), Portugal covers 92 028 km². Most of its population (10, 4 million) lives in the Atlantic coast, mainly between the two most important urban centres: Lisbon (the capital) and Oporto, in the North. According to the 2001 census, three million people are younger than 24 and 1,7 million are older than 65. In 2001, the unemployment rate was 4,1%, and the Gross Domestic Product amounted to 122.900,6 million euros.

Portuguese is the official language of the country and the entire population speaks Portuguese. In the Northeast, there is a small community (around 7000 people) speaking Portuguese and *Mirandês*, a romanic language recently recognised by the Portuguese state. In Portugal there are however non-Portuguese speakers, namely foreigners and immigrants, but the media and the state have not given particular attention to their linguistic specificities as country is perceived as being homogeneous in terms of language.

In addition to the European continental territory, the country has two autonomous regions: the Azores and the Madeira islands which have their own political institutions (regional parliaments and regional governments). In administrative terms, Portugal is divided into *municípios* (can be compared to councils) and *freguesias* (very small councils). These two forms of local government are almost totally dependent on central government as they get most of their income from it. *Freguesias* are all too small to have any significant power and even *municípios* – with the exception of those corresponding to big cities such as Lisbon and Oporto – have to struggle to put their views across. Although the 1976 Constitution contemplated the creation of administrative regions, further legislation to implement the Constitutional provisions has never been introduced which partly explains the non-existence of regional television in Portugal. Portugal has close political and cultural links with its former colonies and territories such as East Timor, Macau, Brazil, Angola, Mozambique, Guinea-Bissau, Cape Verde and S. Tomé and Príncipe.

The development of the media has obviously had a close relationship with the country's political history. When Oliveira Salazar came to power in the late 1920's he was faced with an outspoken and relatively diversified press. During the first Republic (1910-1926), the press managed to gain freedom from the constraints imposed by the Monarchy (Tengarrinha, 1989; Sousa, 1996). As the authoritarian regime became consolidated, in the mid-1930's, press censorship was installed. Showing no interest in owning newspapers, the Salazar regime concentrated on controlling their content. The control of media content which has expanded to electronic media had a significant impact on the political, social and cultural development of the country.

The long standing authoritarian regime was overthrown in 1974 and Portugal became a semi-presidential parliamentary democracy. After an highly unstable decade, the Portuguese democracy started consolidating. In 1986, the country joined the European Economic Community and the centre-right government, led by Cavaco Silva, remained in power from 1985 up until 1995. The socialists assumed power after the legislative

elections of October 1995 and stayed in government until 2002 when the centre-right coalition (Social Democrats and Popular Party) was elected. Since the mid-80's structural reforms were introduced in almost all policy areas, namely in the media. Despite these reforms, the state apparatus is still perceived as inefficient and non-accountable to citizens.

2. History, Structure and Ownership of Media

Despite the liberalisation and privatisation of the Portuguese media market in the late 1980's and in the 1990's, the national media market is small, if compared with most EU countries. The most important domestic group is Portugal Telecom with no less than 70% of the media and communications market in 1999. In 2000, Portugal Telecom acquired 58% of the second most important multi-media group, Lusomundo. Portugal Telecom was already the biggest telecommunications operator, having the most important Internet Service Provider and the main cable television network. Still, with Lusomundo, Portugal Telecom controls two of the most significant daily newspapers (*Diário de Notícias* and *Jornal de Notícias*), and relevant interests in the cinema and press distribution. In 2000, the Portuguese media market was worth 349 million euros, representing 7,8% of the National Gross Product (Obercom, 2000).

The newspaper press

The 1933 Constitution, although guaranteeing - in principle - freedom of the press, opened up the possibility of institutionalising censorship once it stated that 'special laws will regulate the exercise of press freedom [...] in order to avoid distortion of public opinion in its social function'. This 'special law' was soon passed, establishing that publications 'about political and social issues will be under pre-censorship' (Carvalho, 1973:55-56). The tight control over content had a negative impact in the quality and quantity of newspapers. 'The main function of the press under the dictatorship was not to inspire, enlighten, or convince but to communicate official attitudes' (Seaton and Pimlott, 1983:94-95). Restrained in content, with poor distribution facilities and readership, there was a steady decline in the regional press: 'from 210 papers in 1926, to 170 in 1933, 80 in 1944, and to a mere 17 by 1963' (Seaton and Pimlott, 1983:94) (national press was virtually non-existent). Most city newspapers were family businesses whilst in towns and villages papers were mainly controlled by the Catholic Church. The press was generally underfunded, with very low or non-existent profits.

