

POLAND

The media in Poland are currently facing an intriguing and difficult time. The Polish media system is in permanent motion. The government and political elites tend to use the media to further transformation and reform, but nobody in this state-in-transition is ready to make decisions about crucial dilemmas for the media, the foremost being: Where does the media stand between the state and the market? The broadcasting law is still a long way from finalisation in the Polish parliament. There is a presumption that the newly created system of media organisation will be closer to the centre of power than to society at large.

1. GENERAL INFORMATION ON MEDIA AND MEDIA USE

Literacy and education The literacy rate in Poland stands at 99.7 per cent, consisting of people who completed primary school.¹ Poland has lived an educational boom, with more investment in schools at home and – since its accession to the EU – with many Poles completing their education abroad.

Media landscape One can name two main tendencies observed since the 1990s in Poland. The first is that new and large consumer groups have emerged. Poles quickly learned how to be good consumers – and not just the young and very young generation of consumers, but all classes, sexes, ages, and levels of education. Very often the older generation demonstrate their desires, which are significant for consumer culture. These groups live with the media; it means that they treat the media (in many cases) as a peaceful ecosystem around them. In some sense they are a 'sign of democracy' and a lot of people link consumerism with democracy and human rights. If we add the enormous rise of the new media, namely the electronic interactive media, as well as the high rate of TV watching (almost four hours daily for Poles), then we have a full sketch of the Polish media landscape.

The other tendency that has to be taken into account is the gradual liberalisation of the media landscape as a whole. During the period from the end of WWII to the 1989 breakthrough we can distinguish three 'political spheres' that had profound impacts on the media landscape:

An official social sphere inhabited by communist/socialist parties and government-dependent institutions. All cultural, social, and even local groups of inhabitants were controlled by the communist party. The free expression of opinion was dangerous, if not impossible. The propaganda system, as well as exercising an Orwellian-like control, influenced not only people's opinions in all media, but also their cultural choices.

Since 1976 it has been possible to talk about an oppositional sphere in Poland, which existed in the margins or under cover of the official one. These clandestine activities resulted in the Solidarity Movement during 1980–81. Books were printed by small illegal publishing houses and brought from abroad without formal permission, and were distributed among young university students as well as pensioners. VHS films and audio tape recordings of political cabarets and speeches were very popular among the majority of Poles.

The Roman Catholic Church was the leader and the structural base of the third sphere in Poland, namely the religious sphere. It carried out cultural and educational activities in churches or other buildings belonging to the church (Jakubowicz 1992).

Before 1989 the Polish press was designed both to serve as a propaganda instrument and as an instrument of party control. The official newspaper of the communist party, Trybuna Ludu, was established principally to achieve these goals. The daily newspaper, whose circulation in the late 1980s approached nearly 1,900,000, dominated the market.

After 1989 the Polish newspaper market totally changed. The new political system brought freedom of speech, of the press, and of association, which meant independence and neutrality in the majority of Polish papers. In April the same year, censorship was abolished.

Nowadays the daily newspaper with the largest circulation is Gazeta Wyborcza, established in 1989 to support Solidarność before the parliamentary elections. The paper gained a predominant position in the market, which it maintains to the present – although rivals have been established, for instance the daily Dziennik. Polska-Europa-Świat is published by Axel Springer Poland. Super Express and Fakt are contemporary popular newspapers inclined to sensationalism.

In 2007 there were eight public TV channels and 109 private TV channels including regional community based stations². There were seven public national radio channels, seven public local stations in Białystok, Bydgoszcz, Gdań, Koszalin, Kraków, Lublin, Łódź, Olsztyn, Opole, Poznań, Rzeszów, Szczecin, Wrocław and about 250 private radio stations. The total number of newspaper circulating in the country is about 2,500.³

It is 'common knowledge' that some media are 'associated' with certain political parties. This is usually called 'being united': Civic Platform (PO) is close to the TVN broadcasting company; Law and Justice (PiS) is 'united' in some sense with Television Trwam. Law and Justice also controlled public television stations in 2007 as well as public radio stations (PR) and in January 2008 the leaders of the PiS party announced that they were ready to run TV-PiS, broadcasting over the internet, and would not publish anything that contravened the party's political line.

