

MIND THE GAP? PRESS FREEDOM AND PLURALISM IN FINLAND

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Introduction

Freedom of expression and freedom of the press are basic pillars of western democracy. The contemporary theoretical framework that gives support to these rights was generated in the wake of the liberal revolutions, which took place in Western Europe and in North America from the second half of the seventeenth century onwards. Since then, both external and internal conditions of press freedom and pluralism have changed considerably in both European and other western societies.

Although Finland today regularly takes the top position in the worldwide press freedom index conducted by the International Press Institute, both external determinants (market forces, technological convergence, concentration of ownership) as well as internal preconditions (professionalization, digitalization, media management) have affected the diversity of media and freedom of expression in Finland. The effects of market forces on journalistic practices and a toughening of competition for audience shares create tightening conditions for the media and through that create new challenges for press freedom.

This chapter explores the possible gap between normative ideals of press freedom, legal provisions, and the empirical reality of the Finnish media system. It aims to highlight press freedom and changing relations between market(s), governmental policies, and regulatory bodies in the Finnish context. An important part of understanding any media system is also to know the historical and cultural conditions under which the current modus operandi of press freedom has been achieved. Thus, the first part focuses on the historical development of the media and freedom of expression in Finland. The second part explores the current situation of the media system and the new tendencies that modify the press freedom of the EU-era. The third part presents the legal provisions that guarantee the freedom of expression, the main emphases of the Government's media policy, and how the self-accountability of Finnish journalism is

conducted. The last chapter summarizes the main modifiers of the Finnish media system and discusses how challenges to the diversity of media and press freedom have changed during the last decades.

Press freedom and the historical conditions of the Finnish media

Alongside other Nordic media systems, the Finnish media system has often been considered to guarantee the ideal conditions for press freedom. The media system fits within the Nordic tradition, where the basic objective of media policy is freedom of speech supported by legislation, public subsidy, taxation and reductions in fees. However, it is not easy to locate Finland within European media systems. In the light of the three models of media and politics coined by Hallin and Mancini (2004), Finland is indeed historically closest to the ‘Democratic-Corporatist Model’ or ‘Northern European Model’. Thus the Finnish system meets some of the ‘three coexistences’ characterizing this model, such as strong mass-circulation of privately owned print media, media partially tied to political and civil groups, weakening political parallelism, journalistic professionalism, and the coexistence of liberal traditions of media freedom and strong state intervention. Through these co-existences, the media has also been seen traditionally as a social institution (Moring 2008: 144–5; Hallin and Mancini 2005: 195–6).

Economically, the Finnish media system can be characterized as a mixed system including privately owned as well as state-funded companies. Like Scandinavian countries, Finland has a strong tradition of public service broadcasting. Television in Finland is based on the public service company Yleisradio Oy (the Finnish Broadcasting Company YLE), and privately owned commercial channels, which are financed by advertising revenues. Seen in a Nordic context, the publicly owned radio and television sector in Finland turned into a dual system remarkably early when a commercial operator was accepted as a co-operator under the broadcasting license of the Finnish Broadcasting Company in 1956. From 1985 onwards, private operators have been granted licence to broadcast on radio, and from 1993 onwards, also on television.

Historically, the specific feature of the Finnish media system is an extraordinarily strong position of print media. Avid newspaper reading lies partly in the main values of Finnish culture: education, literary culture and self-improvement. The ‘good citizen’ was traditionally expected to be informed, not only about facts concerning domestic issues but also about foreign issues. Partly because of these tendencies, the circulation figures for daily newspapers have remained very high throughout the history. The increased number of online newspaper hits along with strong reader coverage demonstrates that newspapers have more readers and customers than ever.

Press freedom in Finland is closely intertwined historically with the country’s geographical position between east and west, including its long land-border with Russia. The first newspapers in Sweden and in the Baltic countries, which then, like Finland, formed part of the Swedish Kingdom, appeared in the mid-seventeenth century. Finland, however, received its first newspaper only in the late eighteenth century. The first Finnish newspaper was founded in 1771 by the learned Aurora Society in Turku, under the title *Tidningar utgifne af et Sällskap i Åbo* [‘News published by a society in Turku’]. In the 1790s the paper became the chief source of foreign and domestic news (Salokangas 1996; Jyrkiäinen 2004).

The first newspaper had a special role and remained in circulation for over 90 years. It was the official organ of the national government when Finland gained autonomous status

as a Grand Duchy of Russia in 1809.¹ In 1850 a decree was passed according to which only religious and economic literature could be published in Finnish. At that time the Russian model censorship board was established with local censors in Finland. This strictly constrained newspaper content, permission was required for the publication of newspapers and periodicals, and all were examined in advance (Ekholm 1997: 46).

