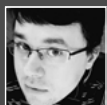


Authoritarian Change, Public Broadcasters, and “Fake News” in Poland



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BENIUSZYS

Authoritarian regimes and dictatorships of any kind have always typically striven to control the flow of information in the countries they governed. All media outlets that would come under control of such political systems were bound to cease as reliable sources of information. The political agenda of the government would thence dictate their political news broadcasting: some facts would be omitted, others manipulated or distorted, blown out of proportion, or even simply created out of nothing.

At the same time, some authoritarian regimes would declare themselves genuinely free democracies and would hope to transmit this kind of image to at least part of the world. The fact-checking activities of free media, usually from the democracies abroad, would present a major challenge to this image-building strategy, as lies and propaganda of their state media would get exposed time and again. In some cases, this threat would constitute an incentive to limit the frequency of false information broadcasting to only the most urgent or inevitable situations. But in today's reality, where people are permanently confronted with a tremendous amount of online news sources (many of which are of rather low quality), with identity media outlets, which dress up ideological formation as news, and, of course, with blunt so-called "fake news" spreaders, the general trust in media credibility has been profoundly damaged¹. It has now become fairly easy for anyone who broadcasts political information to insist that it is the others who spread lies.

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IN A WORLD FILLED WITH FALSE OR INACCURATE NEWS, AUTHORITARIAN REGIMES CAN SET UP PUBLIC BROADCASTING NEWS OUTLETS AND PUBLISH DISINFORMATION ALMOST WITHOUT LIMITS

lish disinformation almost without limits. As public TV and radio stations in democratic countries still enjoy a somewhat better reputation than other outlets², them being taken over by a government which is gearing towards introducing a change of the political system – away from liberal democracy – creates a potential for spreading disinformation. These manipulations can prove to be resistant to exposure for quite a number of years. In Poland, since the electoral success of the Law and Justice (PiS) party, the public broadcasters, especially the public Polish Television (TVP), are a case in point.

¹ https://www.cjr.org/special_report/the-fall-rise-and-fall-of-media-trust.php

² <http://www.quotenmeter.de/n/99812/vertrauen-in-nachrichten-ard-und-zdf-dominieren-ausser-beim-moderator> [in German]

POLISH PUBLIC TELEVISION AFTER THE 2015 POLITICAL CHANGE

Not only during election campaigns has it become clear to most observers and many institutions that both TVP's flagship daily news programme "Wiadomosci" and its 24/7 news channel TVP Info have turned into a completely one-sided, government and PiS-supporting, opposition-bashing, political campaign operator. The news reports of "Wiadomosci" have the quality of



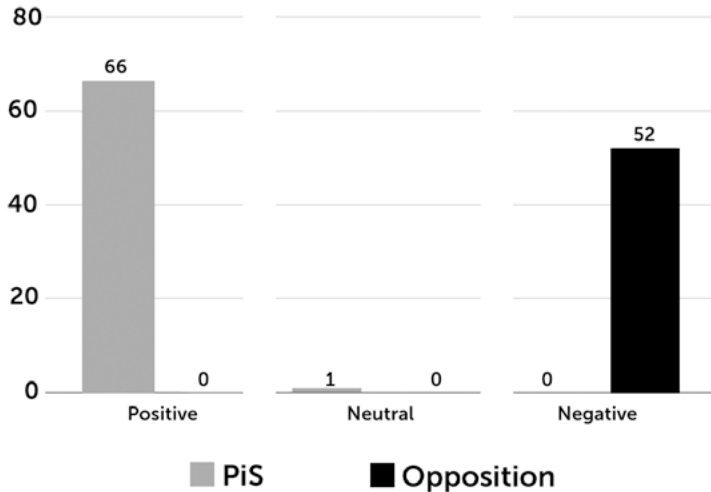
TVP'S FLAGSHIP DAILY NEWS PROGRAMME "WIADOMOSCI" AND ITS 24/7 NEWS CHANNEL TVP INFO HAVE TURNED INTO A COMPLETELY ONE-SIDED, GOVERNMENT AND PIS-SUPPORTING, OPPOSITION-BASHING, POLITICAL CAMPAIGN OPERATOR

election campaign spots, which can be roughly divided in two categories: on the one hand, positive reports on the government and PiS candidates illustrating their various successes and never mentioning any mistakes of theirs; and on the other hand, strongly negative reports on the opposition who they claim governed disastrously before 2015 and since then only attempt to maliciously spoil the Polish days in the sun.