Party media

There are other instances where political parties de jure run their own media: the Democratic Left Alliance (SLD), for instance, runs Trybuna daily newspaper, and the Union of Real Politics (UPR) established a weekly magazine Najwyższy Czas ('Highest Time').

There are some independent internet newspapers, for instance: wiadomosci24.pl, pardon.pl. There are also a lot of very popular internet tabloids, e.g. pudelek.pl, plotek.pl etc. Moreover, every large newspaper has its own homepage and sometimes a web portal as well. In fact some of them (e.g. gazeta.pl) became internet newspapers.

Internet media

The state authorities do not have the right to censor these internet newspapers because they are governed by the same law that regulates the print media, which means that they are free from censorship. There is one important exemption from this general view. There is some evidence that local government authorities look very carefully at local newspapers as well as internet coverage and at their interpretations of politically and socially oriented decisions. In some cases there have been attempts to apply pressure on journalists and editors to publish or not publish on some issues that are inconvenient for the regime.

The internet has greatly improved the conditions for free coverage. A lot of institutions and groups of consumers have the freedom to access information as well as produce it. One example of this freedom is the large number of journalists' and politicians' blogs.⁴

There has hardly been any obstruction to the internet in Poland from its early days. In October 2007 the proportion of people who had access to the internet was 3.8 million, 36 per cent of the population.

The main obstacles to the dynamic development of the internet are not money but the inefficient old law, which is inadequate for the current situation, and the hierarchic and bureaucratic structure of the Polish telecommunication industry. Despite some improvements the law is still deficient when it comes to copyright protection for companies and individuals. Despite the progress in privatisation Polish Telecommunications still acts as a monopoly in this market.

The typical user of the internet in Poland is young, male (less than 30-years old), lives in a bigger city and graduated from a technical university. But new, impressive movement is also visible here. For instance the number of female users drastically increased (only 22 per cent of women in 1995 said they used the internet in contrast to the 49 per cent in 2006⁵). But the number of all users of internet services grows very fast. Looking at radio on the internet, we were surprised that in 2005 only 1 per cent of internet users listened to radio but in 2007 there were three times more of them⁶. The main reasons for using the internet in Poland are: communication with people and correspondence, searching for information and using press services. The internet in Poland is going to become very commercialised: almost all main firms, travel agencies, cellular telephone operators and car dealers have their own web pages. Shopping on-line is also growing despite the relatively small number of credit card holders.

General media access About 90 per cent of people have access to radio, TV, newspapers and the internet (including international satellite programmes).

Media consumption Generally speaking, citizens regularly use the media (TV, radio, press, internet, others) as a source of information. Among these television is the main source of information, followed by the radio, press and the internet, which means that they are used often. The verbal exchange of information is used occasionally.

Media influence on political opinion The influence of the media on the formation of political opinion in Poland is highly significant. The media in Poland exerts considerable influence on political opinion – some observers of the media and political scene talk about the ‘mediatisation’ of the political sphere. The reasons are primarily that people in Poland generally do not trust politicians although they generally trust journalists.

For a growing group of citizens, the media exert only a little influence on the formation of their political opinions. The reasons for this are very unclear: some of them choose just one medium – for instance a conservative oriented daily – and do not look at any other kind of media. This is very typical of ultra-Catholic groups who are readers of *Nasz Dziennik*, listeners to the *Radio Maryja*, and watchers of television *Trwam*. This attitude is also supposedly typical of some readers of the post-communist daily *Trybuna*.

The majority of them do not respect political information coming from other sources and typically assume that the other media manipulate or fabricate information. On the other hand, they are certain that ‘their’ media deliver the ‘one truth’. There are some important consequences of that thinking for journalistic methods of interrogation. It is obvious that journalists who work in this way invite to their studio or interview in newspapers only those guests who agree with the station or paper’s line. The others are excluded. Furthermore, it is obvious that these guests are given plenty of time to explain their points of view and that the questions delivered to them are not challenging at all.