After the period of strident Russification, it was announced in 1905 that advance censorship would be lifted. In reality, freedom of the press was fully achieved only after Finland gained its independence in 1917.² Since then matters concerning press freedom have been scrutinized by the Ministry of Justice, with a law guaranteeing freedom of the press being passed in 1919. According to Ekholm (1997: 47), however, writers during the early years of independence had to be careful of what they wrote, with leftist, atheist and anti-ecclesiastical articles considered the most dangerous. Communist newspapers were suspended during the time of the Lapua Movement.³ Extreme right-wing newspapers were also under threat of suspension for their actions in 1938 and the final kiss of death was given when Finland signed the armistice agreement with the Soviet Union in 1940.

War censorship prevailed between 1939 and 1947 and was based on retrospective surveillance, imposed first by the Military Headquarters, subsequently by the Minister of Interior, and during the Continuation War (1941–4), by the Finnish State Centre for Information. During the early years of the war, censorship was clear and apolitical. The State provided instructions to the press that advised them to forestall all information that might endanger the Armed Forces or overall security of the country. The aims of official censorship were modified and politicised between 1940 and 1941, and then ‘national unanimity, belief in future and increasing the self-discipline of the people’ were seen as the main task of the censors. During the Continuation War, the Finns learned to know both their German colleagues and what was meant by extremely strict censorship. This was conducted by seventy specifically recruited censors who were located in different newspapers and who were often collocated with the editors-in-chief to monitor the printed material on the spot. After losing the Second World War to the Soviet Union, the Finns had to obey an obligation to remove so-called politically dubious books and printed materials from bookshops. The rigours of wartime had served to educate Finns on the need for caution in public discussion concerning foreign policy (so called ‘self-censorship’) and this was to continue for the next forty years (Salminen 2003; Ekholm 1997).

The concept of self-censorship arose in the atmosphere of the post-war years that saw Finland in the shadow of strong Stalinist foreign policies. The Finnish political leadership vehemently urged the Finnish media and journalists to be restrained in their critiques of the Soviet Union, and this modified what could be said in public discussion. Finnish media had to learn to take heed of their eastern neighbour’s warning signs to avoid encouraging a stronger grip on the sovereign but fledgling nation-state. The death of Stalin in 1953 was followed by even stricter surveillance as Soviet diplomats followed developments in Finland closely. It was against this background that broadcasting in Finland started to develop. Like radio, commercial participation in television was notable in Finland almost from the start and this was early compared to other Nordic countries. Commercially funded programme operations were initiated by the Foundation for the Promotion of Technology (Tekniikan edistämissäätiö) in 1956. In 1960 this became organized as the commercial company Tlevision. The Finnish

Broadcasting service began television test transmissions in 1957 and regular service started in 1958 when television licences also became compulsory in Finland.

During the late 1960s and 1970s the term '*Finnlandisierung*' in English 'Finlandization', was coined as a cautionary term in the commentaries of West German political scientists and conservative politicians. On a general level it referred to a political configuration where a small state is too weak to challenge or resist the influence of a more powerful neighbour and consequently has to give up portions of its sovereignty and neutrality. The famous Finnish political cartoonist, Kari Suomalainen, for example, defined Finlandization as 'the art of bowing to the East so carefully that it could not be considered as mooning', that is displaying your bare buttocks 'to the West' (Jokisipilä 2007). The Finnish experience of self-subordination is aptly described by the Finnish columnist Jukka Tarkka: 'The essential nature of *Finlandization* was an emotional fancy, that by pleasing the superpower and overemphasising one's humility, the superpower could be made to do something that it would not do on rational grounds.'

The most integral part of Finlandization was the self-censorship exercised by the Finns themselves. It became everyday practice for participants in public discussions to take particular caution when they expressed views on the Soviet Union or Finnish-Soviet relations. That was understood as the wise practice of a small country keen not to irritate a bigger, unpredictable neighbour. Historian Esko Salminen (2003) divides Finnish self-censorship into two categories: exaggerated cautiousness and fear in terms of the threat of the Soviet Union, and tactical silence and regulation of media motivated by domestic politics and political tactics. The political elite and the President, in particular, often used the 'East card' when the media started to act in an unruly fashion and question foreign policy too loudly.

News journalists were especially cautious in their line concerning the Soviet Union or its satellites; indexed countries. Finnish authorities closely monitored the media in order to keep any criticism of the Soviet Union out of the public eye and made specific requests to publishers to abstain from giving voice to opinions that could be detrimental from the point of view of Finnish-Soviet relations. To make the compliance with these requests more attractive, this principle of foreign political reserve was even sanctioned within criminal law. Eventually, it became customary for the journalists themselves to, voluntarily and on their own initiative, omit parts of their stories and articles that could be interpreted as anti-Soviet either by the Soviet Union or by the President, who, according to the Finnish historian Markku Jokisipilä (2007; see also Salminen 2003), kept a close eye on Finnish public opinion.