After the 1974 Revolution, major changes were introduced in the press. The 1975 Press Law guaranteed that the press freedom will be exercised without subordination to any form of censorship (Artº 4). Similarly, the 1976 Constitution suggested that the pluralist view of the media was clearly successful. It stated that the freedom of the press was guaranteed and that no group was allowed to exercise censorship or obstruct journalism creativity (Artº 39). Nevertheless, these legal instruments do not mean that the press became free after the revolution. Indeed, during the so-called 1974-75 revolutionary period the press which was still in private hands was «transferred» to public ownership. Three days after the leftist coup of 15 March 1975, important sectors of the economy such as banking and insurance were nationalised. Because many leading newspapers were owned by strong economic groups and banks, they became state property. The nationalisation of the press was never explained as a political option. 'It was presented as an indirect consequence of the nationalisation of the banking sector' (Mesquita et al., 1994: 368). But behind this option was clearly the will to control what was left out of government's direct influence. Significantly, the nationalisation process was not reversed with the removal of the communist prime minister, Vasco Gonçalves, in November 1975.

Indeed, after this revolutionary period, the nationalised press played a central role as newspapers did not lost their readership and did not face any serious competition from the private sector up until 1990 when *Público* daily newspaper was set up, becoming in a short period of time a reference for quality. The privatisation of leading national newspapers took place in the late 1980's and early 1990's due to the Cavaco Silva's media reforms.

Currently, the press sector can be characterised in the following manner:

- In Portugal there are six generalist daily newspapers, six weekly generalist newspapers and news magazines and hundreds of local and regional newspapers. More than 600 benefit from state distribution subsidies.
- The so-called quality press comprehends two daily newspapers (*Público* and *Diário de Notícias*), a weekly newspaper (*Expresso*) and a news magazine (*Visão*). *Público* newspaper was set up in 1990 and it imposed itself as an high quality paper. The *Diário de Notícias* longstanding position as the most prestigious national newspaper was certainly at stake. Differently from *Diário de Notícias* which is more than a century old, *Expresso* was established right before the 1974 Revolution, and it has solidified its position in the Portuguese market over the last decades. *Visão* was

set up in 1993, and despite initial difficulties, it has recently expanded its market due to an aggressive marketing strategy and a strong commitment to the subscription market.

- In the popular press market, the two most important daily titles are *Jornal de Notícias* and *Correio da Manhã*. *Jornal de Notícias* is more than a century old newspaper and it is based in Oporto. *Correio da Manhã* is based in Lisbon and it was set up in 1979.
- Over the last five years, a new phenomenon has taken place in the press: the establishment of several free weekly newspapers. Most of these titles launched in highly populated areas are local editions of *Jornal da Região*, owned by the multi-media group Impresa and by the Belgium group Roularta. These local editions publish from 50 to 70 thousand copies. Contrary to what has happened in other European countries, the introduction and development of free papers in Portugal was not a controversial issue.
- In the specialised press, there has been a proliferation of titles, particularly in four areas: women's magazines, sports (there are three daily newspapers), television guides & society, and economic press.
- Most periodicals belong to multi-media groups, namely Impresa, Lusomundo, Media Capital, Cofina, Impala, among others. Few titles have been set up over the recent years outside the scope of the multi-media groups. These groups have been more at ease with the expansion of titles because they have been able to develop group synergies.
- The local and regional press is still very weak. There are no more than twenty daily regional newspapers selling more than a few thousand copies. Apart from these titles, there are hundreds of very small local newspapers. In 1999, 660 benefited from state distribution subsidies.

Despite the diversity of titles, formats and content, the generalist press occupies a very humble position in terms of circulation. It occupies the second last position in the European Union in terms of circulation figures per 1000 inhabitants: 64 copies (WAN, 1999). According to Eurobarometer, only one person in every four older than 15 reads newspapers on a daily basis; 30% never do. The relatively small size of the market makes periodicals an expensive commodity but the high levels of illiteracy must also be considered when attempting to explain these figures.

In the book publishing sector, it can be said that there is indeed a great number of book publishers. In 1999, 1290 companies and/or individuals were involved in the publication of at least one book. However, the main publishing association, representing 70% of

the book market, has only 186 associates. In 1999, 7235 new titles were published, 14% more than in the previous year. Translations represent 45% of the published books.