Generally speaking, the social background of the media consumers does not determine the extent to which the formation of their political opinions is influenced. But it determines which medium will be trusted. Young, educated people living in the cities tend to use liberal media such as TVN, *Gazeta Wyborcza*, TVN24, RMF and Zet etc. People living in the country prefer public/state owned radio and television stations (TVP, PR) and the private TV *Polsat*. A lot of people – the majority of them are older than 55 – are ‘directed’ by *Radio Maryja*⁷.

There are currently quasi-state-run newspapers and television channels, supported in part by a licence fee. There is also one newspaper, *Rzeczpospolita*, that is partly owned by the state (49 per cent). The government does not have a direct influence on the media although parliament and the president can exert indirect influence by appointing members of the National Broadcasting Council. The ministry of finance along with private investors appoints the leading postholders of the daily *Rzeczpospolita*.

State-owned media

The National Broadcasting Council (KRRiT) acts as a regulatory body over radio and television channels. It has five members. Two of them are appointed by the lower house of the Polish parliament, one by the Senate and two by the president of Poland. The term of office of each of the members is now six years. The members of KRRiT appoint a board of directors for each media: one for television, 17 for radio (central and local branches). These boards are responsible for choosing the acting chairpersons. This is supposedly the most important source of the 'politicisation' of Polish public media. It means that the nominations for positions are based on political bargains where professional and moral features of the candidates are less important. The politically oriented National Broadcasting Council nominates politically oriented members of the boards of directors, and this is replicated when other directors are chosen. During recent years this strange tendency has become established: the de-facto abolition of the public contest for board candidates. Although prescribed by law to be (in part) open to the public, at some stage of the process decisions were made to close or not hold at all the hearings of the different candidates applying for the leading positions in public media .

Polish media users seem to think that the published and broadcast opinions emitted by public/state owned media reach and influence other groups of media users than those the private media reaches. In television, public opinion is shaped by public/state owned media and private media in roughly equal parts. In the radio, we can observe a clear preponderance of private over public/state owned media. It is clear that the private media dominate the press and internet – indeed, state-owned internet sites hold almost no share of published opinion.

State-owned media and published opinion

In Poland it is difficult to evaluate the coverage of public/state owned media. It depends on which party exercises control over the media Board of Directors. The National Broadcasting Council (KRRiT) is now controlled by the opposition parties (the majority of the members were appointed in 2005, when PiS, LPR and Self-Defence were ruling the country). Although they are now in opposition, they still control the council. Influencing media users is done by setting the agendas of television news magazines (where stories are placed or what topics are never covered) as well as by the politically oriented selection of guests in talk shows on television and radio magazines.

The press offers the broadest spectrum of coverage. The majority of radio and television programmes in the state/public media are controlled by the state, a handful of corporations of private investors or cooperatives. Some of these programmes are controlled by the church or religious foundations (one of them is run by the Reverend Tadeusz Rydzyk). Therefore the coverage by radio and television is less broad than in the press or on the internet. The press largely consists of newspapers and magazines controlled by a few editors but there are many titles that are owned by parties (*Trybuna* daily, *Najwyższy Czas* weekly) or by small editorial firms – these last are fairly independent (*Nie* weekly is owned by the last spokesman of the Communist government, Jerzy Urban). Therefore coverage in the press (and especially on the internet) is much broader than is coverage in radio and television.

The government regularly holds press conferences to inform the public of its programme. All journalists have equal access to press conferences and all press conferences can be broadcast. One well-known exception was the case of the TV channel *Trwam* and the Sejm press conference. In 2007, when Jarosław Kaczyński was prime minister, journalists in Sejm were not allowed to cover the celebrations around the signing of the treaty between coalition parties. The one exception was the Catholic station *TV Trwam*, which was invited to broadcast the event.

Government press conferences

2. LEGAL ENVIRONMENT

Freedom of expression Freedom of opinion is established in the constitution and defined as a fundamental individual right in Poland. The Constitution of the Republic of Poland dated 2 April 1997 secures the freedom, rights and obligations of people and citizens. It guarantees everyone freedom of thought and speech, freedom to express opinions, and to acquire and to disseminate information.

Free media coverage Freedom of the press and free media coverage is established in the constitution. Article 54 states that 'the preventive censorship of the means of social communication and the licensing of the press shall be prohibited. Statutes may require the receipt of a permit for the operation of a radio or television station'.

