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Public service broadcasting and media polarization in Poland

Zusammenfassung

Die Bildung der ersten Mehrheitsregierung (nach 1989) durch die konservative Partei „Recht und Gerechtigkeit“ im Jahr 2015 wird weitläufig als Wendepunkt in der Geschichte des öffentlich-rechtlichen Rundfunks in Polen angesehen. Zum ersten Mal seit 1989 hat eine politische Gruppe die volle Kontrolle über die öffentlich-rechtlichen Medien. Seit dieser Zeit wird die regierende Partei der völligen Besitznahme der öffentlichen Medien beschuldigt. Repräsentanten von „Recht und Gerechtigkeit“ bezeichnen dagegen ihre eigenen Handlungen eher als „Teil des Geschäfts“. In diesem Essay werden die wichtigsten Ereignisse im Zeitraum zwischen 2015 und 2019 im Kontext der Geschichte des öffentlich-rechtlichen Rundfunks analysiert. Zusätzlich wird hier ein breiterer politischer und sozialer Kontext berücksichtigt. Mit besonderem Augenmerk auf gesellschaftliche Prozesse soll die politische und (nicht zuletzt) mediale Polarisierung betrachtet werden. Dies wird anhand von Beispielen von Ereignissen deutlich, die den aktuellen Stand der Polarisierung des polnischen Mediensystems und die hohe Politisierung des öffentlich-rechtlichen Rundfunks veranschaulichen.

Abstract

The establishment by the conservative Law and Justice party of the first post-1989 majority government in 2015 is usually seen as the turning-point in the history of public service broadcasting in Poland. For the first time after 1989, one political group took full control of the public service media. Since then, critics of the current Polish government have accused the ruling party of a full and unprecedented capture of the public media. However, representatives of the Law and Justice party see their own actions simply as “part of the game”. I analyze in this essay all the most important events from the 2015–2019 period in the context of the history of public service broadcasting in Poland. I also take into account the wider political and social context, and focus in particular on the processes of societal, political and (not least) media polarization. To do so, I deal with examples of events that illustrate the current state of polarization of the Polish media system and the high level of politicization of public service broadcasting.

Thirty years of democratic change in Poland have led to a significant number of important events and new phenomena related to the mass media. From the very beginning, public service broadcasting (PSB) has usually been at the centre of all these processes.

The amendments that the conservative, one-party government of the Law and Justice party (*Prawo i Sprawiedliwość*, PiS) have made to radio

and TV broadcasting law in Poland since 2015, as well as the public demonstrations and international criticism (including unprecedented EU criticism), have put Poland in the spotlight of discussion on the role and importance of public broadcasting in the media systems of European countries.

The last four years (since 2015) are therefore frequently seen as a period of exceptional political pressure on public service media. Is this really the case? This article aims to provide at least a partial answer to this question, and some personal opinions on the matter.

1 The difficult (and unfinished) road to fully independent PSB (1989–2015)

The relationship between public service media and politics in Poland has never been easy. From 1989 until 2015, all consecutive Polish governments faced more or less intensive and serious accusations related to their exploitation and politicization of the public media.

According to the 1992 Broadcasting Act, Poland's public media were divided into two parts: TVP (Polish Television) and PR (Polish Radio), including national and regional branches of both media organizations.

As for the model of governance, PSB organizations were placed under parliamentary control. As for funding, a mixed model was implemented. There is a license fee, but Polish PSB organizations are also forced to compete for advertising revenue with private media (which belong to national and foreign owners). A third group of media – owned by social, educational or religious institutions – are not allowed to fund themselves through advertising (Klimkiewicz 2017).

The 1992 Broadcasting Act also established a model in which the National Broadcasting Council (Krajowa Rada Radiofonii i Telewizji – KRRiT), a formally independent institution that is anchored in the Constitution of the Republic of Poland (1997), serves as a supervisory body for public and private broadcasting in Poland.