Electronic (audiovisual) media

The evolution of the electronic media in the first stages of Salazarism was slow and limited in scope. Amateur radio broadcasts started thriving in the capital in the mid-1920's. After these early beginnings, local and neighbourhood stations emerged in Lisbon and, soon afterwards, in Oporto, as well as some minor regional stations which were permitted to continue their operations during the Salazar regime. The first relevant political intervention by the Salazar regime in the electronic media was the creation of the government station *Emissora Nacional* (EN) (now called *Rádiodifusão Portuguesa* - RDP). EN resulted from the incorporation of almost all existing private stations and began transmitting regular broadcasts from Lisbon on short and medium wave on the 1st of August 1935. Nevertheless, due to the country's overall underdevelopment, 'it was not until 1955 that some 80 per cent of the population were technically capable of listening to radio broadcasts, and not until the second half of the 1960's that the country came anywhere near a full nation-wide coverage' (Optenhögel, 1986: 240).

Recognising the importance of radio, the Catholic Church - with a traditional involvement in the regional press - also set up its own station, *Rádio Renascença* (RR) which started broadcasting in 1937. The early days of radio stations were difficult because, up to the 1950's, advertising was not allowed, which caused enormous financial hardship to most private radios (EN was financed by the licence fee). *Rádio Renascença* and *Emissora Nacional* were clearly the most significant radio stations¹ whose importance has grown not only during Salazism and Marcelism but after the 1974 revolution as well. The so-called radio oligopoly was only challenged in the 1980's with the explosion of illegal radio stations and with the subsequent attribution of frequencies to local and regional stations.

If Salazar did not object to the development of radio broadcasting, the same did not happen in relation to television. Contrary to Salazar, his *dauphin* Marcello Caetano was interested in cinema and television and got actively involved in the setting up of *Rádiatelevisão Portuguesa* (RTP). Marcello believed that 'the survival of the regime

¹In addition to RR and EN, there were a few local radio stations and *Rádio Club Português*, a radio station owned by the Botelho Moniz family, a traditional ally of Salazar and Marcello.

depended on its ability to modernise itself and television was perceived as a necessary condition for it' (Gonçalves, 1992). So, overcoming internal resistance, a more liberal faction of the regime created in 1953, a study group to look at the introduction of television in the country. The *Grupo de Estudos de Televisão*, operating within the confines of public radio station (EN), completed its report *A Televisão em Portugal*, in the following year. Whilst this group developed its studies, Marcello - by then secretary of state of the Presidency - appointed in January 1955 a Commission which largely agreed with the EN study group recommendation that television should be under one company of mixed ownership (see e.g. *TV Guia*, 17 April 1982; RTP, 1992).

On 15 December 1955, the government constituted *Rádiatelevisão Portuguesa* (RTP), granting the company the exclusive concession for television broadcasting in the country. The government had issued this exclusive license for twenty years, with a provision for extending it by consecutive periods of ten years, and an option for the government to purchase the corporation after its first ten years in operation. The RTP's statute had been drawn up personally by Marcello Caetano.

RTP's shares were divided into three parties, held by the government, Portuguese commercial radio stations, and banks and other private companies. It was to be financed mainly by license-fee and advertising revenue. Its technical operations were to be regulated by the PTT while its in-house management was to lay with a Board of Directors partially appointed by the government. RTP initiated experimental broadcasts on the 4th of September 1956 but regular programming would begin on the 7th of March 1957. During the first 15 years, RTP managed only one national channel. This was changed in 1968 when a second national channel, RTP-2, was introduced. Regular television broadcasts were initiated in the autonomous region of Madeira in August 1972 and in the autonomous region of The Azores in August 1975.

The 1976 Constitution stated that no TV channel could be privately owned. Therefore, in the following decade no serious attempts were made to alter the broadcasting status quo. Politicians concentrated on the re-organisation of the radio sector whose expansion had been chaotic. When 300 local and regional radio frequencies were finally attributed in the late 80's, political interest moved to private television. Following an highly intricate political process, on 6th February 1992 the Cabinet has announced publicly the attribution of two commercial channels: SIC, led by the former Prime-Minister Francisco Pinto Balsemão, got the third national channels and TVI, having close links with the Catholic Church, was attributed the fourth channel. From 1993

onwards, the TV broadcasting scenario included two national public service channels and two private national channels.

