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Neo-authoritarianism and Media Systems Transformation in Central and Eastern Europe

Master's Thesis

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Abstract

In several modern countries, media have to operate in “disabling environments” with limited journalistic freedom and judicial independence. Central and Eastern European states represent such settings to various extent, as the takeover of media regulatory organisations and decreasing media pluralism have become characteristic for this region, indicating a systemic shift. Nevertheless, the high-profile cases of Poland and Hungary could have contributed to overgeneralised conclusions regarding the nature of such transformations, attributing them to, inter alia, the rise of right-wing populism. Using the method of paired comparison, this thesis examines Poland and the Czech Republic to determine the exact mechanisms of change behind media capture in these countries. I contend that different manifestations of neo-authoritarianism in the region are responsible for manifold attacks on media independence, including sophisticated strategies of using SLAPPs, strategic lawsuits against public participation, and increasing concentration of media ownership combined with potential conflicts of interest. I conclude by suggesting directions for further research and policy-making to address media freedom on both national and European levels.

Keywords

democratic backsliding, neo-authoritarianism, Central and Eastern Europe, media system, media freedom, Poland, the Czech Republic

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Introduction

There is a wide academic agreement on the role of the media in modern society and its impact on both public and private spheres of life. Over the years, researchers have studied media effects on representative democracy (Coleman and Spiller, 2003), governing practices (Peters, 2016), voting patterns (DellaVigna and Kaplan, 2007), and, more recently, social media effects on political and civic participation (Gil de Zúñiga, Jung and Valenzuela, 2012; Boulianne, 2018). In the report entitled *Media Matters* (Global Forum for Media Development, 2006), the authors stress independent media's integral role for good governance, effective development and democratic transitions. Even though media's effects are not limited to exclusively positive, they can only be a 'driver of change' (Ridge-Newman, 2020) and contribute to, for instance, the strengthening of democracy, in a so-called 'enabling environment' (Price and Krug, 2006). It can be characterised by the rule of law and a sufficient degree of media freedom (Jakubowicz and Sükösd, 2008).

When the environment is 'disabling', media can hardly make a difference. They might even contribute to the consolidation of (semi-)authoritarian regimes. The last decade's transformations in Central and Eastern Europe constitute an illustrative example of such conditions, with declining media freedom recorded in all members of the Visegrád Group (see *Figure 1* and *Figure 5*). However, the nature of these developments differs across the region, and there is no comprehensive explanation for this internal divergence. Two 'paradigmatic cases' of democratic backsliding in CEE (Cianetti, Dawson and Hanley, 2018, p. 245), Poland and Hungary, could have contributed to overgeneralised conclusions regarding the character of such transformations, attributing them to right-wing populism (Barát, 2017; Szabó, 2020), de-democratisation (Bogaards, 2018) or democratic backsliding (Bermeo, 2016), and neo-authoritarianism (Wodak, 2019). Two remaining members of the Visegrád Group, the Czech Republic and Slovakia, remain understudied since

Czech and Slovak politicians are 'less loud' and the 'situation is more erratic' (Csanyi, 2020, p. 12; Szabó, 2020, p. 38).

Thus, my *research questions* are: how and to what extent has the rise of neo-authoritarianism affected media systems in Poland and the Czech Republic? What are the exact mechanisms of change and the actors behind those transformations?

While there is consensus on the deterioration of press freedom in the region, explanations of this phenomenon vary depending on research focus. For example, transitologists try to find a glitch in the post-communist transition of counties (Jakubowicz and Sükösd, 2008), while political economists look into the 'cosy symbiosis' between political and economic elites (Knott, 2018, p. 363). A significant group of researchers also use democratic backsliding as a primary explanatory factor, which can manifest itself as 'executive aggrandisement' (Bermeo, 2016, p. 6). While this approach explains the case of Poland with its ongoing rule of law crisis (Barrett *et al.*, 2020), the case of the Czech Republic represents a 'side door to backsliding' (Hanley and Vachudova, 2018, p. 278), as Prime Minister Andrej Babiš exercises personal control over ruling party ANO (Action of Dissatisfied Citizens, *Akce nespokojených občanů*) and the majority of media outlets in the country instead of dismantling checks and balances on the executive branch (Buštíková and Guasti, 2019). Reporters Without Borders also expressed concerns over rising media concentration and increasing political pressure on public service media in the Czech Republic (Reporters Without Borders, 2016, 2021). However, despite scholars' findings, it remains unclear whether the emblematic cases of Poland and Hungary represent a qualitatively different media capture dynamic than their fellow V4 members, the Czech Republic and Slovakia.

Advancing knowledge in this regard will help us understand the relationship between the decline in the quality of democracy and the deterioration of press freedom. Moreover, more insights into the specific mechanisms and actors behind these transformations will help us better understand how to start the reverse process and restore freedom of the press and freedom of expression through specific policies and international action. While this research looks specifically into the Central and Eastern European countries, global trends of reduced market plurality, increasing media ownership concentration and commercial influence over editorial content that have been recorded in the majority of the EU Member States (Brogi *et al.*, 2017). However, the situation in the east of the EU is more acute than ever, as Freedom House now evaluates Poland as a 'semi-consolidated' democracy (Tilles, 2020b), and Hungary, Poland's fellow V4 member, is currently classed as an electoral authoritarian regime (Varieties of Democracy (V-Dem), 2020), making it the first non-democratic Member State in the EU.

This research posits that the comparison between a paradigmatic case of Poland, that features a more profound version of democratic backsliding, and the Czech Republic, that still has effective instruments of democratic accountability, helps us unravel the mechanisms of change and broaden our understanding of media systems transformations that took place from 2010 to 2020. Furthermore, this thesis suggests a new, more inclusive framework for interpreting declining media freedom in Europe and emphasizes the importance of the legal aspect in media freedom. This finding is twofold and concerns the issue of concentration of media ownership combined with potential conflicts of interest, and the adverse role of SLAPPs, strategic lawsuits against public participation.

The structure of the rest of this thesis is as follows. The following section summarises the current state of the field, central debates and critical gaps distinguished in the literature on the

decline in media freedom and its possible causes in Central and Eastern Europe. Then we attempt to paint a comprehensive picture of the media developments in the studied countries over the last decade using data from such organisations as Freedom House, Reporters without Borders, Varieties of Democracy project and EUI's Centre for Media Pluralism and Freedom. The following section examines and clarifies some of the key concepts for this research: neo-authoritarianism, democratic backsliding, (ethno-)populism and media system. The subsequent section outlines my research design, identifying data sources and methods of analysis, as well as justifying my case selection. Finally, I discuss the results of my analysis and conclude by acknowledging the limitations of this study and suggesting some options for further research and policy-making.

Literature Review

When it comes to Central and Eastern Europe, there are four approaches to analysing the relationships between media and political spheres that I would like to discuss. These are: 1) a transition paradigm; 2) a democratic backsliding approach; 3) an approach focused on links between economic and political elites; and 4) a comparative media theories approach. Each of these approaches has certain advantages and manages to explain some of the internal divergences in the region.

Transition Paradigm

The transition paradigm concerns the post-communist transition that all former Eastern Bloc members have gone through with varying degrees of success. This approach aims to 'explicitly explain political change from dictatorial to democratic regimes' while assuming that 'processes of democratic political change and the burgeoning of market economies are *linked* and working towards a pre-determined end' (Sparks, 2008, p. 9). While Samuel Huntington (1993) is probably the most well-known representative of transitology, some scholars (e.g., Mihelj and Downey,

2017) have also popularised this paradigm in the field of media studies, considering various forms of Soviet-style authoritarianism as a starting point for the democratic transition of media landscapes in Central and Eastern Europe. Some of the clearest examples of its implementation would be the work by Mickiewicz (2008), who observed the transformation of public TV in post-Soviet Russia, as well as its interconnections with power; Rantanen (2002) with a more global perspective on media communications in Russia, as well as Jakubowicz and Sükösd (2008), who were trying 'to find the right place on map' for previously socialist countries in CEE. Some elements of the transition paradigm could also be found in the normative models of Hallin and Mancini (2004), that I will discuss below, as the researchers measured media in studied countries against what has come to be known as the 'liberal model', implying that such an arrangement is the only desirable objective.

However, the very concept of transition has been widely criticised over the years. One of the most influential critiques of this paradigm belongs to Carothers (2002), who identified the 'five main errors' of the transition paradigm that significantly limit its explanatory potential. Firstly, transitologists regard passing the authoritarian rule as an automatic way to democracy and believe that democratisation is a linear process with a universal destination point of a fully consolidated democracy. On the contrary, Carothers (2002, p. 18) claims that 'the middle ground between full-fledged democracy and outright dictatorship is actually the most common political condition in the post-communist world'. He also criticises the widespread beliefs that it is possible to create democratic institutions based on existing states. Sparks (2008, p. 9) agrees with him and, using the theory of elite continuity, provides an example of 'an attempt to create newspapers like the New York Times and broadcasters like the BBC' in previously socialist countries like Poland. Instead, this endeavour led to the emergence of print outlets that were 'highly partisan in their orientation' and TV channels that 'remained closely aligned with the state rather than the public' (Sparks and

Reading, 1998, p. 175). Several analyses of media system transitions in Central and Eastern Europe commonly conclude that they were not purely success stories. 'Consolidation' and 'pluralisation', described by Töpfl (2011) as two phases of the media transition process, have been only partly achieved at best. Given the wave of 'post-transitional and post-accession backlash' (Rupnik, 2007, p. 20), that has recently brought various populist or right-wing extremist political forces to power in several Central European countries and the 'diminishing autonomy of news media' in these countries (Štětka, 2012, p. 449), transition paradigm fails to explain last decade's developments in the region comprehensively.

Democratic Backsliding

The second approach I would like to discuss uses *democratic backsliding* as a main explanatory factor. While I discuss this phenomenon in more detail in the theoretical framework section, here I would like to specifically mention the existing body of literature that looks into the relationship between the declining quality of democracy and decreasing media freedom. One of the most significant symptoms of the democratic backsliding, this unsuccessful voyage towards liberal democracy, is the process of executive aggrandisement, 'when elected executives weaken checks on executive power one by one' (Bermeo, 2016, p. 7). The list of such checks, or constraints, on executive power commonly includes the judiciary, independent media, and civil society. These can serve as 'an effective "bulwark" against democratic decay and a source of democratic resilience' (Bernhard, 2020. p. 353; Weyland, 2020, p. 390). In their efforts to 'undermine democratic accountability' (Guasti, 2020, p. 474), illiberal actors can choose one target or attack all of those safeguards at once.

For instance, it is suggested that the process of media capture, 'the essential political influence exerted on media players' (Bajomi-Lázár, 2013, p. 72), often happens as a 'separate, but occurring alongside the executive aggrandisement and the consequent "state capture"' (Knott, 2018, p. 365).

Polyák (2015) lists the takeover of media regulatory organisations by the state, the restriction of journalistic freedom and the total reallocation of market resources as characteristic for Hungary and Poland. However, this is not a universal scenario. While the judiciary's lack of independence in the CEE countries mentioned above has attracted international attention (Barrett et al., 2020), the courts in the Czech Republic remain independent. Pospíšil (2020) describes the Czech Constitutional Court as a 'utility tool for correcting politics', meaning that the balance of power between the branches is still maintained.