The policy-line of news service of YLE was aiming at 'impartiality' and 'even-handedness' in its foreign news reporting. Major crises on the world arena, like the occupation of Czechoslovakia in 1968, put the infant news service to the test. Ralf Friberg, Head of News services during the late 1960s was hired to reorganize YLE's news services. After study-trips to approach and study BBC instructions and US news journalism manuals on the style of broadcasting, YLE's own current-affairs programmes and news were raised to Western standards in terms of professional skills and concepts (Salokangas 1996: 117).

Cautiousness in terms of the Soviet Union lasted until the collapse of communism in 1991. At the time of the collapse of the Soviet Union, preventive censorship in Finland applied only to films and videos and the censorship was not affected by Finland's relationship with the Soviet Union. In the late 1990s, preventive censorship of films was justified primarily by the protection of children.

During the 1990s many things in the Finnish foreign policy and economy changed. During the years 1991–6 the national economy of Finland drifted into an economic crisis. When the Soviet system collapsed in 1989 and Finland joined the European Union in 1995, the contextual conditions for the economy and politics changed. Not only did the era, sometimes called Finlandization in the West, come to an end, but a deep economic crisis followed. This was caused in part by the collapse of trade with the Soviet Union and the rapid internationalization of the Finnish economy, which also affected the media industry by tightening the competition.

During the EU accession period, Finland experienced a new type of media-influence, reminiscent of earlier mechanisms of self-censorship. In Finland the media actively promoted the benefits of EU membership in the months leading up to their respective referendums. In particular, domination of the media by an almost unanimous but narrow band of pro-EU elites was striking. According to the study of EU journalism, the ideological atmosphere inside news rooms, editorial policy-line and editors-in-chiefs of the big media houses often publicly announced the integration as ‘not only necessary and wise but the only realistic solution for a small country’ bordering Russia (Mörä 1999). Critical journalistic voices were not considered reliable and the overall atmosphere favoured EU-integration. During the mainstream media campaign, however, the public remained stubbornly sceptical. According to polls, the Finns were among the most Euro-sceptical of all countries during the time of referendum. Although the ‘Russia-card’ wasn’t actively used, according to President Koivisto it was a decisive factor when the decision was made. Eventually the European Union was chosen in many cases in order to make a clean break with the ‘East’ (see Salminen 1999; Forsberg, Kekäle and Ekholm 2001: 129–38).

As has been described above, the fields of press and media freedoms have also been particular in Finnish history. Whilst Finland has hosted a system that is based on the right of access to official documents, typical to Nordic states, and also based on respect for freedom of the press, Finnish politicians as well as the media have been exercising a temperate policy in using these freedoms (Moring 2008). This has been particularly visible in the way that the political elite and the media have behaved with regard to relations with the Soviet Union, later Russia and in the early years towards the European Union. In recent years, a more open debate on foreign policy issues has also emerged and the role and performance of the President has been openly challenged. There is still, however, a clear tendency within the political elite to try to maintain this sector within a sphere of national consensus, and the media have not done very much to challenge this consensus whether in regard to the possible NATO membership or political upheavals among the Baltic neighbours.

New challenges: Media system, press freedom and commercialization

The contemporary Finnish media landscape can be described as vivid, commercial and highly competitive. Finland’s per capita consumption of print media has traditionally been one of the highest in the world. The circulation figures for daily newspapers have remained fairly stable, although with the onset of the deep recession in the early 1990s the total circulation of Finnish newspapers showed symptoms of decline for the first time since World War Two. Despite market changes newspapers are doing comparatively well.

Print media reach over 80 per cent of Finns daily, making it the medium with the second best coverage after television. In addition, Finland ranks first in the European Union and third

in the world, after Japan and Norway, with 518 copies sold per 1,000 inhabitants in 2005. Economic statistics lend support to this image: newspapers' shares of mass media turnover (30 per cent) and advertising revenue (55 per cent) remain very high. Newspapers are also widely read with 87 per cent of the population aged 12 years and over reading a newspaper every day. A total of 205 newspaper titles were published in 2005. Of these, 53 were dailies appearing four to seven times a week, whilst 29 were published every day of the week, more than in any other Nordic country.