The opening up of television to commercial interests was the most important media policy undertaken since the 1974-74 revolutionary period. The radio sector had already been liberalised but the impact of this policy measure was far greater. The Public Service Operator, RTP, lost its monopoly and in a very short period of time lost the audiences leadership. SIC's success coincided with RTP's financial and managerial deterioration. Deprived from licence fee, with low audiences, and uncertain about its future, RTP entered into an acute crisis. At this very moment, the recently elected centre-right government is considering the closing down of RTP and the setting up of a new public service company with a single generalist national channel.

The two private national channels – notwithstanding financial difficulties – managed to establish themselves. In 1995, SIC overtook RTP in terms of audiences due to an exclusivity contract with the Brazilian *Globo*. From then on, *Globo* would only sell *telenovelas* to SIC and with this trump card SIC maintained almost 50% of the total television audience from 1996 up to 2000. TVI had had since the beginning relatively small audiences but in 2000/2001 important changes did occur: with an aggressive scheduling of *Big Brother*, TVI conquered the first place in the audiences' rank. In 2002, SIC fought back and currently the two private channels are in equilibrium.

Cable television has strongly developed strongly over the last few years. According to ANACOM (National Authority for Communications), by the beginning of 2002, 62% of the Portuguese houses had access to cable, though only 23% has subscribed cable services. In 1995, merely 9% of the houses had access to cable television and 1% subscribed it. The fast implementation of cable television in Portugal is certainly related with the increase in the number of thematic channels and pay-per-view services.

The launching of Terrestrial Digital Television is under way. A 15 years licence was already attributed to a consortium that includes RTP, SIC among other entities. This consortium is expected to start operating by 2003.

In fact, it was not only the television sector which had gone through deep transformations. As we have mentioned, the radio oligopoly (RR and RDP) was not dismantled by the 1974 revolution. In spite of deep crisis during the revolutionary period, this model survived up until the boom of illegal radio stations and with the following attribution of frequencies to local and regional stations in the late 1980's.

At this moment, there are three national radio stations: *Rádio Renascença*, *Rádiodifusão Portuguesa* and *Rádio Comercial*. RR, held by the Catholic Church, is

still the audiences' leader. RR operates three national channels: *Rádio Renascença* (generalist), RFM (generalist), *Mega FM* (targeting young people). RR also has a network of regional transmitters which broadcast autonomous programming in certain periods of the day. Overall, RR channels have 40% of the total radio audience (Obercom, 2002).

Just like RR, RDP was set up in the 1930's. It is a public service broadcasting station and it is financed by licence fee. RDP operates five channels: *Antena 1* (generalist), *Antena 2* (culture and classic music), *Antena 3* (targeting young people), *RDP Internacional* (satellite radio channel for the Portuguese communities abroad) and *RDP África* (satellite radio channel for African countries whose official language is Portuguese). The third national station is *Rádio Comercial* which was privatised in 1993 and now belongs to the Media Capital group. It operates two channels: *Rádio Comercial* (targeting young people) and *Rádio Nacional* (Portuguese music only).

At regional level there are two stations: *Rádio Nostalgia* (mainly music from the 1950's up until the 1970's) and TSF. TSF started broadcasting in 1988 and it was later bought by the Lusomundo group. This radio has had an enormous impact on radio journalism as it has introduced a new, highly dynamic model based on live political discussions, features and documentaries, and frequent news bulletins.

If there are few national and regional radio stations, the same does not happen at local level. There are more than three hundred radio stations, mostly concentrated along the coast line (just like the population). The lack of advertising revenues and the difficulty in finding other sources of financing resources led the socialist government to develop a subsidies framework for local radios.

3. Politics, Policy, Law and Regulation

The most comprehensive changes in the Portuguese communications policies and regulation, since the 1974-75 revolutionary period, were indeed undertaken by the social democrats during the absolute majority rule from 1987 up to 1995 (Sousa, 1999b and Sousa, 2000). The economy was booming and the media liberalisation was perceived as inevitable. The pro-business approach of Cavaco Silva government's favoured the privatisation of state media. As we have shown, newspapers which had been nationalised during the revolutionary period returned to private hands. The radio sector was liberalised and one state radio station was privatised. The television public service operator, RTP, lost the monopoly as two national television companies were

allowed to operate television commercial channels. The socialist government has thus inherited an highly reformed but poorly regulated media system, and no structural communications policies were either announced or introduced. Up to 2002, when a centre-right government returned to power, the socialists have merely attempted to strengthen regulatory bodies and introduced minor changes in several legal instruments.