What is more, Buštíková and Guasti (2019), when exploring the roots of technocratic populism in the Czech Republic, imply that the efforts to dismantle the system of checks and balances have so far proven unsuccessful. While Vachudova (2019) attributes the erosion of 'diagonal accountability', i.e., civic participation and media freedom, to technocratic populists, the democratic backsliding approach does not explain the Czech case fully. Hanley and Vachudova (2018, p. 289) claim that 'a gradual seizure power in the economy and media have served as a substitute [for the executive aggrandisement]' for the Czech Prime Minister and a leader of the ANO Andrej Babiš.

Business-political Symbiosis

The third approach that I believe is relevant for this study could be summarised by the notion of a *'cosy symbiosis'* between political and economic elites (Knott, 2018, p. 363), as some researchers link media capture to the concentration of media ownership (Corneo, 2006) and instrumentalisation of media outlets by their owners (Štětka, 2012). This phenomenon is not exclusive to the studied countries and has been noted by researchers and international organisations in several previously socialist states. For instance, in their report on 2014 Moldovan parliamentary elections, Organization for Security and Co-operation in Europe (OSCE, 2015, p. 3) suggests that 'business-political elites capture media to cement their informal power and encroach into formal

politics via the politicisation of media reporting in favour of the owners and their interests'. It was also noted beyond the EU East, as the popular phrase 'give me a ministry or I will start a newspaper,' allegedly embodies a Greek tradition of business individuals using their media as political weapons (Hallin and Papathanassopoulos, 2002, p. 178). This surmise seems correct for the Czech case, too, as Prime Minister Babiš is an oligarch, the second-richest man in the country, and a media magnate (Hanley and Vachudova, 2018; Cirhan and Kopecký, 2020). Moreover, his media holdings make him 'the most influential person in the Czech media' (Lazarová, 2014), as the audience of all the media outlets he owns constitutes between a third and a half of Czech adults (Kmenta, 2017). It is also worth noting the chronology of events that differs from the paradigmatic cases: unlike in Poland and Hungary, this accumulation of vast economic and media power has preceded rather than followed a populist electoral challenge, as Babiš was a media magnate before founding ANO and running for office (Hanley and Vachudova, 2018).

However, until recently, CEE media markets had a significant, and in some cases dominant, share of foreign ownership. The development of this arrangement 'did not follow a universal pattern, and its outcomes displayed important differences across the regions' (Štětka, 2012, p. 437). Gross (2002) notes that the speed and intensity of the foreign influx were contingent on the degree of liberty of media legislation and the external assessment of the state of the economy. For example, the Czech Republic and Hungary are prime examples of the 'spontaneous privatisation' of the press, as the newspapers were taken over by their own editorial teams at virtually no costs and then sold to foreign investors (Downing, 1996; Sparks, 2008). On the other hand, Poland has established a special commission that supervised the transfer of ownership of almost two hundred newspapers and periodicals, many of which were given to their editorial teams (Klimkiewicz, 2004), as well as limited the share of foreign ownership in television to 33 per cent. As a result, foreign investors dominated some markets by the end of the 1990s, while in others they only

managed to assume market leadership in the chosen segments, such as print or broadcasting (Štětka, 2012).

Following the 2008 financial crisis, the wave of de-Westernisation of CEE media markets commenced, as local business elites acquired stakes that foreign companies were depleting. The crucial difference between global media corporations such as *News Corp* and *Mecom* and the new owners was the 'other-than-media background' of local owners (Štětka, 2012). Unlike 'pure' media moguls, also known as 'press barons', this type of owners has come to be known as 'media/industrialist moguls' (Tunstall and Palmer, 1991), 'tycoons' (Mazzoleni, 2006) or simply 'industrialists' (Hallin and Mancini, 2004; Leandros, 2010). All those terms are used to refer to rich and powerful individuals who have succeeded in the industries unrelated to media first and then built a media empire that they use primarily for 'exercising public influence and to advance their business and political goals' (Štětka, 2012, p. 446). Tunstall and Palmer (1991, p. 113) specifically mention a 'distinctive Italian school of political moguls', hinting at the most well-known example of the media magnate turned politician, former Italian PM Silvio Berlusconi.

Since such media tycoons do not need to follow the classical business model and keep their media profitable, they instrumentalise them in several ways, ranging from promoting their primary business to harming their rivals' reputation. Moreover, local elites have also used their media outlets 'to reduce scrutiny of their activities' (Reporters Without Borders, 2016). Nonetheless, despite some common features across the region, there are some significant discrepancies from the patterns described above. For instance, Poland, the biggest media market in CEE, is distinctive for several reasons. Firstly, a wealthy Polish businessman Zygmunt Solorz-Żak that built his media empire, Polsat Group, embodies an exception from the media industrialists rule, rather than a norm, as he has made a fortune exclusively on TV operations rather than through his earnings in other

industries (Zybertowicz, 2008; Štětka, 2012). On the other hand, Poland has several examples of strong locally owned media outlets that function independently. The most potent example is media house Agora, which 'certainly belongs to the most successful news media companies in the whole CEE region' (Štětka, 2012, p. 450). It was co-founded by the former dissident Adam Michnik, who is to this day an editor-in-chief of the country's leading quality paper Gazeta Wyborcza.

Thus, the third approach I have explored also fails to exhaustively clarify the internal divergence of media capture in the region. It seems that only a combination of the explanatory factors described above could successfully explain the discrepancies in the media landscape of Central and Eastern Europe. I would like to complete my review of the relevant literature by briefly mentioning comparative media theories that I believe are relevant for this research. While their most significant disadvantage stems from their inability to trace the developments over tie, they offer valuable insights for positioning the studied media systems in a global context.

Comparative Media Theories

Building on the "Four Theories of the Press" legacy (Siebert, Peterson and Schramm, 1956), Hallin and Mancini (2004) have made a valuable contribution to the comparative media studies by identifying three models of journalism and the media-politics relationship: Mediterranean or Polarized Pluralist Model, North/Central Europe or Democratic Corporatist Model, and North Atlantic or Liberal Model. These models are based on four dimensions: structure of media markets, political parallelism, professionalisation of journalism, and the role of the state. Their initial analysis included media systems of the United States, Canada, and most of Western Europe, as the researchers believed that those models 'tend to be the dominant globally' (Hallin and Mancini, 2004, p. 6) and that the liberal model is a desirable result for the evolutions of media systems around the globe. While the critique of the transition paradigm has already been covered in this

review, this analysis has also been criticised for its Western-centric nature and its limited explanatory power in the case of non-democracies.

For the updated version of the book (Hallin and Mancini, 2012), which included contributions from such countries as Russia, China, and Poland, Dobek-Ostrowska (2012, p. 50) concluded that the Polish media system could be described as a 'hybrid' of the Polarized Pluralist and Liberal models, with a few elements of the Democratic Corporatist model and the country's post-communist legacy. This combination is unique: when positioned on the three-model triangle (Hallin and Mancini, 2004), Poland is the closest to the centre, meaning that it does not fit any suggested model. However, this was not the first acknowledgement of the resemblance between CEE and Mediterranean media systems. As early as 1994, the concept of *'Italianisation'* emerged. It was first coined by Splichal (1994) and then developed by Goban-Klas (1996, p. 40), who argues that characteristics of the Italian media system, such as political party influence on the selection of topics and the structure of the media organisations, are 'surprisingly close to the present situation in East-Central Europe'. The concept later evolved into *'Mediterraneanisation'*, as Jakubowicz (2008) claims that former communist countries have some common characteristics with the Mediterranean states, namely recent democratisation, lag in economic development, weak rational-legal authority, and a strong direct influence of the state.

Wyka (2007) further personalised this concept, as she talks about the *'Berlusconisation'* of mass media in CEE. This notion includes the elements of the approach I discussed above, as it explores how *Mediaset*, the largest commercial broadcaster founded by Berlusconi, helped him become a significant political power. Becoming a representative of the state, Berlusconi managed to create a duopoly, using his own Mediaset and the state-owned broadcaster RAI (*Radiotelevisione Italiana*) to form a powerful symbiosis between politics and media. This has eventually caught the

Parliamentary Assembly of the Council of Europe's attention in 2004, as it approved the resolution (Parliamentary Assembly, 2004), deploring the 'concentration of political, commercial and media power in Italy in the hands of one person' and expressing their concern over the deterioration of media pluralism and freedom of expression. The concept of Berlusconisation, as a result, can be summed up as 'permanent control over the media and blatant partisanship in the media" (Wyka, 2007, p. 3) due to "monopolisation of media outlets by politicians and businessmen who use them for their personal, political or business purposes exclusively' (Reljić, 2004). While the permanency of this arrangement probably needs a longitudinal study, several studies note the similarity of Andrej Babiš' motivations for entering politics and efforts to maximise a combination of political, economic and media power to that of Berlusconi (Kopeček, 2016; Naxera, 2018).

While comparative approaches and classifications of media systems can be very useful for describing the main features of CEE media systems, they are less concerned with and less helpful for understanding changes over time and transformations of media systems in the region. However, they allow us to draw parallels and notice similarities between manifestations of the same phenomena in different regions. For example, the body of literature I discussed above clearly points to the need to consult the experience of Southern European countries to understand some of the processes taking place in the CEE states and emphasise the necessity of combining several groups of explanatory factors.

The next section traces the developments of media systems in Central and Eastern Europe over the last decade using data from international organisation that measure and analyse freedom of the press in the world.

Media Transformations in Central and Eastern Europe

In this section, I am going to provide an overview of what the most well-known ratings, namely the Freedom of the Press Index by Freedom House, World Press Freedom Index by Reporters without Borders (*Reporters sans frontières*, RSF), Media Pluralism Monitor by the European University Institute (EUI) and media indicators of the Varieties of Democracy Project (V-Dem), demonstrate in regards to media transformations in CEE, as well as discuss some of the limitations of these measurements. While some dimensions that are measured overlap in several organisations, some criteria are unique to a particular research team.

Firstly, the general press freedom assessments should be discussed. There are two universally recognised ratings: Freedom House's index, the oldest regularly published international media freedom measure, and Reporters without Borders index. They face similar overall challenges regarding subjectivity and bias since the findings for each country are generally based on the evaluation of very few people, and in the case of Freedom House, just one person (Schneider, 2014). Nonetheless, it provides valuable insights into the dynamics of the situation. What is more, since Freedom House terminated its annual media freedom measurements in 2017, I found it helpful to complement its evaluations with RSF, which commenced their analysis in 2013.

Freedom House assigned country and territory a total press freedom score from 0 (best) to 100 (worst) and status of Free (0 to 30), Partly Free (31 to 60), and Not Free (61 to 100). *Figure 1* demonstrates that Poland and Hungary have moved to the category of *Partly Free* over the last decade A sharp decrease followed an electoral change in both cases, with Fidesz and PiS (*Prawo i Sprawiedliwość*, Law and Justice) securing a parliamentary majority in 2010 and 2015, respectively (Election Watch Hungary, 2010; Associated Press, 2015). On the contrary, while their overall press freedom score was decreasing, the Czech Republic and Slovakia remained their Free

status until 2017. What is more, the overall assessment of the Czech media environment is close to that of countries that traditionally find themselves at the top of the rating, Germany and Finland. Even though ANO first entered the government in October 2013, following Andrej Babiš's purchase of the Mafra media group, which publishes the major national dailies *Mladá fronta Dnes* and *Lidové noviny* (Vojtěchovská, 2017), Czech overall press freedom score only declined slightly relative to its neighbours.