In terms of party-parallelism, the overall trend since the Second World War has been for party newspapers to declare themselves politically unaffiliated, resulting in a gradual decline of the party-political press.⁴ Today, more than 95 per cent of Finnish newspapers declare that they are politically unaffiliated. Among the main parties, the National Coalition Party is the only one with no daily organ. Remaining party papers have limited circulation, appear less frequently than they used to, and have fewer pages than a standard newspaper (Jyrkiäinen 2004). Finns are also becoming more and more active in using online services, and newspapers, along with other traditional media, are getting a significant share of online visitors. Three newspapers and two television channels are in the top ten of the most visited online services. Content providers that hold positions of trust in traditional publishing channels appear to enjoy similar levels of trust online.

Television in Finland is based on the public service company Yleisradio Oy (Finnish Broadcasting Company YLE), privately owned MTV3 (MTV Finland) and Nelonen (Channel Four Finland). YLE is financed by a television fee that is compulsory to all households that possess a television set. The latter two companies are both financed by advertising revenues. In 2005, YLE's aggregate share of daily television viewing was 44 per cent, split between its two channels TV1 (25 per cent) and TV 2 (19 per cent). Commercial MTV3 has a 33 per cent share whilst Nelonen (Channel Four) has a 19 per cent audience share. The domestic production rate is high in the nationwide television channels. Two thirds of YLE's, half of the MTV's programmes and a little over 30 per cent of the Channel Four's programmes are produced domestically. This has increased the share of the independent production companies as content providers in all channels.

Table 1: Dailies: Circulation per 1000 Persons in 1991–2005.

	<i>1990 Total population</i>	<i>2000 Total population</i>	<i>2005 Adult population</i>
EU	179	153	170
Finland	558	445	518
United Kingdom	390	319	348
Germany	333	291	305
Italy	118	105	114
Spain	76	108	113
Estonia	523	191	225

Source: World Press Trends, Statistics Finland 2006.

During the development of digital television in Finland, YLE has taken the role of innovator and has been the driving force of the digitalization process, with commercial media companies largely following their lead. A milestone for the introduction of regular digital television to Finland was August 2001. The target date for the switchover from analogue to digital national television was in September 2007, resulting in Finland being among the first to digitize its television broadcast network. In contrast to, for example, Sweden and Germany, the whole of Finland switched over to digital television at the same time, and not by region. However, cable television service providers have until the end of February 2008 to convert to digital signal from analogue. After that, cable households will also need a digital receiver to watch television broadcasts. As part of the digitalization process, private broadcasters were freed from an earlier obligation to contribute to the financing of public service broadcasting.

Since the switch-over to digital television, the commercial television companies in Finland have increased their investments in and marketing of pay-TV niche channels, which are expected to be a growing business.

There is no special legislation on media concentration in Finland and this has facilitated an accelerating trend towards newspaper chains in the ownership structure. In 2004, there were 22 newspaper chains, three of which publish Swedish-language newspapers. Through take-overs and mergers, the market share of the biggest media houses has also grown. The publishing of dailies has been concentrated into five newspaper chains that control half of the dailies' net sales in Finland: SanomaWSOY, Alma Media, KeskiSuomalainen, Turun Sanomat Group and Ilkka Group.

The concentration of newspapers into chains is expected to continue at both a national and Nordic level. The two major newspaper houses account for 56 per cent of the aggregate circulation of dailies. From net sales (that is to say newspaper sales and advertising sales combined) SanomaWSOY accounts for 24 per cent and Alma Media 18 per cent. MTV3 and the new digital channels MTV Max and Subtv (the latter also broadcast over the cable network) were taken over by Nordic Broadcasting in 2005. Nordic Broadcasting is half-owned by Sweden's biggest media company Bonnier and the investment company Proventus Industrier (Sauri 2007: 109).

The big newspaper publishing houses have diversified and expanded since the 1980s from print houses into electronic media, online services, mobile services, and multimedia products, thus becoming real multimedia corporations. The leading book publisher WSOY (Werner Söderström Oy, founded in 1878), the Sanoma Corporation (1889), and the Helsinki Media Company merged in 1998 to become SanomaWSOY. Today SanomaWSOY is the biggest media corporation in the Nordic countries. SWelcom, the electronic media division of the SanomaWSOY also owns the television channel Nelonen (Channel Four) and a radio channel (Radio Helsinki).

Sanoma Magazines publishes over 200 magazine titles in nine countries and is among the top five magazine publishers in Europe. All in all, SanomaWSOY has operations in sixteen European countries including magazine and press publishing, book publishing, kiosk operations, press distribution, book and movie stores, and restaurant operations. SanomaWSOY acquired local publishing rights to Metro in 2006 and is also strongly represented in the rapidly growing free-distribution newspaper market.

YLE is the second largest media company in economic terms after SanomaWSOY and Alma Media. Its turnover was over 383.5 million Euros in 2006 and it is a public service

limited company owned by the state, with five national television channels and thirteen radio channels.