The structural changes which took place during the Cavaco Silva's majority governments and the regulatory/legal adjustments implemented by the socialists were certainly related with the main actors and interests involved in this policy area. When analysing Portuguese media actors, Sousa (1996) identified the state/government as being the most relevant, not only regulating but also owning and controlling the political content of public media. During Cavaco Silva's mandates, the media were under the tutelage of the *Secretaria de Estado da Presidência do Conselho de Ministros*. Although Marques Mendes chaired this *Secretaria*, the prime minister personally handled the most important portfolios, such as the opening up of television to private operators. Marques Mendes dealt with 'politically safe' issues such as violence on television and RTP's broadcasts to the Portuguese emigrant communities and to the Portuguese speaking African nations. Though the socialists contributed to the development of a more open policy network, the state has not lost its centrality in the policy-making arena. Private actors in the electronic media largely depended on the state to keep their licences and to expand their interests.

Political parties in general and the opposition in particular (inside and outside the Parliament context) as well as the President of the Republic tended to pay particular attention to the government's intervention in the media. This does not necessarily mean that these actors determined major decisions, but they created an awareness and visibility of media issues, which had no parallel in other policy sectors. The opposition and the President of the Republic, Mário Soares, frequently put forward their views on media policy and media (essentially public) performance. During Guterres' governments, the President, Jorge Sampaio, and the (fragmented) opposition had a more discrete intervention in the sector.

Within the institutional framework, the *Alta Autoridade para a Comunicação Social* (AACS) was another relevant actor – at least in legal terms. AACS was contemplated for the first time in the 1989 version of the Portuguese Constitution and its objectives were (and still are), inter alia, to guarantee the freedom of the press, to have a say in

the attribution of TV channels to private initiative² and in the selection of public media editors. Despite its constitutional status, the high authority was perceived as being dominated by the government of the day and as a weak regulatory body. From its 12 members, one was a magistrate, five were members of Parliament, the government itself designated three members and the other elements were so-called representatives of the public opinion. The composition of AACS alone would prevent it from operating as an independent entity. During the first Guterres mandate, changes were introduced in the AACS composition in order to guarantee that it would operate more independently. The High Authority law (Law nº 43/98 of 6 August) reinforced its power and reduced the number of government-appointed members.

Apart from the state actors, Sousa (1996) highlighted the role of two non-state actors: the Catholic Church, and the Balsemão media group. The opening up of the Television broadcasting sub-sector to private operators was the most relevant media decision during Cavaco Silva's mandates, and these two actors successfully lobbied to determine the outcome that best suited their interests. The Catholic Church and the Balsemão group were granted the two available national TV licenses in what turned out to be an extremely controversial process.

The Catholic Church is a powerful actor in a number of policy areas and it has a long history of involvement in the media (owning hundreds of local/regional papers and dozens of radio stations, including the highly successful national network *Rádio Renascença*). The acquisition of a TV channel had been a long-standing wish. Recognising that other media groups were gaining social influence and considering a national TV channel strategic for the expansion of Christian values, the Church developed its arguments and it has positioned itself as a 'natural' holder of a TV license. However, being more concerned with its influence in the Portuguese society than with the economic aspect of such a venture, the Catholic Church soon realised that it had no financial means to keep the channel (TVI). TVI is now in the hands of the *Media Capital* group.

The *Controjornal* group, whose figurehead was (and still is) the former prime minister Pinto Balsemão, had started with the successful weekly *Expresso* and had been consolidating its position in the media market. In addition to *Expresso*, it owned at the time a daily newspaper (*Capital*), several specialised magazines, and it also had a solid

² The AACS was not able to put forward its view on the attribution of TV channels to private operators. But, as its opinion was required by the Constitution, the High Authority decided for 'technical equality' and no candidacy was excluded.

position in the printing industry. The creation of a national TV channel (SIC) was the most important development in Balsemão's media strategy.

Though Lusomundo media group did not perceive itself as a potential candidate in the run for television channels, it certainly was another powerful actor in the media arena under the social democrat governments. *Lusomundo* started with film distribution and later expanded into exhibition and real estate. It had a dominant position in cinema distribution and exhibition sub-sectors in Portugal. During the allocation of regional radio stations, in the late 1980's, *Lusomundo* successfully bid for the Northern Portugal frequency (now absorbed by *TSF Rádio Jornal*, where *Lusomundo* got a solid position from March 1993 onwards). The privatisation of the two most important daily newspapers, *Jornal de Notícias e Diário de Notícias*, took place in favourable circumstances to Lusomundo who seized the opportunity to buy them both.