On the contrary, RSF assesses these changes more critically (see *Figure 5*). This evaluation might stem from the very definition of media freedom employed since representatives of RSF claim that they care exclusively about the opportunities that journalists and bloggers have to spread information' (whether they have it or not), rather than the quality of the content they potentially distribute (Schneider, 2014). Perhaps this is why the Czech Republic has moved from the 16th to the 40th place in seven years of observation (out of 180 countries and territories scored). However, it is not possible to know which of the seven criteria that make up the RSF index was the one that caused this fall since they do not provide a more detailed breakdown of their scores. Reporters without Border evaluate the following dimensions: pluralism, media independence, environment and self-censorship, legislative framework, transparency, infrastructure, and abuses and acts of violence against journalists and media.

Separate scores are available for three dimensions of the media environment measured by the Freedom House. *Figure 2*, *Figure 3* and *Figure 4* demonstrate that Hungary has decreased the most in all three subcategories, while Poland has followed its fellow V4 member in legal and political environment scores. However, the Polish economic environment is evaluated similarly to that of the Czech Republic and Slovakia. When it comes to the Czech Republic, its legal environment deserves a special mention, as Freedom House gave it a higher score than Germany

in 2017. As I have discussed above, Czech courts are largely considered to be independent and have an important deterrent effect on the executive power of ANO and their partners in the ruling coalition. However, even though the results of each subcategory are known, this does not allow me to draw sufficiently detailed conclusions. Each subcategory contains 7-8 questions with clarifications, and therefore I cannot say with certainty which of the parameters led to a deterioration in the rating. For instance, just one parameter evaluating the quality of the political environment in the country has sub-questions ranging from the degree of independence of journalists from editorial direction to governmental attempts to influence or manipulate online content (Freedom House, 1980–2017).

That is why I think it is necessary to turn to highly specialised measurements of press freedom. V-Dem's media indicators (*Figure 6 – Figure 12*) are incredibly specific and provide interesting insights. For instance, the evaluations of media bias (*Figure 6*) and self-censorship (*Figure 12*) demonstrate that coverage of politically sensitive issues is getting more difficult in Europe and that the changes are not limited to the CEE region. However, the Czech Republic and Poland's rates decreased significantly over the decade, indicating that 'print and broadcast media cover the ruling party and its candidates more, while the opposition parties or candidates receive only negative coverage'. Self-censorship is also becoming increasingly more common. That is something EUI's Media Pluralism Monitor confirms as well: the experts claim that none of the EU countries is free from risks to media pluralism and that such risks are increasing. They attribute such changes to 'deteriorating compliance with standards on freedom of expression and media pluralism that were taken for granted' (Brogi *et al.*, 2017).

I would also like to expressly point out two indicators concerning the freedom of the Internet and the attempts of governmental regulation of it. As *Figure 9* shows, there are practically no

attempts to censor information online in CEE, with most countries averaging close to 4, which stands for ‘the government allows Internet access that is unrestricted’ (Varieties of Democracy (V-Dem), 2020). What is more, online media also represent a wide range of political perspectives (*Figure 11*). Compared to the results of similar measurements applied to ‘old media’, such as broadcasting and press (*Figure 8* and *Figure 10*), it is clear that Internet constitutes a less restricted environment in Europe. When compared to such attempts of controlling the online space as the Great Firewall of China, ‘the world’s most sophisticated and pervasive censorship system’ (Roberts, 2018, p. 16) and Russian ‘nationalization of Internet’ (Stadnik, 2019), European countries, including Poland and the Czech Republic, fare quite well.

Lastly, I would like to review the assessment of EUI that deals specifically with media pluralism, i.e., representation of different perspectives and points of view in media. They evaluate four areas: basic protection, market plurality, political independence, and social inclusiveness. Two of those are of particular interest to this thesis. The second category deals with transparency of media ownership, concentration, and owners' influence on the editorial content. Both Poland and the Czech Republic belong to the high-risk level, but market concentration is referred to as ‘a source of medium or high risk for media pluralism in all of the EU countries, without exception’ (Brogi *et al.*, 2020, p. 4). The third category explores the political independence of media, with such indicators as editorial autonomy, independence of PSM governance and funding and editorial autonomy. The level of risk in this category increased for Poland (Klimkiewicz, 2017). However, the Czech Republic has also scored a high-risk level in the editorial autonomy indicator due to the ‘lack of specific safeguards and practices related to the appointment and dismissal of editors-in-chief and clear self-regulatory measures in the industry’ (Brogi *et al.*, 2020, p. 36).

Two important conclusions can be drawn from this short review. The first is the complexity and diversity of Central and Eastern Europe as a region, since even Poland and Hungary, the critical cases of the deteriorating media freedom, embody similar but not identical developments. What is more, while the Czech Republic stands out significantly for the strength of its judiciary, it still shows deterioration in some aspects of its media pluralism. The second conclusion is the global nature of trends that have a negative impact on freedom of speech and opinion. Declining media pluralism and increasing concentration of media ownership is recorded in every country in Europe, which allows us to question the excessive accusation of the EU East.

The following section clarifies the explanatory factors used throughout this thesis, mainly neo-authoritarianism, democratic backsliding, and populism, and traces their interrelations and discusses the notion of a media system.

Theoretical Framework

This section will discuss the key notions utilised in this thesis, starting with *neo-authoritarianism* that I employ as the main explanatory factor for the changes in media systems in Poland and the Czech Republic. In addition, related phenomena such as democratic backsliding and (ethno-)populism are reviewed, as I trace the relationship of these concepts. However, it is crucial to separate these notions from each other to avoid 'sloppy conceptualisations and invalid inferences' (Rooduijn, 2019, p. 1).

I will start by referring to the parent concept of authoritarianism. Linz (1965) used the Franco regime in Spain to define this notion: 'a form of government characterised by strong central power and limited individual freedom'. He also outlined the following as characteristics of an authoritarian state: limited political pluralism places constraints on political parties, interest groups and NGOs; political legitimacy is mainly dependent on emotions and identification with the regime

'as a necessary evil'; suppression of the opposition, minimal political mobilisation; and vague and non-transparent definitions of the powers of the executive. However, as Cerutti (2017) notes, several typologies of authoritarianism have been conceptualised so far, making drawing a generally accepted definition more complicated. He adds to the debate by listing the following main features that different elaborations of the phenomenon have in common: 'the non-acceptance of conflict and plurality as normal elements of politics, the will to preserve the status quo and prevent change by keeping all political dynamics under close control by a strong central power, and lastly, the erosion of the rule of law, the division of powers, and democratic voting procedures' (Cerutti, 2017, pp. 238–239).

What complicates the application of this concept to the studied countries is arguably the ongoing development of the situation. Even though Barak Obama recently used Poland and Hungary's example of how 'democracy can die at the ballot box' and declared them 'essentially authoritarian' (Tilles, 2021), I believe that 'authoritarianising' might be a more suitable label. For instance, Poland was reported as the major 'autocratizer' in V-Dem 2021 report, as it declined the most during the last decade (Lührmann, Tannenberg and Lindberg, 2018). While the Czech Republic does not belong in the group of cases of 'significant and substantial autocratization', its score on V-Dem's Liberal Democracy Index (LDI) has also declined since 2010, constituting a part of the accelerating 'third wave of autocratization' (Hellmeier *et al.*, 2021, p. 6).

But what is a potential destination of the 'authoritarianising' process? I reckon it might be a type of a political regime described by Levitsky and Way (2002) — 'competitive authoritarianism' — as a regime 'democratic in appearance' (Wodak, 2019, p. 200), but with key democratic pillars (electoral, legislative, judicial and media) skewed in favour of the ruling party. However, this concept emphasises the level of contestation still existing in the society, while I would prefer to

focus on the qualitatively *new* character of the recent developments and therefore employ the concept of neo-authoritarianism. I believe that the prefix “neo-” in neo-authoritarianism does not signify that these developments are necessarily new in a way that presupposes a successful democratic consolidation beforehand. As I will discuss below, this approach might have yielded a particular biased perception of the state of affairs in the region, including notably undervaluing the deliberative practices of citizens (Dawson, 2018), i.e., the level of development of civic society. In part, the development of authoritarianism in the 2010s is distinctive due to new technologies being available, especially new media that might be captured and exploited by rent-seeking elites, as they offered new opportunities for surveillance and propaganda (Tucker *et al.*, 2017). Here I would like to specifically mention the theory of ‘informational autocracy’, defined by Guriev and Treisman (2019, p. 100) as a ‘less bloody form of authoritarianism’ that concentrates power without isolation and mass repressions, but instead manipulates information and creates a gap in political knowledge between the ‘informed elite’ and the general public.

Neo-authoritarianism as a particular method of rule might overlap with several phenomena that I would like to discuss, starting with the notion of *democratic backsliding*. It is probably most frequently used to refer to the most recent developments in Central and Eastern Europe and could be summarised as ‘changes in formal or informal institutions that move the polity in the direction of a hybrid or authoritarian regime’ (Tucker *et al.*, 2017). Furthermore, Bermeo (2016, p. 5) specifically points out the ‘state-led’ character of such changes, meaning that existing power-holders are the ones driving a gradual process of democratic regression. The final destination of such transformation does not necessarily comprise a slide into consolidated authoritarianism (Mechkova, Lührmann and Lindberg, 2017). It could also constitute a state of a *‘democratic-authoritarian dynamic equilibrium’* (Knott, 2018, p. 355), i.e., moving between periods of democratic progress and backsliding. Bermeo (2016, p. 3) summarised it in the following way:

'states can experience backsliding at different speeds, within different regime types, and reach different endpoints'. However, the concept of democratic backsliding has received some criticism over the years. The crucial weakness of this notion is its focus on institutional design and institutional consolidation (Cianetti, Dawson and Hanley, 2018). In the case of Central and Eastern European countries, this scrutiny was represented by the EU accession criteria that include 'stability of institutions guaranteeing democracy', as well as 'administrative and institutional capacity to effectively implement the *acquis'* (European Commission, 1993). As a result, Poland and Hungary that were once praised as the 'standard bearers of liberal democracy in the post-communist region' (Vachudova, 2020, p. 319), are currently studied as the clearest cases of democratic backsliding. However, according to Dimitrova (2018, p. 258), backsliding can also constitute 'the use of informal rules or practices affecting the staffing and functioning of key democratic and state institutions'. Therefore, a slightly different, more inclusive, and interdisciplinary approach is needed when scrutinising state and media capture in CEE, as those processes represent a fusion of political, economic and media power, formal and informal relationships.

Neo-authoritarianism can also overlap with *populism*, although it is neither sufficient nor necessary for such a political regime to develop. While populism is probably one of the most controversial notions in contemporary political and social science due to its extreme context-dependency (Smilov and Krastev, 2008) and vagueness, I would like to use a well-known conceptualisation by Mudde (2004). He defines populism as

> an ideology that considers society to be ultimately separated into two homogeneous and antagonistic groups, "the pure people" versus "the corrupt elite', and which argues that politics should be an expression of the *volonté générale* (general will) of the people.