This has been eliciting protests for a few years now, not only with the participation of opposition politicians (who, in addition to skewed news reporting, also often face an openly hostile treatment by TVP anchors and journalists when they, on occasion, appear on televised debate programmes there). Also private citizens who vote for opposition parties and pay a monthly subscription fee that benefits public broadcasters in Poland, other non-public media who criticize TVP's conduct on grounds of journalistic ethos and national and international institutions have voiced their criticism.

It is worth noting that the Polish ombudsman office (Adam Bodnar, who held the office until early September 2020) is one of the very few appointed officials who remain outside of PiS control so far. As such, it has issued a formal letter of protest, pointing out that TVP is not fulfilling its legal obligation to present political subjects in a fair and balanced manner. Especially by not granting all candidates equal airtime in order to inform voters about their programmes, they are judged according to political preference. Bodnar stressed that in the month of February 2020 TVP granted 90 minutes to inform about PiS presidential candidate and incumbent Andrzej Duda, while the Left's candidate, Robert Biedron, received only 44 seconds. The ombudsman's letter was simply left unanswered both by the TVP and PiS-controlled media supervisory bodies.

Figure 1: TVP's "Wiadomosci" news items on political parties ahead of parliamentary elections (September 27 - October 11, 2019)



In addition to that, the OSCE report on 2019 Polish parliamentary general elections stated that while the voting procedure was democratic and fair, the political reporting of TVP and public radio stations was "clearly biased and deprived of any kind of supervision and had a negative effect on the voters' capability to make informed electoral decisions"³.

A report on the balance of positive/negative reporting by the TVP from the 2019 election campaign (issued by the "Towarzystwo Dziennikarskie" journalistic community) leaves no space for doubt. During two key weeks in September and October 2019 over half of all political news materials – 67, to be exact – concentrated on PiS. 66 of them were positive, 1 was neutral. 52 materials focused on the combined opposition parties and each and every single one of them was negative [See: Figure 1]. The selection of

guests for the primetime political talk show on TVP1 (aired directly after "Wiadomosci") also proved to be unbalanced, as 14 guests represented PiS, and only 6 the opposition parties combined (also, no opposition politician appeared as a single guest, they were each time flanked by a PiS politician)⁴.

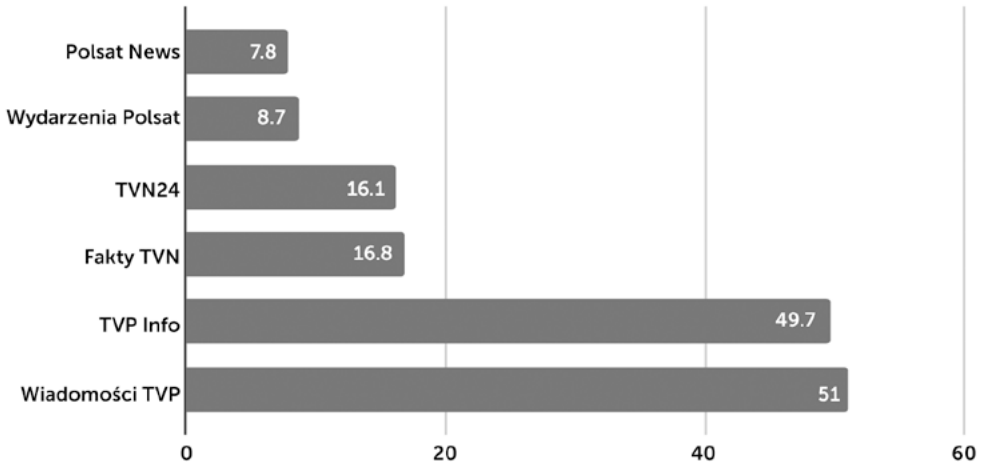
This reality is also expressed in public opinion polls on media reliability in Poland. The most recent of them, conducted by the major public opinion studies institute, IBRIS, found that the majority of Poles (51%) consider "Wiadomosci" to be biased and unreliable, with over 49% expressing the same view on TVP Info. Major private news broadcasters fared much better: only less than 9% believe Polsat to be biased, whereas 16% see TVN's news broadcasting as skewed⁵ [See: Figure 2].

