

# Constitutional debate in the Czech Republic<sup>1</sup>



Vlastimil Nečas

CHARLES UNIVERSITY IN PRAGUE, CZECH REPUBLIC

**ABSTRACT:** This report looks at the Czech media debate on the European Constitution in the period between French and Dutch “no” to the Treaty Establishing a Constitution for Europe (TCE) and political agreement on the Reform Treaty (June 2005 to June 2007). Based on quantitative and qualitative analyses of the six Czech printed media, the present study confirms that the debate on the European constitution was largely national with overwhelming dominance of Czech actors. The study also indicates strong politisation and personalisation of the Czech media debate. The results identify two dominant groups of actors and topics in mutual opposition. The first is represented by President Klaus and ODS politicians who oppose the European constitution project. The other group is formed by CSSD politicians and the Chair Jiri Paroubek who support the continuation of the common European Constitution project.

**KEYWORDS:** political communication, European constitution, content analysis, Czech media, media coverage



## INTRODUCTION

The Czech Republic became a Member State of the European Union together with nine other countries in May 2004. This was preceded by a long period of negotiations when the conditions of the Czech membership were defined. The accession negotiations began in December 1997, when the European Council officially invited 11 candidate countries to the European Union. In April of the following year, the screening began, which is an analytical comparison of the legislations of the candidate countries with the European law – this in one of the main conditions of accession. The process of the preparation for a full membership was continually monitored by European Commission that published “Regular reports on the progress made towards accession to EU” by each of the candidate countries. The first Commission’s report in 1998 was very critical and as a consequence of the criticism, the Czech government subsequently attempted to accelerate the process of the im-

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plementation of the European law. Due to the attempts on the acceleration known as the “legal blitz,” the position of the Czech Republic regarding the obligations towards EU gradually improved and the Commission’s report from 2001 evaluated the Czech Republic in a markedly more positive way. The accession period culminated in the December 2002 Copenhagen European Council summit, where all the negotiation chapters were closed. In June of the following year, the Treaty of Accession of the Czech Republic to EU was signed in Athens. At this moment, the effort as if slackened, the pace of the transposition of the European law slowed down, which again resulted in the repeated criticism from the European Commission. In January 2005, European Commission announced that the Czech Republic had the worst score in the adoption of the European legislation concerning the united internal market of all 25 countries. In March of the same year, there were 64 European directives unadopted by the Czech Republic into the national law and the country was thus on the 19<sup>th</sup> position among the member countries. In September 2005, European Commission published a scale of the pace of the adoption of European directives with the Czech Republic in the 20<sup>th</sup> place, the worst score of all 10 new member states. In January 2006, European Commission put the Czech Republic to the European Court of Justice due to the lack of the adopted directions. In March 2007, the Commission warned the Czech Republic with another legal action concerning the same issue.<sup>2</sup>

As the brief survey of the history of the relationship between the Czech Republic and EU shows, the country has been forced to deal with rather substantial problems connected to its EU membership since the very beginning. The proposal and negotiations of the European Constitutional Treaty were to a certain degree covered by other topics that seemed important and to which the Czech media, too, paid more attention (Nečas, 2007).

If we then, in our analysis, focus on the media representation of the debates about European Constitution in the Czech Republic, it is necessary to note that the topic is one of the many “European” topics present in Czech media that together construe the media image of the EU. Therefore, it is not possible to consider the conclusion of the analysis as descriptive of the media representation of the European Union as such, nor is it possible to use the conclusions to support statements about the Czech public opinion about the EU.<sup>3</sup>

The possibilities to follow the preceding researches dealing with our topic in Czech environment are quite limited. Petra Rakusanova’s discursive analysis (2007) is the only comparable study which deals with the patterns of the constitutional debate in the Czech press from October 2004 to October 2005. It focuses primarily on the position of President Klaus: Looking at Czech media coverage of the Euro-

<sup>2</sup> For details see: <http://www.euroskop.cz/42037/clanek/historie-vstupu-cr-do-eu>; in Czech.

<sup>3</sup> According to Center for Public Opinion Research poll from April, more than a third of Czech citizens express their satisfaction with the membership in the EU (36%), about a fifth are not satisfied and about 44% do not know whether they are satisfied or not (Cadova, 2006).

pean Union over recent years both in general terms and in terms of the Czech Constitutional debate in particular, it seems as though the voice of the Czech President, Vaclav Klaus, drowned out all others” (Rakusanova, 2007, p. 342).