Populism is associated with 'a particular set of political messages, often involving cultural conservatism, anti-immigrant animus, and opposition to globalization' (Guriev and Treisman, 2019, p. 102). Central and Eastern Europe saw an 'unprecedented upsurge' in right-wing populism in the last 10–15 years that facilitates certain discursive shifts (Krzyżanowski, 2020, p. 504). For instance, Wodak (2019, p. 195) looks into the normalisation of xenophobia manifested in the 'assessment of migrants as a threat to inner security and a burden on the welfare state and education system'. However, the Czech case represents a different kind of populism. According to Klimeš (2016), ANO is more technocratic than nationalist: not only the trope of the 'great Czech nation' is not used, but an overall 'absence of any ideology' has been noted. The kind of populism that Babiš has brought into Czech politics is a populism of 'anti-politics that celebrates the concentration of power in the hands of businesspeople, "experts" or managers – and discounts the participation of citizens and civic groups' (Hanley and Vachudova, 2018, p. 286).

That is why I would like to mention a more specific concept of *ethnopopulism*, 'an elite strategy for winning votes and concentrating power', that intertwines the defence of the people with the defence of ethnicity, culture, nation, religion and/or race (Vachudova, 2020, p. 318). This strategy provides politician with incredible *flexibility* for choosing internal and external enemies, and once in power, 'set about dismantling liberal democracy because, at its heart, it is a strategy to end political turnover and expand opportunities for rent-seeking' (Vachudova, 2020, p. 327). While this phenomenon is not specific to Central and Eastern Europe, Vachudova (2020) looked specifically into the transformation in Poland, Hungary, and the Czech Republic, stressing the exploitation of the new media environment as a tool that ethnopopulists are using alongside the control of the policy-making process and elimination of independent state institutions.

Finally, the concept of a *media system* should be clarified. McQuail and Deuze (2020) gave the classical definition and conceptualised it as 'the actual set of mass media in a given national society, characterized by such main dimensions as scale and centralisation, degree of politicisation, diversity profile, sources of finance and degree of public regulation and control'. However, the media sphere has been developing fast, and the rise of digital media (also referred to in the literature as new media or online media) has triggered a crucial transition. Nowadays, researchers speak about 'hybrid media systems' in an attempt to integrate the study of older media, such as television, radio and press, and newer media, primarily social media. Chadwick (2017, p. 4 and p. 208) claims that such systems are built on the 'interactions of different technologies, genres, norms, behaviours, and organisational forms', as he examines a dual nature of a media system that can both be constructed by different actors and at the same time 'empower and disempower' them.

Such an opinion is characteristic for social determinists (such as Hallin and Mancini, 2004) who believe that media systems are shaped by their respective countries' socio-political and cultural features, including notably the degree of democratic consolidation and the level of actual potential societal conflict. Contrary to them, technological, or media determinists, believe that media play a unique role in the development of society, being an independent driver of progress and 'the essence of the civilization' (McLuhan, 1994). However, social determinists argue that the media system and its technological development are determined by the society in which they occur and are inevitably shaped by the power structures that exist in that society (Green, 2002). An illustrative example of a media system constructed through a power struggle is described by Becker (2004, p. 149), who identifies the Russian media system developed under Putin as *neo-authoritarian* and argues that 'state-owned media have limited autonomy, and appointments to key positions are linked to political loyalty'. He also lists additional measures applied to repress media

independence, namely economic and legal pressures and violence against journalists representing an alternative point of view, that in turn contribute to the spread of self-censorship.

The next section of my thesis covers the research methods I used to understand the mechanisms and actors of change in Poland and the Czech Republic, as well as justifies my case selection.

Research Design

In order to answer my research questions, I use a qualitative methods approach. The main strategy I am employing is a method of paired comparison, as I compare two cases, Poland and the Czech Republic, and trace the development of events during the previous decade (2010–2020). Even though many authors (including King, Keohane and Verba, 1994) dismiss this method as untenable and descriptive, Tarrow (2010, p. 239) described it as a distinct strategy of comparative analysis with many benefits, including 'intimacy of analysis' that requires deep background knowledge of the studies countries. What is more, it facilitates a so-called 'causal-process analysis', that is not available when correlational and regression analysis is concerned (Brady and Collier, 2010). As Caporaso (2009) stresses, process-based and correlational studies are best seen as complements, not as competitors. There are, of course, certain limitations to every research method, and paired comparison is not an exception. The most common ones that Tarrow (2010, pp. 246–249) mentions include 'insufficient degrees of freedom, non-representativeness, atheoretical case selection, and ignoring scope conditions'. I believe that I tackled at least some of those, as I have vigorously chosen my cases based on theory, and they are indeed crucial cases to demonstrate it.

As a part of my main strategy of paired comparison, I employ process tracing, which allows me to study the progress and the transformation over time. I also conduct an analysis of reports from several organisations that deal with media freedom and freedom of expression, namely the European Centre for Press and Media Freedom (ECPMF), Freedom House (FH), Reporters

without Borders (RSF), International Press Institute (IPI) and Article 19, as well as look into media coverage of key events of this decade. Lastly, semi-structured interviews with media experts, journalists, NGO representatives and politicians (see *Appendix no. 1: List of interviewees*) are conducted to get an in-depth look and a more comprehensive understanding of media transformations in the region. I believe that elite interviews are an appropriate method for this research since it is often used for policy analysis, is versatile, and can be used both as 'a part of a more comprehensive set of methods or as a stand-alone method' (Van Audenhove and Donders, 2019). How the expert status is assigned and recognised by a researcher has also been addressed in the literature. Meuser and Nagel (1991) define experts as 'agents bearing specific functions within an organizational or institutional context, who represent solutions to problems and decision-making-processes'.

The following section provides an empirical overview of the said processes in Poland and the Czech Republic, makes assessments about the nature of the transformations, and emphasises the similarities and differences of the processes in the studied countries.

Findings

In this section, I first provide a succinct version of the main political and media developments in Poland and the Czech Republic, identifying critical junctures and potential alternative developments. Then I contrast the manifestations of the two cases and indicate the main differences between the two countries. Finally, I discuss how these empirical findings correspond with the theories and arguments I discussed in the previous sections.

Poland

In 2010, which is the starting point of our analysis, Freedom House notes for the first time that the 'positive momentum of the Berlin Wall Fall' has lost its effect (Karlekar, 2010, p. 2), and in

some countries was even reversed. This is the year when Hungary's Fidesz gained a super-majority in the Parliament, which gave the centre-right party sweeping authority, including the power to change the constitution (Election Watch Hungary, 2010). Following the first time Viktor Orbán took office, his government revised and accepted a new version of the Hungarian Constitution that reflected Fidesz's worldviews, as it has reduced the freedom of the press and undermined the independence of the judiciary (Grabbe and Lehne, 2017). As Hungary is largely considered a 'role model' for Poland (Wiseman, 2021b), similar events took place in 2015, when PiS won a parliamentary majority and could govern alone for the first time in the post-communist history of Poland (Associated Press, 2015).

The electoral success of Law and Justice and the events that followed it are largely considered a turning point by several important actors (Markowski, 2016). However, a few (

Interview **1** and *Interview 4*) also mark the significance of the 2010 Smolensk air disaster, that claimed the lives of 96 people, including senior members of the government and Polish President Lech Kaczyński, the identical twin brother of Jarosław Kaczyński, currently 'the most powerful man in Poland' (Szczerbiak, 2020). The sudden death of a head of state triggered several specific actions, including the change of the election calendar. What is more, it caused a 'strong psychological shock for participants in the political process and redefined political competition, public discourse, and the media coverage' (Cześnik, 2014), as the crash and the investigation of its potential causes became an integral part of contemporary Polish politics, especially in the media and in the electoral campaign. This tragedy 'came to strengthen the divisions in Polish politics, and make them more bitter', notes the Polish news editor (

Interview **1**), while a representative of *Article 19 (Interview 4)* mentions that the polarising effect of this event later echoed in the media.

Shortly after PiS's electoral success, President Andrzej Duda signed controversial media laws (BBC, 2016). They facilitated the creation of the National Media Council (*Rada Mediów Narodowych*, RMN) alongside the already existing National Broadcasting Council (*Krajowa Rada Radiofonii i Telewizji*, KRRiT), as a collegial body that appoints and dismisses the supervisory boards (including the directors) of Polish television, Polish radio, and the Polish press agency. Special media advisor for *Gazeta Wyborcza* (*Interview 3*) attributes the scale and the swiftness of the takeover of public service media to this institutional change. He claims that instead of 'guarding the independence of public service media, they control them to be subservient to the ruling party and the government'. Several experts (

Interview **1** and *Interview 3*) use the word 'propaganda' when describing the current content of the public service television, TVP, and some even call it 'a mouthpiece for the government propaganda' (Kalan, 2019). International organisations also believe that TVP reached its prime in this role during the 2020 presidential election campaign, as it continued 'to depart from public service mission amid COVID-19 pandemic' (Chapman, 2020). *Wiadomości*, the main evening news programme of Poland's TVP, has repeatedly attacked Rafał Trzaskowski, the mayor of Warsaw and the candidate from the largest opposition party, the Civic Platform (*Platforma Obywatelska*, PO). On the other hand, Andrzej Duda, the PiS-backed incumbent president, has been presented positively as 'the defender of the Polish family' (Chapman, 2020).

The following example well demonstrates the compromised integrity of the 'original' Polish media regulator. In 2017, the National Broadcasting Council fined the leading station TVN24 (TV channel owned by Discovery, Inc.) the equivalent of $430,000 for 'promoting illegal activities' through its reporting on anti-government protests. 'The move sent a clear message that publicising such dissent will not be tolerated, though the fine itself was annulled in January', as mentioned in the report by (Freedom House, 2018). The Polish government has repeatedly attacked TVN24 and,

through TVP, was called a 'fake news factory' for its critical coverage of the ruling party's disregard for COVID-19 restrictions on the anniversary of the Smolensk disaster (Tilles, 2020a). The new legislation also provided the government with instruments to throttle several independent print media outlets, such as *Gazeta Wyborcza*, *Polityka* and *Newsweek Polska,* by restricting public advertising (Chapman, 2017). Polish news editor (

Interview **1**) concludes that this was 'clearly a political decision' which does not make much commercial sense, as the advertising budgets from state-owned and state-affiliated companies were overflowed from bestselling newspapers to *wSieci*, *Do Rzeczy*, or *Gazeta Polska*[1], which have much lower circulation. In addition, the state has suspended or restricted the access of independent media to governmental information. This arrangement, although not declared officially, became particularly visible during the pandemic, as the government did not send their rules of conduct and government restrictions announcements to *Gazeta Wyborcza.* Its special media advisor (*Interview 3*) believes that the only reason for such an act is the government's unwillingness to support the leading independent newspaper financially since these announcements were sent to other media outlets in the form of advertising, i.e., publication paid for by the state.