In any case, the Council itself and public media organizations have never been fully free from political pressure in the whole period since 1992. The main dimensions of this issue include the still relatively strong political control over appointments in management structures, and the ineffective funding model (many households do not pay the license fee) (for more details, see Klimkiewicz 2017).

2 Unexpected regression or natural cycle (2015–2019)?

Even taking into account all these prior issues, the scale of changes implemented by the PiS government in a relatively short period of time after the 2015 parliamentary elections has been surprising – for both national and foreign observers and experts.

The creation of the first majority government since 1989 by the conservative Law and Justice party is usually seen as a turning-point in the history of PSB in Poland. It means that one political group has (at least potentially) full control over PSB for the first time since 1989, which seems to have a direct and strong influence on the policies of government and ruling party with regard to PSB. The question is: are all these changes related to the political agenda pursued by PiS, or to the fact that, for the first time since 1989, one political actor can control all PSB structures?

In order to answer this question, we need an overview of all the most important regulations that have been passed between 2015 and 2019. The changes implemented by the PiS government so far can be divided into a few sub-periods.

Firstly, in December 2015, the Broadcasting Act was amended, which changed the regulations concerning public service broadcasting and how top managers were recruited and monitored. According to these regulations, the Ministry of Treasury has the right to hire and fire top managers at will. As already mentioned, all these procedures were coordinated by the National Broadcasting Council after 1993. In consequence, people friendly to the government were appointed at the beginning of 2016 as heads of public TV and radio, and a wave of personnel changes began in all branches of public service broadcasting. Many media managers and journalists have been fired (or resigned), and have been replaced either by journalists friendly to the government or by people from the PiS. Such a model of control was in complete opposition to the standards set by the EU, the Council of Europe, and the European Broadcasting Union (EBU). The latter wrote an open letter asking Polish President Andrzej Duda (a former PiS member) not to sign the bill, arguing that “it is an attack on an institution which will no longer be independent as soon as the measures take effect. In our view, this is a most profoundly retrograde step and will deeply damage public service media” (Szynol et al. 2016). A similar criticism was expressed by journalistic federations and associations, including the European Federation of Journalists (EFJ), the

Association of European Journalists (AEJ), Reporters Without Borders (RSF), and the Committee to Protect Journalists (CPJ).

The ruling party saw such radical moves as being mostly a response to the wave of street protests against government policies. Most of the mainstream media supported the protests, and PSB did not support the government's position in the last few months of 2015.

Ruling party officials stated that they simply wanted to make Polish public service media “impartial and objective”, after previous ruling coalitions had taken full and exaggerated control of it. They also announced that a complex reform of PSB would take place in 2016 – and that regulations from December 2015 were only a temporary solution.

Secondly, as representatives of the government and ruling party had already announced, a new public service media law was passed in June 2016. The most important part of this regulation was related to the creation of a National Media Council (NMC) to control all public media (TVP – Polish Television, and PR – Polish Radio). Two Council members are nominated by the President, and three by *Sejm* (lower chamber of Parliament). The way in which the NMC is created actually gives the ruling party full control of public service media. The three members appointed by *Sejm* represent PiS – the other two, appointed by the President and representing opposition parties, have no chance to oppose any decisions. Additionally, the law limited the role and influence of the National Broadcasting Council in terms of controlling PSB. However, the Council has since been taken over by PiS.

Thirdly, PiS began attempts to safeguard the financial stability of newly “conquered” PSB. A completely new funding model for public service media was planned, with the license fee being replaced by a so-called “audiovisual fee” combined with direct state aid. Thus far (June 2019), none of these attempts to reform funding have been successful. Faced with shrinking audiences and advertising revenues for PSB, the government decided to help PSB organizations with some loans and compensations (for groups of citizens freed from paying the licence fee, e. g. pensioners).