The main conclusions of Rakusanova’s analysis are the following: “The overall discussion can be summarised as (1) rather general with very few actors capable of (or indeed interested in) a more complex and in-depth discussion of substantive constitutional topics, leaving many of their claims unjustified; (2) polarised conflict on several levels, including that of the governmental coalition and opposition, and (3) personalisation, with the Prime Minister Paroubek and President Klaus becoming personal adversaries” (Rakusanova, 2007, pp. 362–363).

### **DESCRIPTION OF THE DOMESTIC MEDIA USED FOR ANALYSIS, METHODOLOGY AND SAMPLE DESIGN**

The decision about the choice of the media type was the first step towards the construction of the analysed media sample; we had to decide whether to deal with printed titles only or also include radio and television stations. In our research, we focused on the printed titles only for two reasons. First, there is the precondition that the thematic agenda of the press does not substantially differ from the one of the audiovisual media (at least in the news coverage and opinion columns which are the two areas of our interest) (Dearing, Rogers, 1996). Concurrently, there is space for more profound texts with argumentative structure and a wider thematic scope in the press that is not offered by the radio or television media due to their essence (Postman, 1985). Second, there is the pragmatic argument – the easier access to the press archives. Audiovisual media do not always store the broadcasted contents in archives and it is not guaranteed they are in the textual form.

The sample analysed in this study consists of articles taken from 6 Czech printed media. It includes 4 dailies (*Blesk*, *MF Dnes*, *Pravo*, and *Hospodarske noviny*) and two weeklies (*Reflex*, *Respekt*). *MF Dnes* (The Youth Front Today), *Pravo* (The Right) and *Hospodarske noviny* (The Economic daily) are full-format daily newspapers covering the whole range of topics. *Pravo* (The Right) is usually considered a leftist daily, which is in my opinion due to the opinion columns. *Hospodarske noviny* focus on economic issues and may be labeled as politically neutral. *Blesk* (The Lightning) is politically and religiously neutral daily bringing attractive news – such as celebrity or crime stories. *Blesk* is a typical representative of the tabloid-type newspaper, such as *Die Bild* in Germany. *Reflex* (The Reflex) is a weekly magazine assigned for intellectual readers. *Reflex* yields interesting topics and provides new perspectives of the world.<sup>4</sup> *Reflex* may be viewed as the Czech version of *Time* or *Die Welt*. *Respekt* (The Respect) is a weekly magazine. The sectoral public paper *Respekt* has

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<sup>4</sup> [http:// www.ringier.cz](http://www.ringier.cz).

a rather small circulation but disproportionately large impact on the intellectual and political circles.

The analysed sample consists of a total of 40 articles from June 2005 to June 2007. Two steps preceded the selection. First, I made a selection from all articles in the media monitoring database Newton IT.<sup>5</sup> I selected all texts referring to the topics of TCE (Treaty establishing a Constitution for Europe), the European Constitution, and Euroconstitution<sup>6</sup> (the term “Euroconstitution” [Euroustava] is frequently used in the Czech media).

The total sample from the 25 months included 1049 articles. The highest number of references is in *Hospodarske noviny*, a total of 35% of all articles, followed by *Pravo* with 28% and *MF Dnes* with 25%. The topic was pursued the least by *Blesk* daily where there were only 6 appearances. I selected 40 articles from the total sample and analysed them. The selection for the qualitative analysis takes into consideration the frequency of the articles in the coverage cycle (see Fig. 1) and the distribution of the articles in the individual covered media. *Pravo* and *Hospodarske noviny* dailies are represented the most by 17 and 13 texts, respectively. *MF Dnes* is represented by 8 articles and *Respekt* by 2 ones.

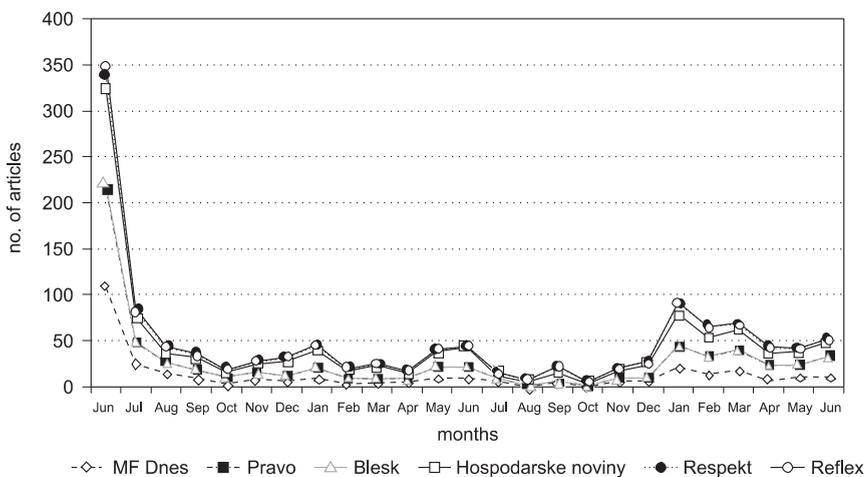


Fig. 1. Coverage of constitutional debate 6/05–6/07

The initial peaks reflect the referenda in France and the Netherlands. The following peak appears in January 2006 with a high number of articles referring to the Polish Prime Minister Kazimierz Marcinkiewicz’s visit to Prague when European affairs were discussed. May and June 2006 are characterized by Czech Parliamen-