Broadcast-news institutions are responding in unprecedented ways to a public that increasingly produces and consumes its own journalism. These trends challenge traditional notions of citizenship and the role of broadcasters. Traditional mass media companies have been working actively to develop integrated communication products and services. In the Finnish context, commercial companies have increasingly questioned YLE's monopoly, especially with regards to online services. The public broadcaster is able to build online services that are not under the same financial constraints to create economic revenue as the online services of commercial competitors, in an era when the toughest competition is the fight for these new channels and their audience. Due to the financially tight situation created by digitalization, YLE is going through heavy streamlining and re-organization. In particular, radio services are being dismantled and converted into Internet services. The move to digitalization challenges the ability of the market to sustain more channels for general broadcasting. According to plans, the future of the Finnish public service system, which is presently financed through licence fees, will be discussed in a parliamentary committee due to commence in 2010.

New media innovations, like blogs, websites and other user-generated media content have driven the media landscape to seek new openings, causing the big media companies to embrace these new types of 'media'.⁵ This reflects the change in the market in more general terms. Media companies have realized that the whole concept of 'media' may look totally different than the traditional model. Media has no monopoly of media, nor can journalists monopolize journalism. The blogosphere is part of the media landscape but its real significance has yet to be defined and it is still in a state of development. In addition, other user-generated services such as different types of lists, chat-sites and social media-sites are part of the new strategy of the media houses to adjust to the changing market situation.

Freedom of expression, transparency and ethical codes

Legal provisions

A legally established freedom of speech is the foundation of any democratic society. The basic objective of the Finnish government's media policy has been the promotion of freedom of speech supported by legislation, public subsidy, taxation, and reductions in fees. In Finland, freedom of expression stands on two pillars: The Constitution of Finland guarantees freedom of speech, and access to official documents is guaranteed by the Openness of Government Activities Act. The first principle, designated as 'freedom of expression', is included in the Finnish Constitution (revised 2000) and in the Exercise of Freedom of Expression in Mass Media Act, which provides medium-neutral regulation of freedom of speech (revised 2004). Complementing the aforementioned section of the Constitution is the Exercise of Freedom of Expression in Mass Media Act (460/2003). It contains more detailed provisions as to the practice, in the media, of the freedom of expression as enshrined in the Constitution.

In the application of the Act, interference with the activities of the media are legitimate only insofar as it is unavoidable, taking due note of the importance of the freedom of expression in a democracy, subject to the rule of law. One of the main aims of the new law is to regulate all media regardless of their technology.

The second principle, designated as 'open access to public documents' (Openness of Government Activities Act, 621/1999; amendments up to 1060/2002 included) guarantees that official documents shall be in the public domain unless specifically otherwise determined. The Openness of Government Activities Act, that is, the principle of transparency in public issues, is a specifically Nordic feature and obliges the government and public administration to embrace openness and freedom of information in all administrative activity. Civil servants have to give information and copies of documentation to journalists on any projects they are handling, unless the matter has been specifically declared to be secret. For example, taxation, including the income of the citizens, is public information. In the case of restraining access to information, journalists have been able to appeal to the courts, and many have successfully done so. However, when it comes to private companies, obtaining accurate information is increasingly difficult, though account and balance-sheets are public knowledge.

The Ministry of Transport and Communications oversees telecommunications, the operating licences for local radio and television, and the press subsidy system. The Ministry of Education promotes the content production for TV, video and motion pictures, copyright matters, education, archiving and research. The Telecommunications Administration Centre inspects technical infrastructures, equipment, frequencies and technical licences. The Government grants operating licences for commercial radio and television, and also decides the size of the annual television fee for viewers.

The operations of the Finnish Broadcasting Company (Yleisradio Oy or YLE) are regulated through the Finnish Broadcasting Company Act.⁶ The financing of YLE is regulated through the State Television and Radio Fund Act (Act No. 745/1998). Private radio and television operations over the air are regulated by separate legislation. Private, non-public service broadcasting can be pursued only by those who have been granted an operating licence by the government under legislation issued in 1998. This comprised the Television and Radio Operations Act.⁷

YLE does not require an operating licence for broadcasting because its operations are based on the conditions of the aforementioned Act on Yleisradio Oy. The national government submits proposals concerning electronic communications to Parliament and grants operating licences for local radio and local television. Operating licences are not required for cable broadcasting, but an announcement of operation has to be made to the Telecommunications Administration Centre.

In November 2001 a new Radio Act was approved before coming into force on 1 January 2002. Changes related to the reform of the entire legislation concerning the communication market were made to several pieces of this legislation in two stages. The Act on Yleisradio prohibits radio and television advertising on YLE's channels, and sponsored programmes are not permitted on YLE. YLE's operations are financed mainly by television licence fees. In 2004, a television licence cost €186 per year. In practice, YLE's final accounts are approved by the Ministry of Transport and Communications.