In July 2020, after the narrow re-election of Andrzej Duda, the Polish government announced its intention to censor privately-owned media under the guise of 'repolonising' and 'deconcentrating' their ownership (Reporters Without Borders, 2020). Special media advisor for *Gazeta Wyborcza* (*Interview 3*) specifically explained that those propositions are just 'rhetorical tools' used by the government for taking over the independent media outlets, since the publisher of *Gazeta Wyborcza*, Agora media group, has always been 'Polish capital'. Moreover, Poland's

[1] *Sieci*, *Do Rzeczy*, and *Gazeta Polska* are pro-Law and Justice magazines with total 2019 circulations of 36,416, 32,285 and 13,214, respectively, according to the euro|topics. In contrast, *Gazeta Wyborcza's* 2019 circulation was 85,974.

antitrust authority has barred Agora from taking over rival radio broadcaster *Eurozet* due to 'competition concerns' (Wilczek, 2021) while not being able to contain a takeover of *Polska Press* by an oil refiner giant and a state-controlled company PKN Orlen. Adam Michnik (2021), the editor-in-chief of Gazeta Wyborcza, claims that 'both decisions were politically motivated and aimed at strengthening government propaganda at the expense of independent media'. The transaction of *Polska Press* 'brings 20 of Poland's 24 regional newspapers and almost 120 local weeklies under Orlen's ownership' (Shotter, 2020). Besides the editorial integrity concerns, the representative of *Article 19 (Interview 4)* also worries about the profiling of 17.5 million users of websites that Polska Press used to own. This information is now in possession of people 'with very close ties to the government', and the authorities may use this data to 'target propaganda before and during any elections', claims the media advisor for *Gazeta Wyborcza* (*Interview 3*).

A critical discovery of this study concerns the role of SLAPPs (strategic lawsuits against public participation) that are defined as legal actions that are deemed to be efforts 'to censor, intimidate or silence critics' (Wądołowska, 2021). According to Article 19 coordinator *(Interview 4)*, they are a part of a 'well-thought strategy to destroy the remaining independent media', as the costs of legal procedures are incompatible with the media's limited resources. Special media advisor for *Gazeta Wyborcza* (*Interview 3*) has confirmed that *Gazeta Wyborcza* alone is currently targeted by 73 lawsuits for all kinds of journalistic activities and refers to this strategy as 'a form of legal harassment' that is meant to have a chilling effect on the media (Ivanova, 2021). In total, according to the Journalism Society (*Towarzystwo Dziennikarskie*) report, between 2015 and 2021, individuals or entities associated with the state filed 187 lawsuits against independent media and journalists, with at least 8 of them initiated by top-government officials such as Zbigniew Ziobro, the justice minister and prosecutor general, and Jarosław Kaczyński (Wądołowska, 2021).

However, the *Article 19* coordinator *(Interview 4)* clarified that some of the legal issues are structural in nature, and the current government is not directly responsible for them. For example, a significant number of the lawsuits mentioned in the report are criminal cases, with many of them brought under Article 212 of the Criminal Code, which provides for criminal liability for defamation, and Article 226 of the Criminal Code, which punishes insulting a public official or a constitutional body. Poland has one of the broadest and strictest legislation in this area, and it has been an ongoing problem since the Criminal Code was created. Nonetheless, all experts interviewed note that the scale of the media takeover and the pressure on independent media is incomparable to the pre-2015 situation, while some of the employed methods are not necessarily new. For instance, *Article 19* representative *(Interview 4)* recalled the case of Robert Frycz (Polskie Radio, 2012). This blogger got a criminal charge in 2012 for his satirical website that was deemed offensive towards the then President of Poland, Bronislaw Komorowski, who won the 2010 post-Smolensk elections as a representative of PO.

Czech Republic

When it comes to Czech Republic, the event considered a crucial juncture is not of political, but rather of business nature. In 2013, Andrej Babiš, the founder of ANO and owner of the Agrofert conglomerate, acquired MAFRA media group that publishes two of the most respected and widely read dailies, *Lidové noviny* and *Mladá fronta DNES (MF Dnes),* as well as the third-most visited website in the country, *iDnes.cz*. Later that year, Babiš' political movement ANO 'came from nowhere to become the second most powerful force in parliament', attaining 18.7% of the vote (Nejezchleba, 2013). A member of the Standing Senate Commission on Media (*Interview 6*) believes that 'these outlets eventually became a platform for defending their owner's economic and political interests', with many respectable journalists leaving these outlets. The dailies mentioned above, along with *Radio Impuls*, a popular radio station acquired by Agrofert at the beginning of

2014 (Špačková, 2014), have been criticized for their political bias, as ANO dominated the campaign advertisement landscape in 2013 and 2017 (Jirák and Köpplová, 2020).

The purchase of the Mafra media group was a part of major change in the media ownership structure. Before ANO was even founded, a billionaire Zdeněk Bakala bought the publishing house Economia from the German company Handelsblatt. This put him in possession of *Hospodářské noviny* daily newspaper, weeklies *Respekt* and *Ekonom*, as well as the news website *IHned.cz*. In 2013, Bakala also acquired *Aktualne.cz* from the American fund Warburg Pincus, further strengthening his media portfolio (Redazione, 2014). In the next two years, two remaining international publishing companies − Ringier AG and Verlagsgruppe Passau − sold their holdings to local business elites. *Blesk*, the most widely read Czech tabloid, as well as *Aha!, Sport* and *E15* are now owned by Daniel Křetínský and Patrik Tkáč of the J&T, a Czech-Slovak investment group (Lange, 2013). At the same time, *Deník*'s publisher Vltave-Labe-Press was acquired by the Penta investment group (Danko, 2015). Together, the companies I discussed above — Mafra, Czech News Center of J&T, Vltave-Labe-Press and Economia — dominate the Czech media market, as Vojtěchovská (2017) estimates their readership to be close to 90%.

This ownership concentration has had multiple implications for media independence and media pluralism. For instance, as Andrej Babiš, then a Finance Minister, was under investigation for the alleged misuse of the EU funds (Muller and Lopatka, 2016), *Lidové noviny* and *Mladá fronta DNES* published less than a third of the articles about the Stork's Nest affair between January 1 and March 28, 2016, than *Právo*, an independent newspaper (according to a Newton Media analysis cited by Vojtěchovská, 2017). When asked about this arrangement, a Czech journalist (*Interview 5*) from the Economia publishing house stated that such an outcome is not only understandable but represents a regular 'problem of a newspaper being owned by someone with

agenda'. He provided an example of Daniel Křetínský's conflict of interest, as he is an owner of both *Sparta*, the Prague-based football club, and *Sport* daily, the most prominent sport-dedicated daily in the Czech Republic. While the journalist referred to this piece of evidence as 'anecdotical', he also admitted that when Bakala was still an active player in the Czech political arena, the editorial board of the magazine he works for decided not to write about him at all. He claims that 'whatever they would write, readers would always question that', calling it 'a dilemma of credibility'.

While the tension was building in the private arena, the Czech Television Council, a supervisory authority of Czech Television, has played the role of a fair referee between political actors and the public media. For instance, in 2017, Andrej Babiš filed a complaint against programs *168 hodin* and *Reportéři*, which broadcasted reports on the circumstances of his purchase of Agrofert bonds. Babiš stated that 'those are rigged shows and taxpayers need to know this' (Zelenka, 2017). The council unanimously rejected his complaint. The unlikely allies in most political affairs, Babiš and President Miloš Zeman have joined their forces to intimidate Czech television. Back in 2015, Zeman's ally Senator Veleba proposed a bill to exempt people about whom Czech Television has published false information from the license fee payment for five years. Miloš Zeman publicly supported the proposal and stated that 'ČT does not fulfil its public function and is becoming a bad commercial television' (Redakce DR, 2015). While the bill was withdrawn, such concentrated pressure on public TV was deemed an unacceptable power attack by the opposition and journalists in the country.

What is more, the above-mentioned ČT programs, together with *Respekt*, *Seznam Zprávy* and *Deník N,* are currently deprived of Presidency's communication. Finalising what journalists claimed was the 'pre-existing situation', President Zeman's chief of staff, Vratislav Mynář (2021),

declared that these outlets and programs have 'consciously and for a long time disseminated distorted, false and biased information' and that this decision is part of the fight against disinformation. The journalists concerned, including the editor-in-chief of the weekly *Respekt*, Erik Tabery, stated that while they see this development as an 'appreciation' of their work as critical journalists, this approach is 'unacceptable' in principle and is violating the right of Czech citizens to have access to vital information (Kottová and Svatoš, 2021).

While an ANO member is a chairperson of the election committee in charge of drafting media laws, 'the other coalition parties appear unlikely to support any bill strengthening Agrofert's position in the media sector' (Vojtěchovská, 2017, p. 104). However, this might be subject to change, as parliamentary elections will be held on 8 and 9 October 2021, and the pressure on public service television is increasing. European Broadcasting Union (2021) expressed their concerns regarding the shortlist for the next Czech Television Council[2] that 'features only candidates with political affiliations to the ruling party'. A Czech journalist noted that the law on Czech Television was written 'with a goodwill of the deputies in mind', but some of the current candidates have some extreme ideological opinions. There is a chance that the current CEO of Czech Television, Petr Dvořák, who occupied this position since 2011, might be replaced, as the compromising material is allegedly being prepared that would allow for him to be dismissed (Svobodová, 2021).

Key Discrepancies

'Threats and insults of journalists have become increasingly normalised in recent years' in both Czech Republic and Poland (Wiseman, 2021a), with President Zeman wishing he could 'liquidate' journalists (Oppenheim, 2017), and members of the Polish government accusing the independent

[2] The ČT Council has fifteen members elected and removed by the Chamber of Deputies, so that important regional, political, social, and cultural currents of opinion are represented in it. The members of the Board are elected for a term of office of six years, with one-third of the members being elected every two years; they may be re-elected.

media of working ‘under German and Russian dictate’ as part of anti-Polish efforts[3] (Romanowski, 2021). However, there are some important discrepancies between the two cases that I have found as a result of my analysis.

Firstly, I would like to mention that Czech experts (*Interview 5*, *Interview 6* and *Interview 7*) were less likely to point at either MAFRA acquisition or ANO entering the parliament as a critical juncture than their Polish colleagues, as they claim that the development was more gradual. Hofmannova (2020) mentions that such slower steps are characteristic of the last decade’s developments in the Czech Republic and that they ‘tend to be difficult to identify at the beginning’, especially when compared to other countries in the region. On the contrary, Polish interviewees pointed at Smolensk air tragedy and PiS electoral success in 2015 as turning points for both media and political arrangements in the country, while admitting that some structural problems existed before Law and Justice came to power and formed a majority government.

Secondly, the cases of Poland and the Czech Republic differ in the sequential order of the events and the actors involved. In the latter case, media capture occurred before the 2013 parliamentary elections and was facilitated by an ‘industrialist’ Andrej Babiš, who had no significant political affiliations at the time. The acquisition of the Mafra media group was also a part of the bigger de-Westernisation wave, as local business elites purchased media outlets and later instrumentalised by their owners for several urposes. On the contrary, the main actor behind the media transformations in Poland is the state, more precisely the ruling party PiS. While some business-political relationships could be traced in the Polish case, too, its character is well demonstrated by the group of media owned by Father Rydzyk’s foundation *Lux Veritatis*, which has received more

[3] This particular quote belongs to Deputy Minister for Justice Marcin Romanowski; however, it represents the typical governmental rhetoric towards independent media outlets.

than 210 million PLN from public institutions since 2015, the most coming from the Ministry of Culture and National Heritage. While more than half of this money went for the construction of the Museum of Memory and Identity of St. John Paul II in Torun, a significant part has also served as a subsidy for Rydzyk's conservative *Radio Maryja* station (Wróblewski, 2021). What is more, the major changes in Polish media followed the electoral change. While their more ambitious 'Big Media Act' had to be replaced by the 'Act on the National Media Council' that I have discussed above, policy changes that were introduced by the government have had a rather disruptive impact on the media system, and especially public TV, in Poland (Surowiec, Kania-Lundholm and Winiarska-Brodowska, 2020).