<sup>5</sup> <http://www.newtonit.net/>.

<sup>6</sup> The following chain constituted the lexical filter: ústavní smlouva (Constitutional Treaty), Euroústava (Euroconstitution), Ústava pro Evropu (Constitution for Europe). Euroústava (Euroconstitution), Ústava pro Evropu (Constitution for Europe).



Euroconstitution is in the hands of the national actors with occasional, rather passive, entries of international actors.

**Top ten actors**

Table 1 shows the dominant position of the national actors in the Czech media representation. Eight out of ten main actors are national level actors. Jose Barroso and Angela Merkel are the only two actors acting on the supranational level. The latter appears mainly in connection with the German Council presidency in the beginning of 2007 and her visit to the Czech Republic in the late January 2007.

Table 1. Actors' top ten

No.	Actor's name	No. of occurrences
1	Klaus Vaclav	30
2	Merkel Angela	13
3	Topolanek Mirek	12
4	Paroubek Jiri	10
5	Zahradil Jan	8
6	Barroso José	4
7	Bursik Martin	4
8	Vondra Alexander	5
9	Filip Vojtech	3
10	Gorbach Hubert	2
	Total	245

Czech President Vaclav Klaus is definitely an important actor in the covered texts. He appears 30 times in 12 articles. The second position is occupied by Angela Merkel (13 outcomes in 9 articles), followed by the Chairs of the two strongest Parliamentary parties, Mirek Topolanek, the Chair of the Civic Democratic Party (12 appearances in 9 articles), and Jiri Paroubek, the Chair of the Czech Social Democratic Party (10 appearances in 7 articles).

President Klaus may be considered as a dominant initiator of and commentator on European topics in the analysed text sample. Klaus' standpoints are often viewed as extreme in the Czech context, he however manages to set up the topics in the media agenda. The other actors also often react to him.

President Klaus is known for his sceptical position in the debate about the future of the project of the European constitution. He supports his positions with various arguments; he successfully creates catch phrases that are attractive to the media (e.g., "I'm not for the European anthem").

In the debate about the future of the European Union, one dimension is dominant, the decision whether the main characteristics of the integration is an intergovernmental system or a supranational one. It is a clear crossroad." Klaus refuses the so-called supranational model that in his opinion counts on people ceasing to be citizens of their national states and becoming Union citizens. "I'm not for the European anthem," he told MF Dnes (18-7-2005, *Hospodarske noviny*, P. Holub).

"I'm not critical about it, that's not the case. I'm all against it," said the President literally at a discussion about EU in Berlin in November 2004. "Euroconstitution is the absolute victory of the Europeists [Vaclav Klaus]" (15-1- 2007, *Pravo*, B. Hruska).

It is obvious that Klaus' position towards the Euroconstitution falls within his general view of the position of the Czech Republic within the EU and the idea of the EU as such:

In the Saturday issue of *Lidove noviny* he recommended that the European Countries Organization was founded instead of the European Union. The European citizens would thus deal with the common issues exclusively *via* their national representations. Klaus argues that the failure to install European constitution is the error of political elites who wanted to unite Europe without asking the citizens (18-7-2005, *Hospodarske noviny*, P. Holub).

President Klaus actively enters the media and presents such attitudes that other actors consequently react to. This results in a certain duplication of his presence as an individual who initiates his own presence in the media and as an actor who is brought in the discourse by the others (both his opponents and supporters). Klaus thus becomes a prominent personality of the covered media discourse also because he is labeled by the other actors as a part of the discourse. To a certain extent, there is no difference between the two positions – Klaus is present in the media in both cases. It may be of importance that an actor in an active position may control his/her input, while if he/she is brought in by other actors,<sup>7</sup> he/she cannot control the degree and framing of his/her presence in the media. Two examples of the passive presence follow:

Vaclav Klaus "failed" with his arguments in Europe and without doubt he is aware of it – otherwise, he would not be so afraid of the coming negotiations in June. Yet, it again surprises me how superficial his arguments are (Jiri Paroubek, 15-6-2007, *Hospodarske noviny*, J. Paroubek).