For the printed press, there have been various forms of public subsidy systems since the 1970s. Government subsidies for the printed press, cultural and opinion papers, and for political party publications, have been granted according to a proposal made by a state committee (Jyrkiäinen 2004). Diversity of content is granted by press subsidies and the state has granted subventions to both the party press and to so-called second newspapers (regional

or national). Support of the party press (parliamentarian support) is divided in proportion to the parliamentary representation of the parties. Support of other newspapers (selective support) has been determined through a selection committee. Until 2007, the division of parliamentary and selective support has been of an approximately similar size. From 2008 onwards, the press subsidy system has shifted to predominantly focus on parliamentary support (€90,000 for each Member of Parliament). At the same time, the Support Budget was raised from €14.3 million to €18.5 million. A smaller sum of €0.5 million will remain for selective support and this provides funding for national minority language newspapers, including provision for a Swedish news service.

The new Communications Market Act (2003) – covering all communication networks from mobile to digital terrestrial broadcasting networks – aims to ensure that networks and services are available to all telecommunication operators and users throughout the country, and that they are technologically advanced, of a high quality, reliable, safe and inexpensive. In July 2002 the first phase of the reform entered into force through changes in the Telecommunications Market Act, the Television and Radio Operations Act, the State Television and Radio Fund Act, the Finnish Broadcasting Company Act, and the Communications Administration Act. These changes included, among others, regulations concerning digital television and radio distribution, as well as an increase from ten per cent to fifteen per cent for the percentage of transmission time required to be reserved for programmes produced by independent production companies. On 25 July 2003 the second phase of the reform came into effect. The new Communications Market Act (Act No. 393/2003) replaced the Telecommunications Market Act and changes were made through amendments to the Television and Radio Operations Act, the State Television and Radio Fund Act and Finnish Broadcasting Company Act. With these changes, the EU regulatory framework for all electronic communication was reflected by Finnish legislation.

In addition, Finnish media policy is affected by recurrent calls in Brussels for support for the Union's internal Single Market in order to achieve economies of scale and develop new, cross-border services capable of competing in the global economy. The present policy line of the Government promotes the single communications market and a simultaneous enactment of the Communications Directive across the Union. Active measures are taken to support the competitiveness and productivity of the communications industry and to look after the interests of European consumers, that is to say market-based competition among all actors within the field. When communications laws are harmonized, steps will be taken to ensure that due consideration is given to technological advancement. General laws will continue to regulate the communications market when no valid grounds for any special regulation exist.

The current goals, however, emphasize support of an efficiently functioning market. The present government programme (2007–11) sets as its goal the boosting of competitiveness and productivity. The aim is to maintain Finland's position as one of the world's leading producers and users of information and communications technology. More citizen-focused aims are to promote social and regional equality, and to improve citizens' well-being and quality of life through the effective utilization of information and communications technologies. Public service structures will be renewed by making use of information and communication technology. The Government will prepare a communications policy programme aimed at encouraging investment and innovation in the communications sector. The communications infrastructure will

primarily be developed on commercial terms using competitive technologies. At a policy level, Finland currently invests more in technology rather than in the use of the new innovations for enhancing diversity and civil society.⁸

Self-regulation and new ethical codes

Good journalistic practice is based both on legal provisions that guarantee the public's right to have access to facts and opinions, and the self-accountability of journalists. In Finland, publishers and journalist organizations have accepted a voluntary ethical code of 'good journalistic practice' that should be known to all journalists. The aim of this code is to support the responsible use of freedom of speech in mass communication and encourage discourse on professional ethics. The code concerns all journalistic work and was drafted with self-regulation in the field specifically in mind. However, the code is not intended to be used as grounds for criminal or indemnification liability. The code concerns professional status, obtaining and publishing information, the rights of interviewer and interviewee, corrections and the right of reply, as well as what can be defined as private and public.

A revision of the ethical code (from 1992) came into force in 2005 and it places less stress on generally formulated principles and values but gives greater prominence to the right to publish. In addition, it includes a clause on transparency when reporting on issues that pertain to the owners of the media in question. YLE maintains a separate ethical code with a complementary function vis-à-vis this code, including, for example, principles on political programming prior to elections.

The Council for Mass Media monitors good journalistic practice on the basis of the ethical code and operates on a self-regulatory basis, agreed on by the parties involved, without special legislation. The Council was founded in 1968 by organizations of journalists and press publishers. The Council receives approximately 50 to 70 complaints annually. In 2007 there were 64 complaints, 50 of which led to an acquittal. The latest complaints have concerned the blurred line between privacy and the right to publish, online journalism and incorrect information.