This brings me to the third difference I have discovered: the media governance divergence in the region. When it comes to Poland, PiS first introduced certain changes as a part of the coalition government (2005–2007), altering broadcasting law and appointing its representatives to regulatory bodies (Sparks, 2008). However, by setting up the National Media Council in 2016, 'policy-makers pushed the boundaries of control over the appointments of public media executives' (Surowiec, Kania-Lundholm and Winiarska-Brodowska, 2020, p. 12). What is more, the latest report Media Freedom Rapid Response (MFPR) report revealed a bill that would 'impose limits on the level of capital invested in the domestic market by foreign media companies and limit the number of outlets that a single media group can own' (Wiseman, 2021a). Special media advisor for *Gazeta Wyborcza* (*Interview 3*) speculates that if passed, it might oblige *Ringier Axel Springer* to sell *Onet*, because it is the largest Internet-based portal in Poland[4] (Onet, 2019), while this publishing house also owns the largest tabloid, *Fakt*[5]. However, *Article 19* representative *(Interview 4)* notes that PiS might not attempt any legislative actions on 'repolonisation' and

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[4] According to the latest Gemius/PBI survey results, *Onet* was visited by 17.46 million internet users last year, which in May gave it the position of the leader among internet portals.
[5] *Fakt* is the biggest daily newspaper and most popular title in Poland, with a 2019 circulation of 218,529, according to the euro|topics.

‘deconcentration’ due to major political and diplomatic costs of such measures. Instead, they chose to employ a more multidimensional strategy, using state-affiliated actors such as PKN Orlen and SLAPPs for weakening independent media. In this regard, the Czech case differs significantly thanks to the effectiveness of the system of checks and balances, primarily its Constitutional Court. Nonetheless, the regulating bodies that oversee public media might be under threat due to ANO’s growing influence in the Parliament, and we are yet to see how the situation unravels.

That is why another difference, the financing structure of the public media, should be mentioned. As noted proudly by Czech journalists (*Interview 5* and *Interview 7*), the Czech Republic is the only country in Central Europe where public TV is funded mainly through television concession fees which are paid by all households and legal entities that own a television or any form of television signal receiver (Česko, 2005). The Act on Czech Television also sets the limits for obtaining revenues from the sale of advertising (Česko, 1995). On the contrary, Polish public service broadcaster is financed primarily from advertising and RTV subscriptions, which are only paid by half of the eligible citizens (Koschalka, 2021). To compensate, ‘PiS has pushed through one-off payments to public media in each of the last four years, rising from 300 million in 2017 to almost 2 billion PLN this year – around triple the amount that will come in from licence fees’ (Wilczek, 2020). While this discrepancy could benefit from more highly specialised research, I suppose the difference in funding structure might have affected the level of resistance of public service media to political influence.

Attacks on the physical safety and integrity of journalists represent the final discrepancy I would like to mention. While most threats against journalists remain verbal in the Czech Republic (similar to statements I provided above when discussing the Czech Television Council), Polish experts (*Interview 2*, *Interview 3* and *Interview 4*) note the increasing number of violent attacks against journalists. While police brutality during the 2020 Women’s Strike (*Strajk Kobiet*) was

unprecedented (Article 19, 2020), violence against journalists covering protests caused a storm of public indignation and attracted the attention of human rights defenders. Wiseman (2021a) and his colleagues reported that 'on some occasions, police hit or shot rubber bullets at journalists clearly identifiable by "PRESS" insignia', which is an especially troubling sign. The case that deserves a special mention is an arrest of award-winning photojournalist Agata Grzybowska, as it was the 'first arrest of a media worker during the month-long protests in Poland which was sparked by the backsliding on abortion rights' (International Press Institute, Reporters Without Borders and Article 19, 2020). While police charged her with 'violating the physical integrity' of a police officer, the video footage of the moment clearly demonstrates that the journalist was not acting aggressively towards police and that she was holding up her press ID to officers (Gera, 2020).

Discussion

While none of the theories I discussed in the literature review section can fully explain the divergence between Polish and Czech cases, they can provide explanations for some of the developments I discussed above. For instance, the business-political symbiosis approach helps us understand the importance of market forces for media freedom. Assuming that the 'industrialists' that acquired media do not intend to instrumentalise their media for whatever purpose, and also do not interfere with the editorial policies of their outlets, 'the sheer fact of ownership by a powerful figure with multiple non-media interests might act as a deterrent of investigative reporting about issues perceived as related to the owner's business or political activities' (Štětka, 2012, p. 448). Such an arrangement can trigger self-censorship practices, which have far-reaching consequences for the quality of journalism, professional standards, and media pluralism. An example of informal policy adopted at the Zdeněk Bakala's publishing house Economia demonstrates that the so-called 'scissors-in-the-heads' effect leads to a suppression of critical writing, potentially influencing how well informed the voters are.

The 'cosy symbiosis' approach, however, disregards the role of the state capture, electoral change, and the fact that 'disassembling of democratic governance' (Surowiec, Kania-Lundholm and Winiarska-Brodowska, 2020, p 12), and with it of independent media, can be facilitated by legal means. The 'executive aggrandisement' as a crucial part of 'democratic backsliding' described by Bermeo (2016) manifests itself most clearly in the making of public media policy in Poland. When PiS transferred the appointment of chairpersons of public media and members of supervisory or management boards to a new parallel institution, the National Media Council, it gave 'a body created by statute a more important role in regulating public media than its constitutional equivalent' (Bill and Stanley, 2020, p. 384). Its *de facto* goal could be described as 'the turn towards an institutional architecture, which supports an ideological programme of the PiS and the Government's policies' (Surowiec, Kania-Lundholm and Winiarska-Brodowska, 2020, p. 8).

To label the Polish and Czech media system as neo-authoritarian is not entirely possible due to the dynamic nature of the processes taking place at this very moment. However, certain manifestations could point at the potential destination of the 'authoritarianising' process. As noted by the *Article 19* representative *(Interview 4),* several attempts to regulate social media platforms were reported in Poland. The latest one was made public in February 2021, when the Ministry of Justice published a draft law on the 'protection of freedom of speech on the Internet'. It proposed creating the Council of Free Expression (*Rada Wolności Słowa*) that would not allow social networks to delete posts or block accounts of Polish users if the content they contain does not violate Polish law (Roman, 2021). *Article 19* representative *(Interview 4)* explained that it might mean that since 'LGBT+ people are not considered a protected group in Poland, neither in the

incitement to hatred or violence provisions[6], nor in the hate crime provision', social media platforms would have to recover posts that have been deleted due to their homophobic contents. Such manipulation of information points at both the qualitatively new character of these developments and at the possible status of informational autocrats, who buy 'the elite's silence, censor private media, and broadcasting propaganda in order to c their popularity and eliminate threats' (Guriev and Treisman, 2019, p. 123).

When the Czech case is concerned, the situation might seem less drastic. However, Vachudova (2020, p. 328) warns against a binary approach when any forms of democratic backsliding are analysed since some elements, such as informal norms and practices, can remain unnoticed. ANO has also acted in a more 'clandestine' fashion compared with PiS and Fidesz, obscuring the processes of co-optation of the civil service, the police, the media and their regulatory bodies for the benefit of oligarchic and criminal interests (Hanley and Vachudova, 2018). For instance, in 2016, the Chamber of Deputies amended the 'Conflict of Interest Act' to 'ban future government members and other politicians from operating radio and TV outlets and publishing periodicals' (Vojtěchovská, 2017, p. 106). While the measure itself can be assessed positively, the new wording of the act did not include new media and the Internet, potentially resulting in lower ownership transparency in the future.

The final section of my thesis summarises my findings, outlines my research's limitations, and provides suggestions for further research and policy-making.

[6] Article 256 of the Polish Criminal Code, "Public promotion of fascism and incitement to hatred", mentions the following grounds: "national, ethnic, racial, religious differences or on the grounds of non-religiosity" and does not include sexual orientation or gender identity. Poland remains one of the few countries in the EU that refuses such protection to LGBT+ people.

Conclusion

'Authoritarising' countries and the state of their media systems represent a severe challenge for Europe. The *Article 19* project coordinator (*Interview 4*) believes that 'until the EU deals with its internal autocrats, it cannot have any meaningful impact outside'. As the trends of decreasing media pluralism are being recorded in all EU Member States, it might be the case that the transformations analysed in this thesis represent more extreme manifestations of the global trends that require a timely and comprehensive response. What is more, the technological process contributes to the increasing complexity of the structure of the media system in every country, and the influence of Internet-based media and social media is growing.

My contribution to the literature is twofold. Firstly, I suggest a more flexible and inclusive framework for interpreting declining media freedom in Europe by employing the concept of neo-authoritarianism and the theory of informational autocrats. Such an approach could help further research to comprehend changes in media systems and conceive them as non-linear processes, or continuums, and draw special attention to new media and the Internet, their regulations and development. Moreover, I managed to discover several important mechanisms, namely SLAPPs as an instrument of 'legal harassment' and the effect of media ownership on self-censorship practices, that the current scholarship mostly overlooks. Nevertheless, my research has certain limitations, such as an unbalanced composition of interviewees, that should be acknowledged. Although I was able to get deep insights from important actors in Poland and the Czech Republic, repeated requests to interview representatives of the governing Law and Justice (PiS) and ANO parties, as well as their MEPs, went unanswered. Removing this obstacle would make the study more comprehensive.

I would like to offer some perspectives for future research and policymaking. Deeper dives into financing structures of media in the EU Member States drifting towards authoritarianism is necessary, as several interviewees noted 'autocrats are using European money for weakening the EU' (*Interview 4*). Since some researchers believe that 'EU funds help sustain national autocracies' (Kelemen, 2020, p. 482), it might be helpful to understand their role in media systems. Polish and Czech journalists also stress the need to provide direct financial support to independent media and civil society more effectively. Secondly, an adequate way to implement an anti-SLAPP directive should be found since 'no EU country has enacted targeted rules that specifically shield against SLAPP suits' (International Media Support, 2020). Some additional recommendations include programs that could improve the level of digital and media literacy among the EU population and bridge the information gap between population groups, the well-informed and disinformed citizens, and depolarise society. In addition, journalists and NGO representatives note the need for a solid, comprehensive response from the EU, which would include not only 'fine words' (Bielecki, 2021), and specific, precise actions, including legal and economic measures discussed above.

Finally, some experts and researchers expressed their frustration over Poland and the Czech Republic adopting a pattern of behaviour with media similar to the 'Eastern neighbour', i.e., Russia. While it is 'much less comforting' (Štětka, 2012, p. 449) to point to similarities with post-Soviet countries, I believe that this kind of research can benefit academia and lawmakers politicians who are trying to combat informational autocrats in Europe. The concentration of media, business, and political power in the hands of oligarchs has been pervasive ever since the fall of communism in several post-Soviet republics (Nemtsov, 1999), and different ways of instrumentalising media 'have been an integral part of local political and media cultures' (Roudakova, 2008).

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List of Appendices

Appendix no. 1: List of interviewees

All interviews were conducted online. Due to the sensitivity of the research topic and to ensure the safety of respondents, all interviewees are anonymised.