Vaclav Klaus, who is very active in his opposition to the Euroconstitution – we could even talk about a kind of obsession – said that even the supporters of the Euroconstitution understood that it did not make sense to fight for it and had changed the tactics. ... It is indeed peculiar that Klaus is the only one among the top representatives of the EU member countries with such a negative attitude and who wishes to reduce the EU to a mere customs union of national states (7-9-2005, *Pravo*, Z. Jicinsky).

Prime Minister Mirek Topolaneck is another prominent actor who shares and in some cases supports Vaclav Klaus' opinions about the future of the Euroconstitution.

<sup>7</sup> Being quoted or paraphrased.

As far as the foreign policy is concerned, the President has presented consistent attitudes towards our membership in NATO and EU I certainly share his concerns about the substitution of the veto for the majority vote in the new European constitution. (2-1-2007, *Pravo*, M. Topolánek).

Similarly to Klaus, Topolánek presents negative attitudes toward the future of the Euroconstitution in the media and he too uses catch phrases. In the covered sample, Topolánek often justifies his negative attitudes by the failed ratification processes in other member countries.

The Czech Republic will not return to the ratification and it is not the only one. The declared “no’s” in the Netherlands and France have interrupted the process (27-1-2007, *Pravo*, M. Topolánek).

According to Topolánek, it is “unfortunate” that 18 countries have ratified the Euroconstitution and he reckons following discussion useless. “The process of ratification is over for us,” stressed Czech Prime Minister (15-5-2007, *Pravo*, nek).

According to Topolánek, the refusal of the Euroconstitution in the referenda in France and the Netherlands is a clear signal that the Euroconstitution is “dead”.

## **B) Constitutional topics**

The following chapter deals with the thematic structure of the media representation of the debates about the Euroconstitution and important attributes of these discussions. Topics included in the analysed texts were coded into a total of 196 categories divided into three main thematic areas: EU policies, EU institutional architecture and the Constitutional process: past, present, and future.

In the thematic groups that we followed, the smallest attention was paid to EU policies (31 appearances in 17 articles), followed by the codes from the EU institutions (76 in 26 articles); the highest attention was paid to topics related to the ratification process and changes of the EU constitution (261 in 39 articles).

The most prominent group of topics in our sample is the constitutional process, which appeared in 98% of articles mainly in the connection with the future options of the treaty. The predominance of the constitutional topics is apparent in Table 2 which shows the absolute and percentage frequency of the particular topics in the covered media samples. The most frequent topic in total was the reform of the treaty (44 occurrences in 18 articles), followed by the continuation of the ratification process (42 occurrences in 23 articles) and discarding of the TCE (41 occurrences in 25 articles). In this case, I would like to mention some difficulties related to the interpretation of data. It is necessary to weigh the absolute frequency of the presence of the variables and the number of their appearances in articles. For example, “reform treaty” is on the top of the most prominent topics, but appeared only in 18 of 40 articles. On the other hand, “Discard TCE” is on the third position, but it appeared in 25 articles. From this point of view, the position of the topics could be seen differently.

Table 2. Top ten topics

Rank	Topics	Occurrence*		Articles**	
		No.	% of total	No.	% of total
1	M.03.09. Reform Treaty	44	14	18	45
2	M.03.04. Continue ratification	42	13	23	58
3	M.03.07. Discard TCE	41	13	25	63
4	M.03.18. Future of the constitution (general)	36	12	15	38
5	M.03.13. Future of Europe/Future European integrat	25	8	16	40
6	M.01.09.02. French	18	6	15	38
7	L.05.01.02. Turkey	17	5	5	13
8	M.01.09.01. Dutch	17	5	14	35
9	M.02.01.05. German Council Presidency (2007/I)	17	5	13	33
10	M.03.14. Future referenda	16	5	8	20
	All quotations	312	100	40	100

\* No. of quotations including the respective topic.

\*\* No. of articles that include the respective topic.