Regulation of media coverage There are some laws which regulate access to information and protect the privacy of office bearers, e.g. the law of 6 October 2001 about access to public information. The office bearers are expected to publish the information about the income and assets of their and their spouses. Everything else is protected by the law on preserving private data.

Coverage of some issues and of certain people, groups and institutions is restricted by law. This is mainly covered by Article 196 of the penal code, which states: 'Whoever offends the religious feelings of other persons by defaming in public an object of religious worship or a place dedicated to the public celebration of religious rites, shall be subject to a fine, the restriction of liberty or the deprivation of liberty for up to 2 years'. Some people have been sentenced under this law, e.g. for posting 'blasphemous' pictures online. Polsat, the private TV station, was sentenced in 2007 to pay a huge fine (about €140,000) for making jokes about the handicapped host of the religious programme on Radio Maryja (the guest on Polsat TV maintained that the joke was directed at nobody in particular).

Changes in the past five years The legal regulation of media coverage has been modified over the last five years. The act of 29 December 2005 covered changes and modifications to the division of tasks between, and the powers of, the state bodies concerned with communications and broadcasting. The act meant that the political parties PiS (Law and Justice), LPR (League of Polish Families) and Samoobrona (Self-Defense) took control of public media. However, previous public media were also controlled by parties, namely the SLD (Democratic Left Alliance) and the PSL (Polish People's Party). When we evaluate the effect of these modifications on freedom of the media it has to be said that there was a change but not in quality.

It is hard to evaluate whether 9/11 and the anti-terrorism legislation have impacted on the freedom of media coverage. Legal censorship does not exist in Poland and there are no groups, institutions or issues which are censored. There are also no problems with certain people, groups or organisations illegally being excluded from their jobs as journalists or from their right to free speech.

Legal censorship Censorship is partially and not directly regulated by law. There is covert self-censorship in the field of so called 'religious feelings and 'Catholic values' (what every broadcaster should obey). But it has to be confirmed that censorship through state authorities is not permitted by law. Media reports are not examined by state authorities before publication. The main body that (partially) regulates media coverage on behalf of the government is supposed to be KRRiT in respect of radio and television. It is important to add that KRRiT has no formal or legal connections with the government (although the law states that KRRiT and the government 'should cooperate'). Nevertheless, as said above, it is one of the most 'politically oriented' regulatory bodies, so it represents the interest of the government (or acts as an anti-government institution).

Media licenses Radio and TV stations have to be licensed and registered by state authorities before they can publish or broadcast; newspapers are independent and free of licensing. The licensing body is the National Broadcasting Council (KRRiT). In December 1992 the Sejm passed the Broadcasting Act, which came into force on 1 March 1993. Under the law, the council was appointed as a state organ

concerned with matters connected with radio and television. Earlier, a draft had been introduced to change the constitutional regulations so that the National Broadcasting Council could be enshrined in the basic law. The National Broadcasting Council has operated since 28 April 1993.

The main reason for refusing or withdrawing licences/registration is that there are not enough radio or television frequencies or that the station did not start broadcasting or that it did not fulfil its programme commitments. It is worth saying that at times of crisis, when communication between KRRiT and the private broadcasters is bad, both sides are conscious of the strong power of the regulatory body that can refuse a licence. However, licences/registrations are removed very rarely.

Journalists do not need official state permission to practise their profession, although a few years ago some circulated drafts of the new Media Law would have required journalists and editors to be holders of a university level diploma in journalism. Journalists have the legal right to participate in all public meetings of parliament, but there are no public meetings of the government in Poland. They all have equal access to the meetings but they need an identity card with a pass. These are usually granted unless a journalist is suspected of being a terrorist, etc. Only meetings of parliament can be broadcast – indeed all the sessions of parliament are broadcast by one of state-owned channel.

*Journalists’
legal status*

There is a law prohibiting all monopolies and cartels: the act of 16 February 2007 on competition and consumer protection. There are also several other laws on monopolies and cartels.⁸ The main organ of control is the president of the Office of Competition and Consumer Protection (OCCP). She reports directly to the prime minister, who appoints her from amongst the members of the public sector’s staffing pool. The job of the president of the OCCP is to shape anti-monopoly policy and consumer protection policy.