Interview 1. Editor-in-chief of a Polish internet media outlet, *Poland* (May 14, 2021)

Interview 2. Journalist at Onet, one of the largest Polish web portals, Poland (May 14, 2021)

Interview 3. Special media advisor at Gazeta Wyborcza, a major Polish daily newspaper, Poland (May 24, 2021)

Interview 4. Programme Officer at Article 19, a British human rights organisation with a specific mandate and focus on the defence and promotion of freedom of expression and freedom of information, Poland (June 1, 2021)

Interview 5. Czech journalist and editor at Economia a.s., a Czech media company, the Czech Republic (May 18, 2021)

Interview 6. Member of the Standing Senate Commission on Media, the Czech Republic (May 27, 2021)

Interview 7. Journalist at Deník N, a major Czech independent daily newspaper, the Czech Republic (June 1, 2021)

Appendix no. 2: Media development graphs

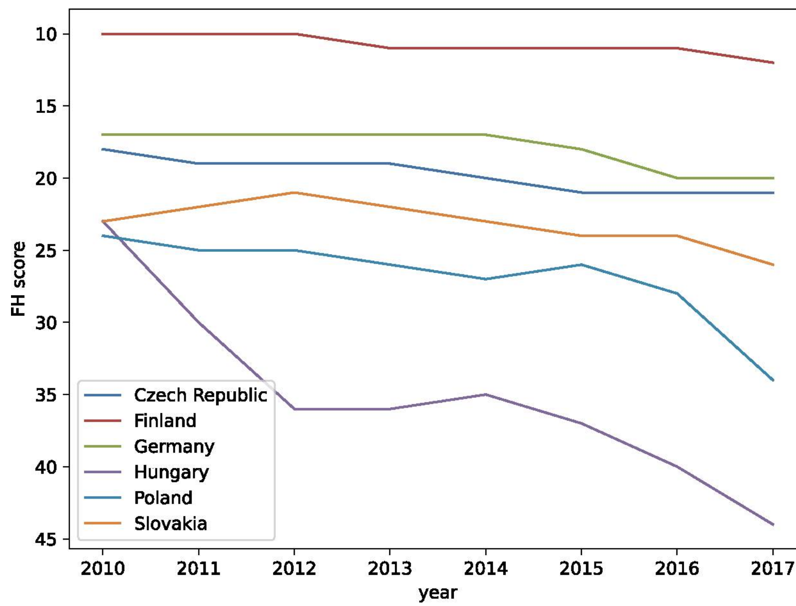

Figure 1. Freedom of the Press Index by Freedom House, 2010–2017.

A total press freedom score ranges from 0 (best) to 100 (worst) and is assigned a status of Free (0 to 30), Partly Free (31 to 60), or Not Free (61 to 100).

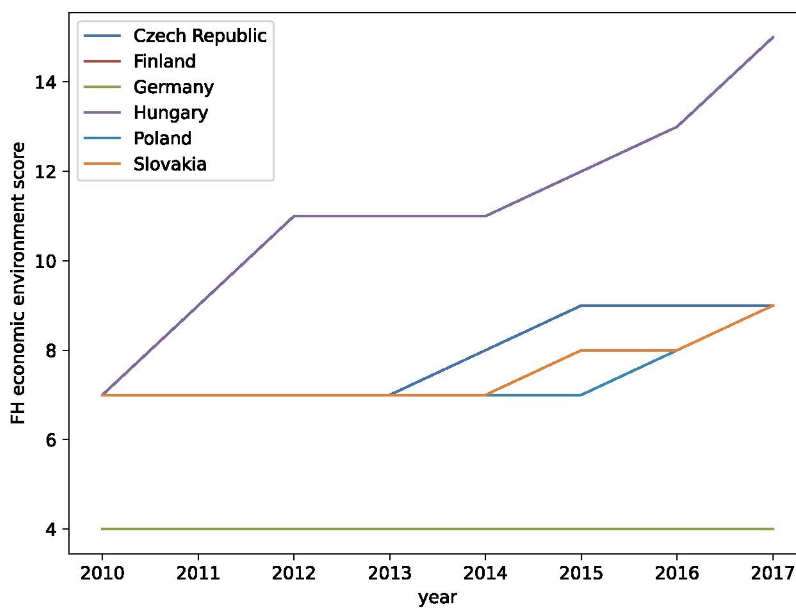

Figure 2. Economic environment score by Freedom House, 2010–2017.

An economic environment score ranges from 0 (best) to 30 (worst).

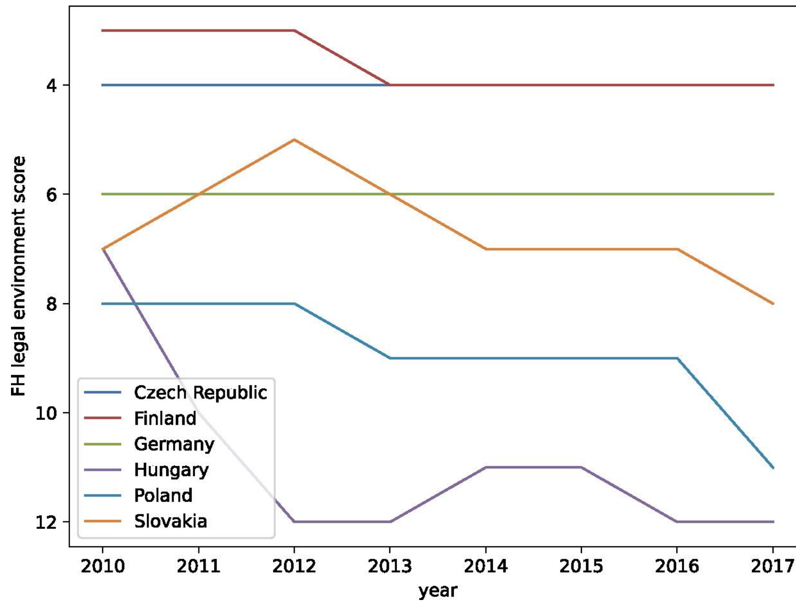

Figure 3. Legal environment score by Freedom House, 2010–2017.

A legal environment score ranges from 0 (best) to 30 (worst).

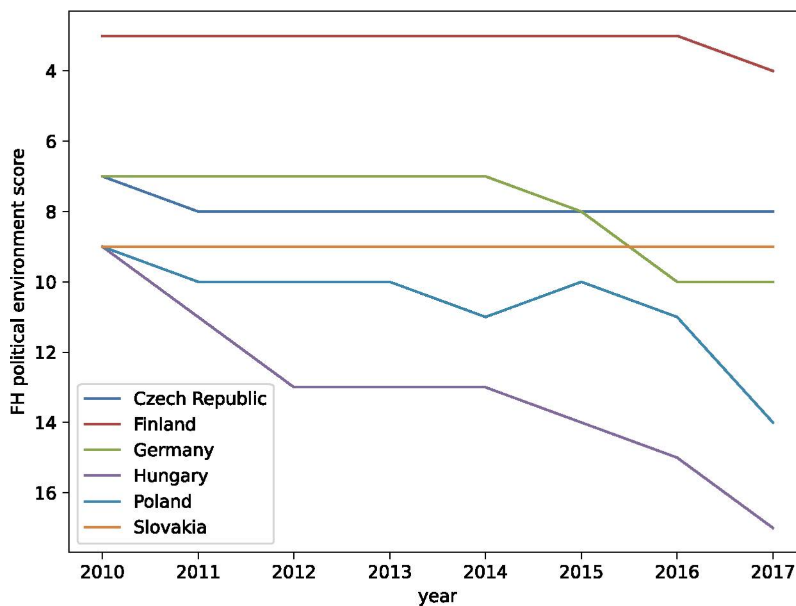

Figure 4. Political environment score by Freedom House, 2010–2017.

A political environment score ranges from 0 (best) to 40 (worst).

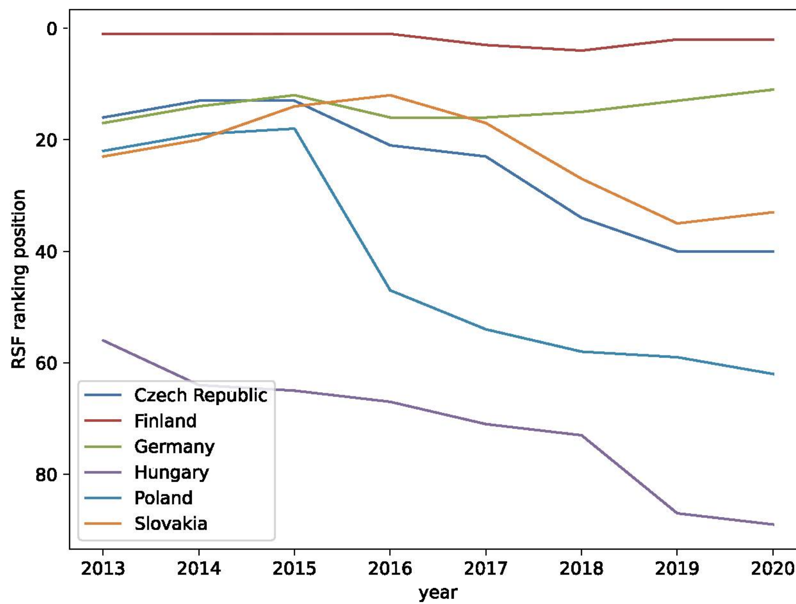

Figure 5. World Press Freedom Index by Reporters Without Borders (RSF), 2013–2020.

This chart shows the country's position in the ranking of 180 countries.

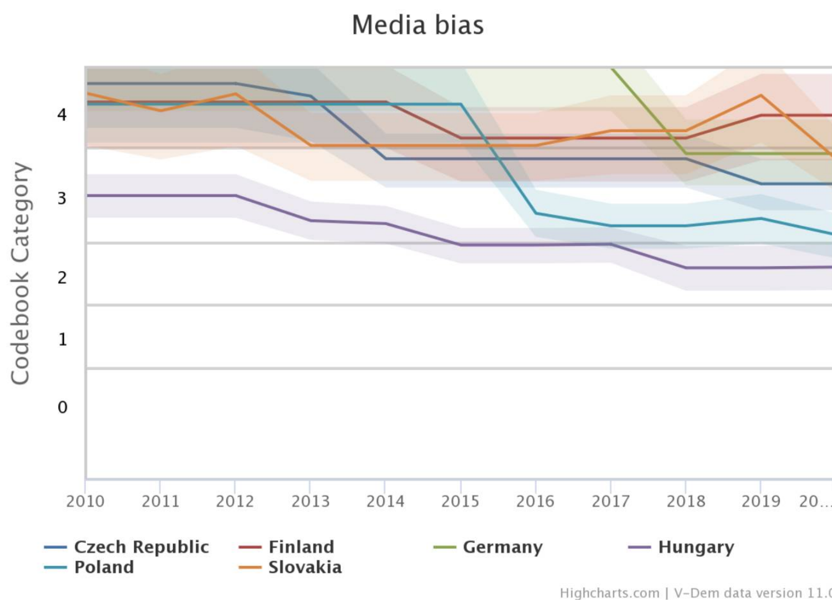

Figure 6. Media bias by V-Dem, 2010–2020.

Question: Is there media bias against opposition parties or candidates? Responses range from 0 (the print and broadcast media cover only the official party or candidates, or have no political coverage, or there are no opposition parties or candidates to cover) to 4 (the print and broadcast media cover all newsworthy parties and candidates more or less impartially and in proportion to their newsworthiness.)