### Constitution as a dead corpse

The simile of the Euroconstitution to a dead corpse or cadaver is another, rather peculiar, characteristics of constitutional debate in the followed sample. These references appear throughout the whole covered sample. These similes are formulated by journalists as well as the actors themselves, usually the politicians:

“Austria plans to revive the debate on the Euroconstitution” (10-1-2006, *Pravo*, DPA); “To revive the dead corpse of the European Constitutional Treaty is pointless, is the Czech government’s message to Europe” (23-1-2007, *Hospodarske noviny*, R. Brestan); “Therefore, it is not surprising that the majority of Czechs consider the Constitution to be a ‘dead document’” (14-7-2005, *MF Dnes*, V. Dolejsi); “However, after the unsuccessful referenda in France and the Netherlands last year, it is considered dead by many politicians and was put on ice a year ago” (10-5-2006, *MF Dnes*, J. Grohova); “Constitution is not dead, it is still in the middle of the ratification process, Schuessel confirmed after a meeting with the European Executive Head Jose Barroso” (10-1-2006, *Pravo*, DPA); “The following procedure depends on the answer to the cardinal question: is the EU Constitution treaty really dead or the chance that it will be ratified – especially after the positive outcome in Luxembourg – did not fade away?” (27-7-2005, *Pravo*, P. Jantac).

Czech politicians, also, presented a certain amount of imagination:

For all these reasons I think that the long-term talking about the “death” of the Constitution treaty is nothing but a premature posted obituary (6-2-2007, *Pravo*, J. Paroubek).

ODS itself is not clear about the European Constitution. Jan Zahradil, MP, the Czech Plenipotentiary in negotiations about the document (called *sherpa* in EU slang), said that the topic

will have been long dead in 2009 when the Czech Republic presides the EU for half a year. "I do hope that the European Constitutional Treaty will rest in peace five feet under in a wooden coffin by that time," he said at the end of his speech (10-2-2007, *Pravo*, B. Hruska).

These similes in essence frame the topics as *a priori* negatively defined. If there are attributes referring to death, it is almost impossible to defend the further existence of EU constitution – because it is dead *per se*, constitution is not living. Thus, if the proponents accept the rhetorics based on such similes (and they even use them themselves), they have in my opinion placed themselves in a position that is difficult to defend – regardless the arguments.

## CONCLUSIONS

In our analysis we tried to identify the main characteristics of the Czech media debate on Euroconstitution. We focused on the identification and description of the actors, main topics and argumentative strategies connected to the media debate on the Treaty establishing Constitution for Europe (TCE). The analysis has shown two dominant groups in the Czech media discourse. The first group includes the opponents of the ratification process and thus the whole proposal of the TCE concept; they are represented by President Vaclav Klaus and Civic Democratic Party (ODS) representatives, mainly the Chair Mirek Topolánek. The second group that supports the ratification of the original proposal and, later, the reform treaty, is represented by politicians from Czech Social Democratic Party (CSSD), mainly by the Chair Jiri Paroubek. These two opposing groups of actors also defined the topics during the whole period that we covered, they controlled the discussion topics and opposed each other during the whole period.

The debate in the covered media contents was thus in the hands of national actors with occasional, rather passive, entries of international actors. The debate was thus markedly domestic, reduced to interactions among national actors who were almost exclusively Czech politicians.

The Czech media debate on Euroconstitution was thus imbalanced as far as the presence of political and non-political actors is concerned. The gender imbalance is, too, evident with dominating male actors. A strong politicization and personalization with an overwhelming dominance of the domestic actors from the two most powerful political parties is characteristic in the debate.

This aspect is manifest in the thematic structure of the analyzed media contents. Most attention was paid to reform treaty, the possibilities of the ratification continuation and discard TCE, i.e. topics that caused disputes between the two aforementioned political streams in the Czech Republic. Together with the obvious absence of non-political actors in the Czech media debate, we can also observe a reduction of topics that were discussed in connection with Euroconstitution. Other topics appeared in spurts following the topical events (e.g. Angela Merkel's visit

to the Czech Republic); however, the three dominant topics appeared during the whole covered period.

If we attempt to create certain model statements on the basis of the analysis of the actors, topics and argumentative strategies, there will be basically two models and interactions. President Klaus or a politician from ODS supporting the discard of TCE a criticising the “Eurooptimists,” who are in our case mainly the politicians from CSSD. The second model statement is Jiri Paroubek or another politician from CSSD advocating the continuation of the ratification process or supporting the reform treaty and criticising the “Eurosceptics” represented by Klaus and ODS. Based on the result of our analysis, the Czech debate about the form of the Euroconstitution may seem strictly polarized between the left and the right, as well as reduced to the disputes between the two main political subjects, ODS and CSSD. In this respect, our conclusions affirm the conclusions of preceding research (Rakusanova, 2007).

Two opposing trends thus crystallize in the Czech media debate on Euroconstitution. The first is represented by President Klaus who is a loud opponent of the Euroconstitution project and a supporter of the EU as a community of free trade with strictly limited authority; the second trend is represented by CSSD politicians who advocate the idea of a federal Europe.

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