*Monopolies
and cartels*

In terms of competition protection the primary instrument at the president’s disposal is anti-monopoly proceedings in cases of competition restricting practices – abuse of a dominant position in the market and prohibited agreements (cartels). These may result in a decision to discontinue the questioned activities and a fine. The president of the OCCP is also authorised to control mergers in order to prevent a situation where a merger would create an entity that dominated the market.

Private media monopolies and cartels do not exist in Poland. There are, however, some media group partnerships or joint stock companies which own different kinds of media. There are also big corporations with sometimes extensive media holdings, e.g. Agora S.A. has a radio station, a popular newspaper, some magazines and a web portal. Another corporation, ITI, controls a few popular TV stations and the most popular Polish web portal, Onet.pl. Father Tadeusz Rydzyk’s media empire consists of a quite popular radio station, a television station and a daily newspaper. These media groups pursue certain political aims mainly during electoral campaigns. It could be said that before the 2007 parliamentary elections ITI and Agora were against Justice and Law (they partially supported Civic Platform and some other liberal parties) and that Rydzyk’s media group supported Law and Justice.

State authorities do not take any action against private media monopolies because they sometimes make use of them. But generally speaking the authorities usually want the media and journalists to be their allies rather than their enemies.

3. POLITICAL CONDITIONS

In Poland it would be hard to find sections of the population or particular social strata whose political concerns are not represented in media coverage. Some groups are represented much more than others, for example some politicians, celebrities and public servants who have committed a crime. No sections of the population are deliberately excluded by state action from their right to freedom of information.

*Coverage of
marginal groups*

Self-censorship The important issue in recent years has been self-censorship in media coverage on state/public TV and Polish Radio. The chairmen of Polish Television and Polish Radio were questioned by the Parliamentary Commission for Culture and Media on 6 December 2007 about matters of political bias and the best way of financing public broadcasters. The majority of allegations were against Polish Television. The investigative panel was mainly interested in the role of the deputy head of the News Agency, Patrycja Kotecka, who was accused of putting pressure on Polish TV reporters to prepare material that compromised the Civic Platform and dismissing those who would not comply with her methods. She was also accused of stopping a programme when a guest turned out to be critical of the Law and Justice party. Self-censorship occurs mainly in the fields of politics, religion (especially with respect to the late Pope John Paul II), and moral values.

State repression Journalists, media companies or organisations might fear state repression because a licence, or its extension, could be refused. KRRiT use this argument very rarely but there is a threat that it could be effective. The reason is that the evaluation of a broadcaster is based on a rather 'free' interpretation of their activity and not on their real achievements.

Obstacles to internet access There is no data that indicates access to the internet could be hindered by state measures. The internet has the potential to be an important means of political communication (see the development of politicians' blogs).

Changes in the past five years The fear of state repression has not changed in quality over the past five years. It is obvious that all political parties want to dominate the state/public media. But the biggest problem is probably the fact that the people who control the most influential media are sometimes closely connected to politicians. An effect of this collusion is that sometimes the public is either informed about an affair after a delay or probably not at all.

For instance, for a few months *Gazeta Wyborcza* did not publish the information that on 22 July 2002 the famous Polish film producer Lew Rywin had seen first *Agora's* president, Wanda Rapaczyńska, and then the paper's editor in chief, Adam Michnik, to suggest that a bribe be paid. Rywin claimed that he was sent by Prime Minister Leszek Miller and had connections to an undetermined 'power group' that could impose restrictions on TV station ownership for newspaper publishers. The bribe was for USD 17.5 million.

4. ECONOMIC PRESSURES

State subsidies The Polish constitution guarantees equal rights and opportunities to all enterprises, regardless of their form of ownership. Private media are not subsidised by the state. Indeed, according to the Cinematography Law of 2005 broadcasters are obliged to pay 1.5 per cent of their revenues to the Polish Film Art Institute.

Further aspects But the state still has an important influence on the economics of the media. The case of Lew Rywin, mentioned above, is a good example of this tendency. 'Non-economic' factors used to play an important role. Needless to say, no new media bill is planned due to the uncertain political pressures and the corruption scandals in this field.