Political forces opposed to PiS see such moves as an effort to safeguard the relevance of PSB (which is currently giving full support to the ruling party and government) in the mainstream media environment of Poland.

Why is it so important for PiS? The answer seems quite simple. In contrast to Platforma Obywatelska (PO, Civic Platform), which (in coalition with Polskie Stronnictwo Ludowe, PSL) was the political force

previously in government, PiS cannot rely on the (more or less stable) support or at least neutrality of the biggest mainstream media, a significant proportion of which is traditionally (at least since 2005) critical of PiS and its political agenda. That is probably why (apart from some inherent factors related to the political programme and strategy pursued by PiS) taking control of PSB was seen from the beginning as a crucial action to shape public opinion. A group of media outlets supporting PiS had been created, and was gaining relevance in the public sphere, but it was still much too small to be dominant in this respect.

In this context, the state capture of PSB can be seen as integral to a wider ideological offensive on the part of PiS since 2010, with this now being much easier due to the “privilege” of having a majority government.

3 Media polarization in Poland. Two “filter bubbles”?

All current discussions concerning PSB in Poland should be analyzed in a wider context, with special attention being paid to the processes of media polarization.

The creation of an extremely polarized media landscape is not unique to Poland. There are also examples of such developments in many other countries. However, the polarization in Poland has its specific features. The most important contextual factors here are the bipolar party system that has developed (especially since 2007), and that has seen the dominance of PiS and PO, and the 2010 Smoleńsk plane crash, when President Lech Kaczyński and 95 others died. The latter especially is frequently seen as a turning-point, one that changed the dynamics of public debate in Poland for good. Dzięciołowski (2017, 34) suggests that this event “pushed Polish journalism to embrace a highly partisan, political and polarized approach”.

In consequence, we can observe in the last ten years a rising level of conflict between political parties and societal groups, correlated with and reflected in growing external media pluralism and the polarization and radicalization of journalistic communities. Moreover, instead of maintaining social cohesion and mitigating conflict, media outlets are frequently accused of making the divisions in society even larger, and of often acting in a hostile and aggressive manner towards each other.

In this context, Wenzel (2018) analyzed in detail the link between patterns of media consumption and party preferences. Wenzel investigated

the daily “media diet” of Polish citizens in 2017 (Computer-Assisted Web Interview method; 1005 interviewees; post-stratification weighting taking into account age, gender, region, size of locality and education), and matched these data with their positions and attitudes on the most important social and political issues in the country.

According to the results of Wenzel’s research, each group of party supporters showed different patterns of media consumption. The most visible differences were between PiS voters on the one hand, and voters for Civic Platform (PO) and Modern Party (Nowoczesna), the two largest opposition parties, on the other.

Wenzel’s study also showed that, despite the fact that a significant majority of Poles (28.2 million) access the Internet, there is still a significant and politically relevant group of media users, especially elderly people, who are not active online, but whose political relevance should not be underestimated. For most, television is still the primary source of news about politics.

It means that television, including public television, is still perceived by politicians as a crucial factor in setting the political agenda and convincing people to vote for them and support their ideas. It partially explains why the capture of public TV was so important for the government and ruling party. It was treated as a necessary countermeasure to limit the relevance of the mainstream media, which is mostly hostile to the current government.

In the last four years (with all the changes described in part 2), public service radio and television in Poland have been perceived as core to the current pro-government and conservative “filter bubble”, which opposes another, liberal “bubble” comprising TV stations TVN and TVN24 (fiercely critical), Polsat (less critical, and even neutral at the moment), and other types of media, such as the daily newspaper *Gazeta Wyborcza* and the weeklies *Polityka* and *Newsweek*.