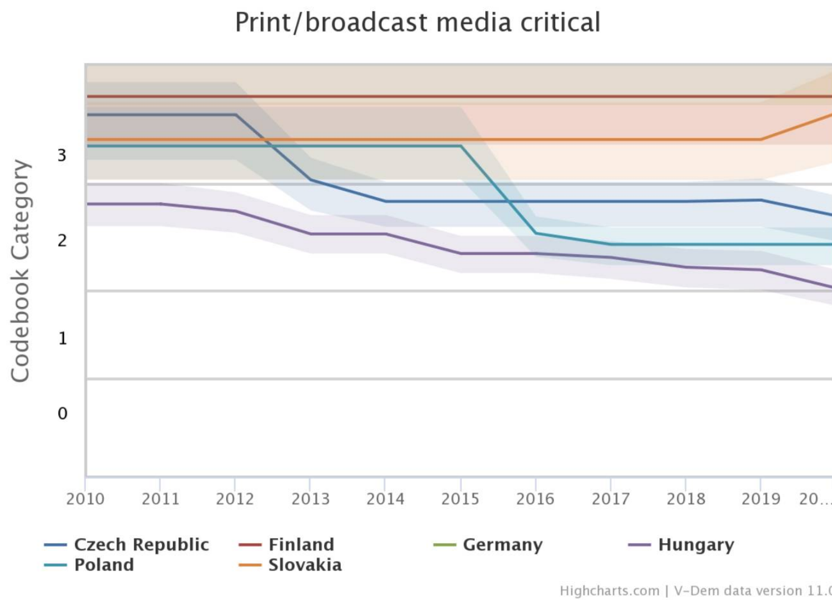

Figure 7. Print and broadcast media critical of the government by V-Dem, 2010–2020.

Question: Of the major print and broadcast outlets, how many routinely criticize the government?

Responses range from 0 (none) to 3 (all major media outlets criticize the government at least occasionally).

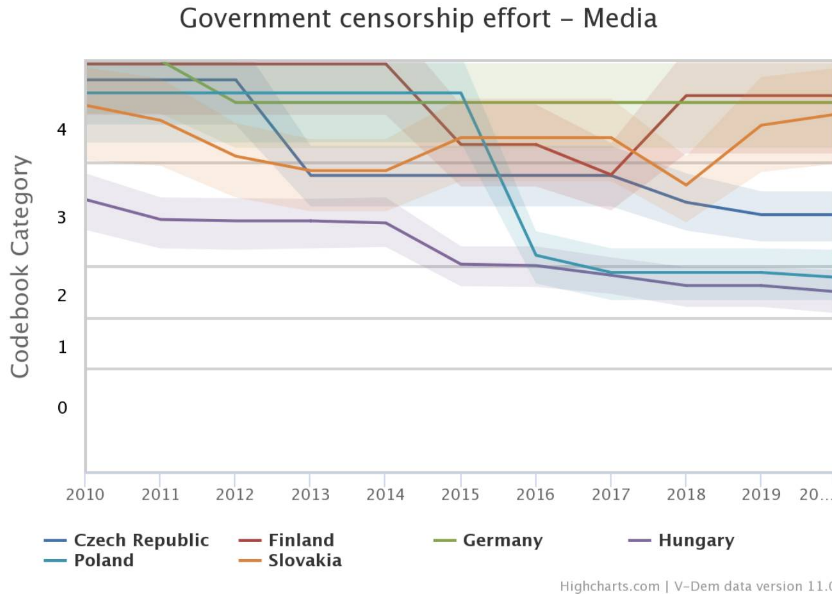

Figure 8. Government censorship effort of print and broadcast media by V-Dem, 2010–2020.

Question: Does the government directly or indirectly attempt to censor the print or broadcast media? Responses range from 0 (attempts to censor are direct and routine) to 4 (the government rarely attempts to censor major media in any way, and when such exceptional attempts are discovered, the responsible officials are usually punished).

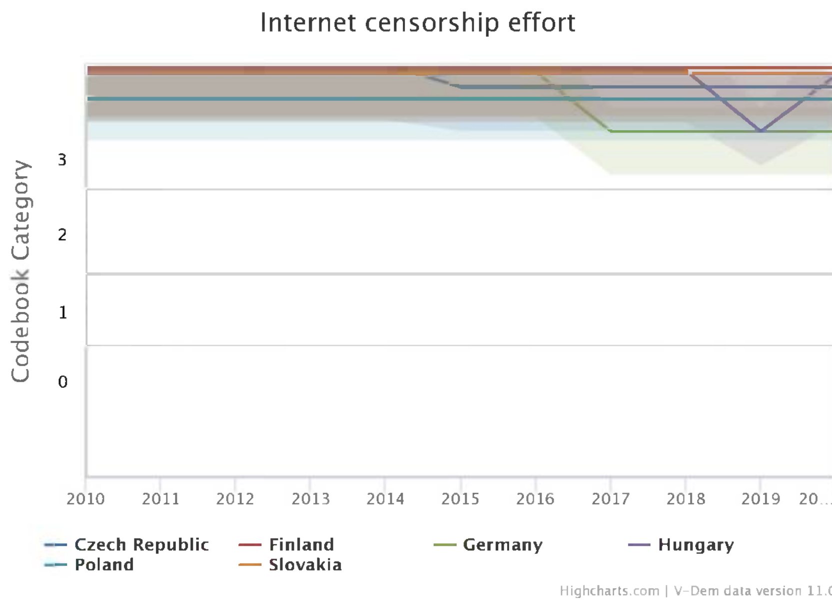

Figure 9. Government censorship effort of the Internet by V-Dem, 2010–2020.

Question: Does the government attempt to censor information (text, audio, or visuals) on the Internet? Responses range from 0 (the government successfully blocks Internet access except to sites that are pro-government or devoid of political content) to 4 (the government allows Internet access that is unrestricted, with the exceptions mentioned above).

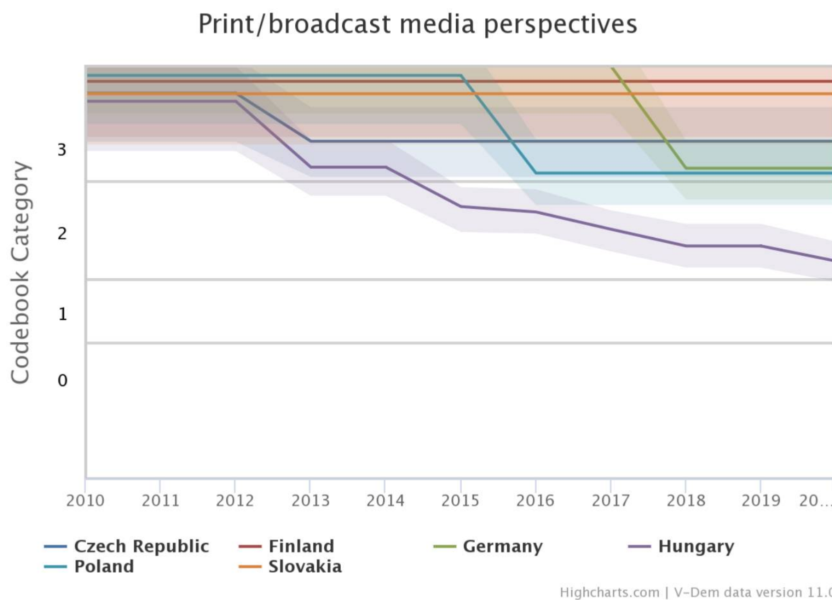

Figure 10. Print and broadcast media represent different perspectives by V-Dem, 2010–2020.

Question: Do the major print and broadcast media represent a wide range of political perspectives? Responses range from 0 (the major media represent only the government's

perspective) to 3 (all perspectives that are important in this society are represented in at least one of the major media).

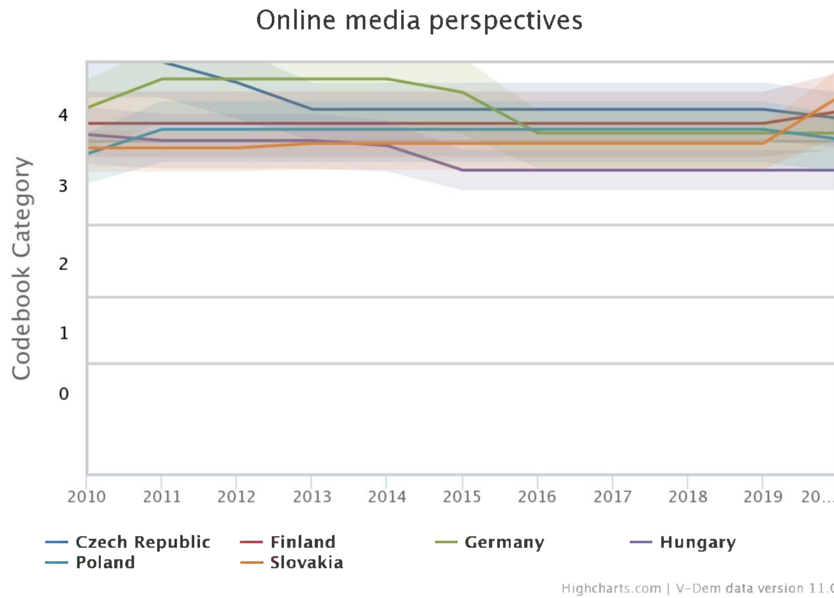

Figure 11. Online media represent different perspectives by V-Dem, 2010–2020.

Question: Do the major domestic online media outlets represent a wide range of political perspectives? Responses range from 0 (the major domestic online media outlets represent only the government's perspective) to 4 (all perspectives that are important in this society are represented in many major domestic online media outlets).

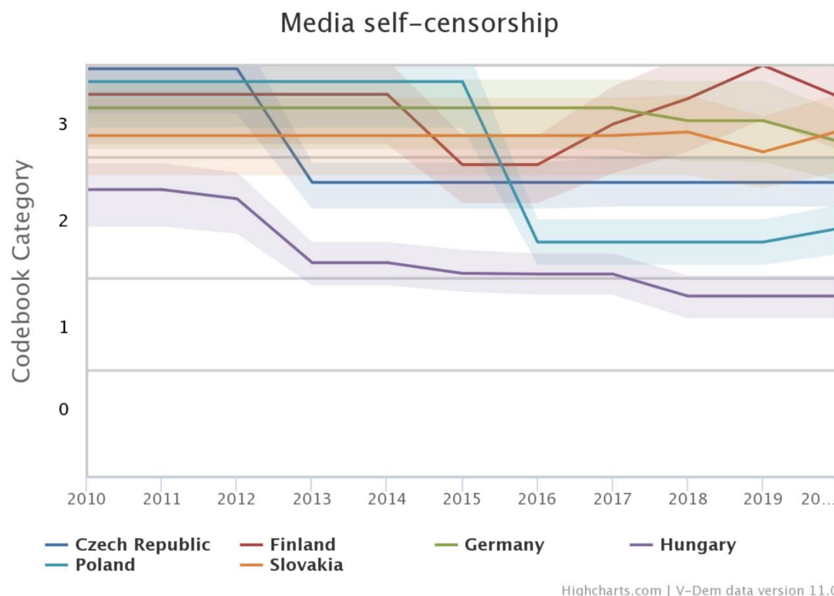

Figure 12. Media self-censorship by V-Dem, 2010–2020.

Question: Is there self-censorship among journalists when reporting on issues that the government considers politically sensitive? Responses range from 0 (self-censorship is complete and thorough) to 3 (there is little or no self-censorship among journalists).