The most important means of applying economic pressure on all media lie in the hands of KRRiT. The council has the right to fine broadcasters for many aspects of their programmes: including sex, obscenity, immoral behaviour or lack of respect for Christian values. Sanctions can vary from fines (up to EUR 140,000; they can be cumulated, doubled or tripled) for making fun of handicapped people to fines for showing people eating worms on an American reality show (both cases refer to fines against the private station Polsat). The fine is painful not only because of the amount but also because of its immediate execution. The money is immediately paid by the alleged offender and it can take two to three years of the judicial process before it is released again.

The interesting overlap of political and economic issues can be demonstrated in the process of drafting a new Media Law, introduced in the Sejm in January 2008. When the financial position of

a local TV station of the public/state broadcaster was discussed, one of the solutions suggested was to shift its ownership from the main/central station to local government. In this way, politicians – using economic arguments – effectively moved the station to the control of local government, which again is made up of politicians.

5. NON-STATE REPRESSION

Journalists or media companies in Poland – according to left wing and liberal analysts – may fear repression by non-state groups or organisations, namely the Catholic Church and groups of religious fanatics. This repression relies on the fact that the media can be prosecuted for offending religious feelings.

Repression by non-state groups

Sometimes these groups repress journalists as well as politicians. Father Rydzyk, the founder and head of Radio Maryja, a popular/populist, conservative and nationalistic radio station that once enabled the ruling Kaczyński's twins to take power in the country, sparked a storm of controversy when the weekly Wprost released tapes on which Rydzyk calls President Kaczyński a 'con-man' and his wife a 'witch' who should be put to death. The tapes, recorded in April 2007 during a lecture Tadeusz Rydzyk was giving at his Catholic college (the reverend runs his own media empire consisting of radio and television stations, a newspaper and a school of so called 'Catholic journalism'), showed Rydzyk complaining that Lech Kaczyński and his wife Maria had betrayed him when they dismissed parliament's plans to tighten already strict anti-abortion laws.

The problem was that until then Father Rydzyk had been the biggest ally of Kaczyński. The Kaczyński government had always sought strong relations with Father Rydzyk and his media empire as a means of courting Poland's ultra-Catholic and nationalistic voters. Cabinet ministers were regular guests, and Mr Kaczynski's twin brother, Jaroslaw, the prime minister, was among 150,000 at a ceremony to celebrate the station's 15th anniversary of radio broadcasting in 2007. The controversy will further blacken the reputation of Radio Maryja, which has attracted frequent accusations of xenophobia and anti-Semitism.

Freedom of speech, abortion, euthanasia and cloning are among the topics where non-state repression is likely. It is worth saying that the accusations are used rather infrequently (two to three cases per year), but they are always discussed in a very emotional way. It has to be said that the state authorities effectively protect journalists – there are no problems in Poland with attacks on journalists (we can name only one or two over the last three to four years).

There has been no change in intimidation through non-state repression over the past five years: the present situation of media freedom is stable.

Changes in the past five years

6. CONCLUSIONS

Speaking about the general state of media freedom in Poland, it can be described as free with minor restrictions for radio and television, and a quite unrestricted freedom for the press and the internet.

Freedom of the media: general situation

It is generally considered that there has been no change in the quality of the freedom of media coverage. Despite the statement of 2007 made by the former Prime Minister Jarosław Kaczyński that 'there is no free media in Poland', it has to be said that the media are free. The past two years have seen particular pressure on journalists, editors and media owners to be on the right side of the 'barricade', on the side of government. There have been some speeches delivered by the members of the ruling right wing party, PiS, that have reminded some politicians and observers of old style propagandist rhetoric.

Changes in the past five years

Free coverage of the media in Poland has generally changed over the past five years due to the existence of internet coverage as well as the more professional character of the media. This was evidenced during the January 2008 crisis between the Polish president and prime minister about

the regulations concerning the handling of sensitive information, when (in the case of an accident involving military aircraft) the commercial station TVN24 was the third to receive news of the event – after the Ministry of Defence and before the president's National Security Bureau. Nobody in the media realm was prosecuted. So it is fair to say that there has been an improvement of media freedom, even though doubts remain whether this is a national trend or just one singular situation in Poland.

