



## Failure of the Audiovisual Media Law and the contradiction that holds public interest hostage

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**ABSTRACT:** Democratic transitions of Eastern countries brought about the need to shifting from eastern into western paradigms. Transitioning into western models of media, more specifically to the public system of broadcasting became a prerequisite for achieving the EU status for Eastern European transitioning countries. It has been twelve years since Albania entered the process of transformation from being a State TV towards becoming a Public Television. The article aims to provide a theoretical framework of public television networks in western countries pointing to the pertaining relationships with their political systems. Using this methodology, the article evaluates the developmental process of RTSH, and traces the evolution of certain fundamental laws to determine that political elites have not put forth any efforts to reform laws to establish self-regulatory instruments and guarantee the media independence as a self regulated institution. Despite international recommendations and internal pressures for change, the practices in the area of public network television services have served the private interest of political parliamentary forces. Using the Hallin and Mancini comparative models for media, we established that efforts towards reformation, the changes of Albanian public television are not guided towards a liberal democratic model; instead they resemble a Mediterranean or polarized system. Political arbitration in choosing key institutions that ensure self regulation and the direction of public service broadcasting reflects similarities with the Italian model of Lottizzazione. However, the design of hybrid laws whose structures and functions do not serve public interests, but instead ensure the interest of political elites, is not a formula that guarantees public service broadcasting. By choosing to pursue the old trend of TVSH's broadcasting methods, politics is channeling the future of public service broadcasting towards a polarizing model. The approach that would allow a liberalization of Public Service Broadcasting, demands a political emancipation and consensus on this particular issue. For now, the sings of consensus are nowhere to be seen, and as such the fate of public service broadcasting remains in a pending status. One of the main consequences in this process, remains the under informed public that is a vital element in a viable democracy. In this case, society becomes the victim of an autocratic system, perpetually stuck in a vicious cycle against democratic interest. **Keywords:** *Media Law, autocratic system, public interest, broadcasting law, democracy, role of press and media.*



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