On the other hand, the first PiS government (2005–2007) saw the beginnings of the rise of a media oriented to the conservative right (and with ownership connections to individuals and business organizations close to PiS) and providing an alternative to the liberal mainstream media, which accelerated after 2010. The list of media organizations supporting the ruling party includes the magazines *Do Rzeczy*, *W Sieci*, the daily newspapers *Nasz Dziennik*, *Gazeta Polska Codziennie*, the TV and radio stations TV Republika, TV TRWAM, Radio Maryja, and online media organizations (niezalezna.pl).

Since 2015, the PiS government has begun to support even more conservative media outlets, by changing the way that public agencies and state-owned companies spend their advertising revenues. Some of these media outlets receive quite high amounts of this money (especially when compared to their overall budgets and their position on the market). Additionally, some have also received grants from public institutions (e.g. Radio Maryja), and subsidies or public procurements from particular ministries or state agencies.

Not least, PiS officials began to suggest in 2016 that they would like to “re-Polonize” (as the party officials call it) ownership of the private media in Poland, which could of course have an impact on government control of the media, especially if, for example, state-owned companies were to invest in the media sector. In practice, such changes are much less probable, since such significant changes to ownership structure would violate EU laws.

4 Public service media and media polarization

As for the pattern of media polarization in Poland, we can argue that TV stations are media outlets that are fundamental to both filter bubbles, which applies especially to the public TVP and the private TVN. Wenzel’s (2018) research already mentioned suggests that choosing Polsat (third of the three largest TV stations) as the source of news is not so much related to specific political preferences, and that both TVP and TVN are “the centres of the two information ecosystems” (Wenzel 2018, 72).

The two TV stations differ substantially in terms, for example, of their opinions on the government and ruling party, and on oppositional political groups, something that the National Broadcasting Council had already noted in 2016 (before being “taken over” by PiS). *Wiadomości*, the main news programme at TVP1, was described as a news service that “shows the monocentric world, narrowed down to the political sphere, with strong tensions between the government and the political opposition [...] There is a strong tendency to build a sense of threat from external (immigrants, Russia) as well as internal (opposition, previous government) forces, which in total creates the image of the world as a double-besieged fortress” (KRRiT 2016, in Głowacki/Kuś 2019, 109). On the other hand, *Fakty*, the main news programme at TVN, was also

criticized (albeit not as fiercely) for “a lack of neutrality of the presented position – visible suspicion, and even aversion to politicians from the ruling party [...] Those in power are often presented in a negative way as unworthy, unreliable and not always with pure intentions” (KRRiT 2016, in Głowacki/Kuś 2019, 109–110). After three years, we can observe that nothing has changed in this respect.

Another important “enemy” of public service media is *Gazeta Wyborcza*, the largest non-tabloid daily newspaper. TVP accuses *Gazeta Wyborcza* of supporting anti-government protests and forming “unmitigated opposition”. *Gazeta Wyborcza* often describes TVP as a propaganda tool of the current government, also accusing public media managers of nepotism and wasting public money. The two media organizations have threatened lawsuits against each other (Głowacki/Kuś 2019).

Journalists from both sides also attack each other, especially on social media, with Twitter being their favourite “weapon” for exchanging aggressive messages. High-profile examples include the almost constant conflict between two Berlin correspondents, Cezary Gmyz (@cezarygmyz) from public TV and Bartosz Wieliński (@Bart_Wielinski) from *Gazeta Wyborcza*.

Media users also seem to accept such patterns of polarization. People generally trust the media that they use and it also influences the reliability of different media. In effect, a significant proportion of PiS voters trust public service media and are positive about their performance – and negative towards other mainstream media that criticize the current government and ruling party. PO and *Nowoczesna* voters usually do the opposite – criticize public service media and be positive towards the media outlets that criticize the government and ruling party.

In sum, all the phenomena mentioned seem to confirm that the Polish media environment is strongly divided and polarized at present. In this context, there is a great need for high-quality public service broadcasting institutions, in order to maintain at least basic levels of social cohesion. Unfortunately, TVP and PR are currently unable to perform such a role, and it looks as though this will not change in the foreseeable future.

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