Major obstacles to free media coverage From the point of view of journalists there are three major obstacles to free media coverage: political pressure, the influence of the Catholic Church, and self-censorship by some journalists and editors.

A few words have to be said about the importance of investigative journalism in Poland in the last few years. Investigative journalism, as well as 'provocative journalism', plays an important role in the media sphere as well as in politics. Grzegorz Kuczek (TVN) and Igor Ryciak (Newsweek) bought false ID cards at the flea market and used them to open a bank account. Using this account, the journalists rented cars and hired expensive video and audio equipment. One group of 'provocative journalists' bought a large amount of dynamite and another gave money to the prosecutor as a bribe. Their intentions were clear: they were trying to reveal the weaknesses of the security system or the gaps in bureaucratic regimes. In some cases they were treated as real criminals and formally prosecuted. Needless to say, they feel they have the support of the people and other journalists – in the majority of cases the charges were dismissed.

One of the most important cases is linked with 'Beger-gate' (the other popular names for case were 'tape scandalous' or 'truth tapes'). In 2006 Renata Beger, member of parliament, participated in a confidence trick in her hotel room, carried out by the TVN station reporters. She invited prominent members of the ruling PiS party to negotiations, suggesting that some members of her party Samoobrona (Self-Defence) were ready to join the PiS. The video coverage of the negotiations was broadcast in the politically oriented TVN show Teraz My ('Right Now: We'). There was a big scandal followed by national discussion about the limits of confidence tricks carried out by journalists. Andrzej Morozowski and Tomasz Sekielski, the TV journalists behind this project, were winners of the prestigious Best Journalist Prize of 2006 founded by the magazine 'Press', but they were also declared to be immoral provocateurs by some conservative groups.

It is worth adding that investigative journalism still continues in Poland. One of the winners of the Best Journalist Prize in 2007 was Marcin Kącki from Gazeta Wyborcza who published a series of articles on sex scandals in the Self-Defence party (a member of the coalition of ruling parties). The 'truth tapes' crisis and other similar cases (when a prominent member of the TVN programme board was accused of being a secret service informer) showed another important aspect of the Polish media scene. There was no one view on this issue. The journalist group was divided: they did not have normal debates with rational arguments but emotional fights depending upon political inclinations.

Article 212 in the Polish penal code include penalties (up to two years in prison) for those who offend or make libellous comments about people or institutions. Some judges and prosecutors use this charge against journalists who do not accurately describe cases during their work. What is most strange about these cases is that these judicial processes are not publicised, which makes it impossible to cover the process of legal proceedings. At least five journalists describing illegal behaviour were sentenced.

It is worth finishing with a general overview of the Polish media scene. In general, Poles trust journalists very much. Young people are very eager to take up this profession (in one faculty of journalism there are more than ten candidates for each place). Nevertheless, at the same time society places rather fastidious obligations on this professional group. It is expected that the journalist will be an efficient media worker, the messenger for news, the teacher who can explain the mechanisms of life and politics, and the master of ceremonies or the court jester.

Another problem is linked to the political pressure on journalists and editors. In the state/public media, it is obvious while in the private media it is becoming more and more visible (it is said that an outstanding TV journalist was removed from a high position in commercial television because of pressure from the ruling political party).

The obstacles to free coverage are indeed very complex in Poland. They combine political pressure and religious tensions, economic reasons as well as a growth in the number of media workers, which could cause a decline in professional skills.

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- 1| http://www.unesco.org/education/efa_report/tables_excel/Table2.xls
- 2| 'Press' (12), November 2007
- 3| 'Media & Marketing. Polska' (10), October 2007
- 4| a list of blogs, instructions and netiquette can be found on blog.pl
- 5| <http://www.egospodarka.pl/20642,Polskie-kobiety-w-internecie,1,39,1.html>
- 6| data delivered by Radio Track, Millward-Brown SMG/KRS, cited by 'Polska. The Times', January 28, 2008.
- 7| Radio Maryja was ranked in 6th place in 2006:
<http://mediafm.net/radio/5583,EstyMedia.pl:-sluchalnosc-radia-tygodniowa-.html>
- 8| http://www.uokik.gov.pl/en/legal_regulations/national_legal_acts/competition_protection/

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