During Guterres mandates (1995-2002) the previously mentioned actors remained active (though significant internal changes did occur), and the government did not lose its central position. The prime minister's cabinet and the *Secretário de Estado* for the media, Arons de Carvalho, continued to be nuclear figures in both decision-making and non-decision-making. Contrary to what has happened during the Cavaco Silva's period highly sensitive dossiers such as the Public Service Television Broadcasting were not dealt with.

Willing to demarcate itself from Cavaco Silva's centralist rule, Guterres governments set up or promoted the development of entities whose main task was to assist the policy-making and/or to study the media sector so politicians could decide with a better understanding of alternative choices. Amongst other examples, we would mention the *Comissão de Reflexão para o Estudo da Televisão* (Commission to Study the Future of Television), the *Comissão Inter-ministerial para propor acções nos sectores do cinema, audiovisual e telecomunicações* (Inter-ministerial Commission to propose measures in the cinema, audiovisual and telecommunications sectors), the *Instituto da Comunicação Social* (Media Institute), the *Conselho de Opinião da RTP* (Advisory Council of the Public Service Broadcaster, RTP), the *Instituto do Cinema, Audiovisual e Multimédia* (Audiovisual and Multimedia Institute), and the *Observatório da Comunicação* (Communications Observatory).

The *Instituto da Comunicação de Portugal* (ICP), the telecommunications regulator, started operating in 1989 but due to the technological convergence gave it has assumed a new role during Guterres' mandates. The *Instituto da Comunicação Social* and the *Instituto da Comunicação de Portugal* (ICP), recently renamed ANACOM

(Communications Authority), were put to work together in order to develop common strategies for the converging telecommunications and audiovisual sectors.

The emerging regulatory/advisory entities contributed to the public's perception that policy-making was more open to consultation and debate. However it should not be assumed that these new media policy actors had a real impact in the development and implementation of policies. Indeed it might eventually be argued that the increasing number of policy actors and their competing views might have contributed to non-decision-making due to what can be called a zero-sum game.

The previously mentioned multi-media groups have not disappeared but there were changes in their power structure. It could be argued that during the socialists' rule, the Catholic Church lost some ground. Its most important recent acquisition, TVI, went into debt due to the lack of advertising revenues and in 1997 SOCI media group and the Scandinavian Broadcasting System bought it. In November 1998, the Media Capital group bought the company, being its current owner. Apart from losing TVI, its most important asset, the Catholic Church also saw state subsidies to its numerous (but economically fragile) local newspapers reduced, due to a policy measure taken during the second Guterres' government.

Though all television companies went through serious financial difficulties, the Balsemão group managed to expand its business. The Impresa holding managed to cement its position in the television market with a generalist terrestrial channel (SIC) and three cable thematic channels (*SIC Notícias*, *SIC Gold* and *SIC Radical*). In the press, it has acquired the news magazine *Visão* and it has reinforced its magazines offer in segments such as economy, society and tourism.

Apart from the traditional media groups, newcomers have joined the policy network. The biggest telecommunications operator, Portugal Telecom, has entered the television distribution business, with TV Cabo, but it also became a multi-media group in 2000, when it bought the Lusomundo group. The group does not have a terrestrial generalist channel but it is very strong in cinema distribution, press, and owns the highly influential radio network, TSF. In addition, two other multi-media groups (Media Capital and Cofina) gained relevance in the media sphere. Media Capital made important investments in the radio sector and controlled the national television channel TVI. Recently this group has expanded into on-line services, cable TV and television production. Cofina is an extremely recent group with a strong position in the newspapers and magazines markets.

Having put forward the main actors and interests in this arena, we will know briefly mention the principal legislative tools and recent regulatory developments in the press, electronic media and internet-based media.

As stated in the 1995 government programme, independence in the media public sector and journalists' rights were high on the agenda. Therefore, both the Press Law and the Journalists' Statute were altered. The new Press Law (Law nº 2/99 of 13 January) intended to expand pluralism and independence within media companies and to reinforce journalist's rights. The freedom of the press, the free access to the market and the impossibility of any form of censorship are basic principles of this legal tool.

In the broadcasting arena, a new television Act was also passed (Law 31-A/98 of 14th of July). The new television Act introduced changes in both the access to the television activity. For the first time, the possibility of creating local, regional and thematic channels was consecrated by law. Up until Law 31-A/98 was approved, the Portuguese television broadcasting system already included a number of channels: two public national channels (RTP1 and RTP2), two private national channels (SIC and TVI), two public regional channels (RTP-Açores and RTP-Madeira), and two public international channels (RTP África and RTP Internacional). Cable television and satellite television reception were also well established realities but companies were not allowed to produce their own programmes. Only third party transmissions were legally possible.