In the revised Exercise of Freedom of Expression in Mass Media Act, responsibility has shifted from the editor-in-charge towards the journalist and other editorial staff involved in the practical crafting of published material. In the case of defamatory reporting, liability lies with the offender in penal cases. The publicist has to define the editor-in-charge of a publication, who supervises and makes decisions regarding the content of the publication. If the editor-in-charge is guilty of dereliction of duty and that, in turn, causes defamatory or flawed reporting, then s/he can be sentenced to pay a fine. The editor-in-charge doesn't necessarily have to be the editor-in-chief; s/he can come from middle management or be a general journalist.

According to district prosecutor Heikki Poukka, the new Press Freedom Act (revised 2004) has also changed the prosecution process (Ranta 2007). Currently, the investigation pays more attention to issues such as how a headline has been created as part of the edition process, 'in headline-driven news'. The starting point is to find the offenders and demonstrate culpability. In this case, according to Poukka, organizational arrangements should allow the journalists to consult the editor-in-charge in case the news piece is significant and needs checking.

Moving responsibility downwards has been especially popular with editors-in-chiefs but this revision of responsibility has been also criticized. Earlier, the practice gave prominence

to editors-in-chief who were also forced to take responsibility when their subordinates made blunders. 'In the history of the Finnish mass media the change is radical if the power and responsibility starts now to flow downwards' according to Professor Raimo Salokangas:

The newly revisited Act has an American flavour – everyone can be summoned and claim compensation for damage. The Act can also make it easier to apply pressure on the media and make journalists too careful. It is easier for mighty editors-in-chief to resist intimidation. An ordinary journalist is more vulnerable. (Salokangas in Ranta 2007)

Online competition between news media complicates the decision-making process although an editor-in-charge should always be reachable by telephone. In practice, the issue proceeds from a journalist, to a news producer and then to the vice editor-in-chief and finally to the editor-in-chief. This process was clearly demonstrated during coverage of the Jokela school-shooting when the news media were accused of intrusion and inappropriate means of acquisition of information.⁹ This process is especially important in crisis situations where the online journalist, the news producer and graphic producer must be in the position to reach a quick decision, particularly when it comes to interviewing young people or people in shock, or using still pictures and video footage.

Mind the gap: Conclusions

The Finnish media system still has a rather traditional outlook: the role of the print media is strong; people watch television relatively infrequently; and much of their viewing is focused on public service channels. Traditional news is both heavily produced and consumed, journalism has retained its flavour of social responsibility and ethical codes are respected. However, new global and European tendencies modify the Finnish system as well.

Technological convergence, for example, is profoundly changing the market conditions and social conditions under which the journalists conduct their daily work. Economic constraints have forced many media companies to 'outsource' their 'content producers', creating a new situation whereby a new generation of journalists are only offered short-term contracts.

During the last decade, user-generated content and social media have revolutionized the field. In the current situation, traditional tasks, such as informing citizens and scrutinizing those who govern, may sometimes be in contradiction to the demands of the market. Small societies also have their own specific problems in comparison to larger media systems. These can sometimes include closely-knit power cliques of political, economic, and journalistic elites, the intertwined interests of different actors, and self-censorship of journalists in an uncertain labour market situation.

Debate on the erosion of journalistic culture and commercialization is notable in Finland. Ari-Pekka Pietilä, the former editor-in-chief of the largest Finnish tabloid paper claims that news media is turning into a news industry that is governed by investors. This perspective sees journalism as increasingly standardized and cost-efficient. The worst scenario is a future media landscape divided into a multitude of different channels that on the one hand deliver cheap, commercialized, bulk-produced entertainment for the masses, and on the other hand elite-based, solvent and refined knowledge sources. This division is not driven by the channel but by the content. Pietilä sees the interest groups of the field as rescuers of the public's declining

faith in media. The field should create tighter regulations and restore the faith of readers and viewers before unchecked competition erodes whatever faith remains (Hakkarainen 2007).

As described earlier, Finland has a very particular history of press freedom and thus journalists are aware of the lures of being overly cautious of self-censorship. Although taboos concerning Finland's eastern neighbour and foreign politics have disappeared, new taboos for press freedom are always on offer. Self-censorship mostly functions at a subconscious level and is, therefore, difficult to detect. Press freedom and its restrictions require constant observation and its infringement has to be given serious consideration.

Obviously, the media's social function within Finnish society will remain strong despite ever-multiplying channels and the growing volume of mass media. However, the gatekeeper role of journalism is being eroded. The main reasons for ailing journalism are the proliferation of user-generated content and blogs through which politicians can communicate without the journalistic echelon. This removes processes of editing and control of messages, and multiplies the audience in an unequalled way. At times, this has led to something of a free card with respect to critical surveillance of the political elite.