The new television law opened up possibilities in terms of cable channels and terrestrial television channels soon entered this market. SIC, for example, has associated itself with the Brazilian network *TV Globo* and the biggest national cable operator, *TV Cabo*, in order to develop the *Premium TV* project. *Premium TV* is offering two codified movie channels (Telecine1 and Telecine2) since June 1998. RTP has, in February 1998, signed a contract with *TV Cabo*, and with a company with multiple interests in sports, *Olivedesportos*. This consortium is operating, since September 1998, a codified Sports channel, *Sport TV*.

The proliferation of television channels does not necessarily mean that the financial situation of broadcasting companies has improved during the Guterres' mandate. In fact, TV stations had important financial losses over recent years. The advertising market is small and, apart from SIC, terrestrial broadcasting companies have had highly unstable management mainly due to the lack of advertising revenues and debt accumulation. When the broadcasting market was opened up to private initiative, in 1992, the Cavaco Silva government abolished the television license-fee and sold RTP's transmission network to Portugal Telecom. These political decisions, which were

not reversed by the current government, put RTP in a difficult economic situation and transformed a so-called Public Service Broadcasting into a standard commercial television, i.e., RTP had to fight for audiences trying to conquer a meaningful slice of the advertising cake.

In the radio broadcasting sphere, the socialist government has also revised an important legal tool: the Radio Law. Basically, law nº 2/97 of 18 January sets the basis for the overall Portuguese radio system and made it compulsory for local radios to produce their own content (most were simply broadcasting national radio stations feed). The Guterres governments' have also for the first time expanded the press incentives to local radios, namely subsidising technological modernisation, providing institutional advertising, and reducing telecommunications costs (due to an agreement with Portugal Telecom).

In the Information Society arena, some relevant measures have effectively been taken. In 1997, the Portuguese government published the Information Society Green Paper, an attempt to develop and implement policies within the 'Information Society' framework. In the aftermath of this green paper, a number of political measures were implemented. The National Science, Technology and Society Network, was set up. This scientific network plans to bring together national researchers and to stimulate and consolidate R&D. In a move very similar to the one being developed in Britain, the *Ministério da Ciência e da Tecnologia* (Science Ministry) also made an effort to introduce the Internet in every school of the country (from the 5th to the 12th grade), universities, libraries, and research centres. 'Computers for all' was another project under way. The 'Computer for all' project has the objective of increasing the number and usage of Internet connected computers at home. Other small-scale initiatives, such as the creation of telework centres, were also on the agenda.

Specific legislation for on-line services and content has not yet been developed but this is not to say that no legal means exist to punish crimes committed on electronic services. Indeed, the Constitution, the Penal Law and the Civil Law contemplate a number of issues which are relevant to on-line material and on-line services and these might be used to prosecute 'on-line' crimes such as injury, defamation, among others.

As we have already mentioned, changes in the Media regulatory body, High Authority for the Media, were introduced as well. Indeed, this entity was perceived as highly politicised and its influence was very limited. The socialist government altered its composition and widen its powers. According to Law nº 43/98 of 6 August, the High Authority for the Media has indeed a very an important set of attributions: it should

guarantee the freedom of express and the access to information, it should ensure objectivity and impartiality in the media content, it should guarantee that the media acts independently from the political power, it should ensure that radio and television channels comply with the law, it should defend the public interest, etc.

Despite the wide range of attributions and despite the formal independence from the government of the day, the High Authority for the Media has not yet found the human and financial resources to become a respected independent regulator. The media regulator is perceived as a weak body, unable to make the operators comply with the law. In order to circumvent this difficulty, the High Authority has itself promoted auto-regulatory protocols to try to get the media to comply with the legislation. For example, on the 18 September 2001 all television operators signed an agreement in order to defend human dignity in television programming. In the first clause of the agreement, the operators state that they shall obey the television law (nº31-A/98 of 14 July), namely its 21st article regarding the limits to programming freedom. Other clauses confirm the intention of television operators do comply with the legislation in terms of bad language, violence and sex. This agreement, which does not go any further than the existing television law, clearly demonstrates that television operators have not complied with the legislation and that the Portuguese media regulatory body does not have the means to fulfil its job.