Today, self-censorship may arise, for example, in situations where young journalists feel that their short-term contracts with the media houses may be in danger. When, earlier, there were 'official silences' in Finnish public discussion, now the problem seems to be 'to find someone who would have something new to say', as tabloid newspaper journalists claim from time to time. Thus headline-driven news, various entertainment materials and new types of commercial services for the audience are in demand. At the same time, new types of challenges to press freedom are appearing driven by market economics.

Media policies also follow the tendency of market primacy. During the last decade most basic legislation has been revised in order to accommodate the situation created by an open-market environment, the convergence of technologies, and the single-market requirements of the European Union. At the European regulatory level, there are certain public-interest objectives that are attached to single-market development. In general, national regulatory models should not disturb the development and functioning of the European single market by fragmenting markets. This can be seen as a positive approach to market freedom but certain potential effects may endanger national media policies.

When describing the Commission's recently proposed reform of EU telecom legislation, Commissioner Viviane Reding explained: 'We need a means to break away from a national mindset, so that the full potential of a market of 500 million consumers can be realised.' Such thoughts lie behind the Commission's criticism of the fragmented regulatory environment in Europe and its insistence on establishing a simpler, more harmonized set of rules (Celsing 2007).

Across Europe, press freedom and pluralism may find itself between a rock and a hard place, where an overall policy approach that favours a competitive edge and an earlier attachment to social responsibility are at loggerheads. In addition, the neo-liberal single market approach of European media policy may create conditions that encourage a concentration of ownership that diminishes the internal diversity of media sources. Media houses may also seek new ways of increasing their revenues. Often this comes from 'economies of scale and scope', that is to say reaching larger audiences through bigger conglomerates that can generate a larger turnover. This type of economic logic rarely follows the ideals of socially responsible journalism. The

gap between vital ideals of press freedom and the empirical reality between many European countries may be bridged by supporting legislation that harnesses these new challenges. Most of all, the new situation requires tireless monitoring and research of the challenges to press freedom that may endanger the democratic processes where critical journalism plays a fundamental role.

Notes

1. Finland has had a newspaper published continuously at least once a week ever since 1791. The first Finnish-language newspaper in Finland was the educational *Suomenkieliset Tieto-Sanommat*, published by Antti Lizelius in 1775. Finnish did not become the majority language of Finland until the 1820s. Finnish-language newspapers have been published regularly since 1844 (Jyrkiäinen 2004).
2. The *New York Times* reported on 20 March 1917: 'Home rule for Finland is one of the policies of the new Russian Government according to a Reuter dispatch from Tammerfors, Finland's greatest manufacturing city. The correspondent says that the Finnish Diet will be convened soon and asked to establish a Government possessing the full confidence of the people.'
3. The Lapua Movement (*Lapuan liike*), sometimes referred to as 'Lapua Fascism', named after the then municipality and present day town of Lapua, was an influential political movement in Finland. It started in 1929 and was initially dominated by ardent anti-communist nationalists, emphasizing the legacy of the nationalist activism, the White Guards and the Civil War in Finland.
4. This trend towards unaffiliated newspapers has strengthened since the 1950s with the increasing number of local papers (though *Helsingin Sanomat*, the biggest nationally daily, became politically independent already in 1932).
5. For example SanomaWSOY, the biggest media house in Finland bought a Bloglist-site that offers listing of the blogs maintained by private people.
6. Act No. 1380/1993 amendments up to 635/2005 included, which came into effect on 1 January 1994.
7. Act No. 744/1998; and certain technical amendments to the Telecommunications Administration Act and the Copyright Act (Acts No. 747/1998 and 748/1998).
8. On 29 January 2004 the Government adopted a resolution on the national broadband strategy that included a fifty-point action plan. On 3 February 2005 it adopted a new resolution specifying the objectives of the strategy and complementing the original resolution with nine new action points. These included the following: the promotion of the development of wireless broadband; the promotion of new content and services; and removal of remaining obstacles to competition. According to the strategy, Finland should have had 1,000,000 broadband subscriptions by the end of 2005. In January 2007 the number had already amounted to 1,500,000. Broadband services through a fixed network, which were to be available to at least 95 per cent of the population, were, in January 2007, available to 96.1 per cent.
9. According to the latest EVA report (Haavisto and Kiljunen 2008), Finns are fairly critical towards media. When asked whether people consider the 'power of media' too large, 64 per cent agreed. The follow-up question on media's power - 'Do journalists govern public opinion too much in Finland?' - produced almost as critical an outcome. Almost two thirds of the population agreed with the claim (63 per cent).

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