4. Statistics

Population

Inhabitants	10,4 million
Geographical Size	92 028 Km ²
Density	12,5 per km ²
% with high education degree	10,6

(Source: 2001 Census, INE)

Press

Number of daily national newspapers	6
Number of daily regional newspaper	20
Circulation per 1000 inhabitants	64
%>15 years old who read newspapers	25

Circulation of periodicals (Jan.-Sept. 2000):

- Maria (popular women's magazine)	322.000
- Nova Gente (Society magazine)	185.000
- Selecções Reader's Digest	178.000
- Expresso (weekly quality paper)	138.000
- Jornal de Notícias (popular daily)	108.000

(Source: AIND)

Radio and TV

N. of national radio channels	8
N. of regional radio channels	2
N. of local radio channels	c.300

N. of national television channels	4
------------------------------------	---

Cable TV (percent.):

- house with access to cable television in 1995	9
- house with access to cable television in 2002	62
- houses with cable subscription in 1995	1
- houses with cable subscription in 2002	23

(Source: ANACOM, 2002)

Access to the Internet from home (percent.)

- Houses with computer in 1997	25.8
- Houses with computer in 2002 (1 ^o Tr.)	40.2
- Access to the Internet in 1997	2.2
- Access to the Internet in 2002 (1 ^o Tr.)	23.3

(Source: Marktest, 2002)

BibliographyANACOM (2002), *Redes de distribuição por cabo* (1^o trim. 2002). (www.anacom.pt)

APEL (s/d) *Estatísticas da edição de livros relativas ao ano de 1999.*

(<http://www.apel.pt/livro/estatisticas/estatisticas.html>)

Assembleia da República (1987) *Programa do XI Governo Constitucional, Apresentação e Debate*, AR-Divisão de Edições, Lisbon.

Assembleia da República (1992) *Programa do XII Governo Constitucional, Apresentação e Debate*, AR-Divisão de Edições, Lisbon.

Assembleia da República (1995) *Programa do XIII Governo Constitucional, Apresentação e Debate*, AR-Divisão de Edições, Lisbon.

Cádima, F.R. (2000) (coord.) *Anuário da comunicação*. Lisboa: Obercom.

Carvalho, Arons (1973) *A Censura e as Leis de Imprensa*, Lisbon, Seara Nova.

Eurobarometer (2002) *Europeans' participation in cultural activities*. Brussels: Eurostat

Gonçalves, Maria Augusta (1992) '35 Anos de Televisão em Portugal, Um Percurso de Dependência' in *Televisão na Europa dos Doze*, catalogue edited by Madrid Capital of Culture, 1992.

Mesquita, Mário et al. (1994) 'Os meios de Comunicação Social' in António Reis (ed.) *Portugal, 20 anos de Democracia*, Lisbon, Círculo de Leitores.

OBERCOM (2002) "O Sector da Comunicação em Portugal". *New/setter*, Janeiro de 2002.

Optenhogel, U. (1986) 'Portugal' Kleinsteuber, H.J. et al. (eds) *Electronic Media and Politics in Western Europe*, Frankfurt, Campus Verlag, pp.239-250.

Pissarreira, Agostinho (coord.) (1999) *Os Media em Portugal*, Lisboa: ICS

Pinto, Manuel. et al. (2000) *A Comunicação e os Media em Portugal*, Col Comunicação e Sociedade, Braga, Instituto de Ciências Sociais da Universidade do Minho.

RTP, Departamento de Relações Externas (1992) *RTP 35 Anos de Experiência*, Lisbon, TV Guia.

Seaton, Jean and Ben Pimlott (1983) 'The Portuguese Media in Transition' in Kenneth Maxwell (ed.) *The Press and the Rebirth of Iberian Democracy*, Westport, Greenwood Press.

Sousa, Helena (1996) *Communications Policy in Portugal and its links with the European Union*, London, School of Social Sciences, City University (PhD dissertation).

Sousa, Helena (1999a) 'Portugal' in *Legal Guide to Audiovisual Media in Europe*, European Audiovisual Observatory, Council of Europe, Strasbourg.

Sousa, Helena (1999b) 'The liberalisation of media and communications in Portugal', paper delivered at the Portugal and the Millennium Conference, London 21st. May.

Sousa, Helena (2000) 'Políticas da comunicação: reformas e continuidades' in Pinto et al. *A Comunicação e os Media em Portugal*, Col Comunicação e Sociedade, Braga, Instituto de Ciências Sociais da Universidade do Minho.

Tengarrinha, José Manuel (1989) *História da Imprensa Periódica em Portugal*, Lisbon, Caminho (2nd ed.).