³ On the ombudsman intervention and the OSCE report, see: <https://krytykapolityczna.pl/archiwum/dosc-stronniczosci-mediow-publicznych-rpo-zada-wyjasnienie-prezesa-tvp/> [in Polish]

⁴ <http://towarzystwodziennikarskie.pl/> [in Polish]

⁵ Poll results available at: https://www.press.pl/tresc/62149,ibris-dla-onetu_-wiadomosci_-i-tvp-info-nierzetelnie-relacjonuja-kampanie [in Polish]

Figure 2: Percentage of Poles considering major TV news media unreliable



Polish public broadcasters have a history of not being completely fair and balanced, as the system of appointing the TVP's and radio's management after 1989 has always been politicized. Of course it was undoubtedly a progress compared to the communist era, but it never ceased to be a focus of strong political controversy. Yet, even conservative-leaning commentators agree that the treatment of public broadcasters by the PiS government since 2015 has been unprecedented. Andrzej Stankiewicz of the Onet.pl news website said, "TVP has never attacked opposition parties so brutally. It is, in fact, not a right-wing or pro-PiS television, most of all it is a television, which is fighting all of the enemies that PiS singles out: LGBT people, the right-wing party Konfederacja, Germans, Jews". Piotr Zaremba of the right-wing "Sieci" weekly says that the bias of TVP is so utterly obvious that "people who have reservations about PiS, they just don't watch "Wiadomosci"⁶,

they are repulsed by it. The only use for it is to solidify the core PiS electorate, who seek a simple and clear signal"⁷.

The swift dismissal of many journalists at TVP after PiS gained control over the television was also unprecedented.

The most popular anchors found themselves on a "black shortlist" and were fired within a few weeks of the takeover. In the months thereafter, a wave swept away approximately 160 popular journalists, some of whom quit on their own, unable to accept the dramatic political bias or censorship of their reporting work by the newly installed top management or editor's office. Some waited to be let go in order to file lawsuits against TVP and won compensation in court. Some had been engaged for a limited period of time and their contracts have not been renewed. Yet, a substantial number of rather technical employees (such as cameramen, researchers, sound or light technicians) had to stay on simply due

⁶ For statements by Stankiewicz and Zaremba, see: <https://www.press.pl/tresc/57387,stromniczosc-tpv-w-informacjach-i-publicystyce-moze-miec-wplyw-na-wynik-wyborow> [in Polish] [own translations]

⁷ Ibid.

to their financial situation. They conform despite strong misgivings – the job market for media workers in Poland is very small and the threat of unemployment is great. Therefore, if they speak about the reality of working at TVP during the last years, they do so anonymously⁸.

THE REALITY AS SEEN ON TVP

The daily activity of TVP news broadcasts is to report on the opposition in a negative fashion. To this end, almost exclusively PiS-supporting commentators or public intellectuals are asked to comment on daily events, facts are selected and omitted, events from long gone years unearthed to dismiss the current criticism against the government. TVP utilizes stereotypical aversions that incite parts of Polish society to picture the opposition as allegedly Germany-, Brussels-, or Russia-friendly, or being a part of the LGBT+ movement's secret plan to *destroy* Polish families. All of this leads to the establishment of a false image of the opposition, who supposedly are not willing to stand up for Polish interests in the world. At the same time, the few international allies of PiS (mainly US President Donald Trump and the Hungarian government) are always shown in a positive light, and a close collaboration with them is never considered as a threat to the Polish *raison d'être*.

This, in itself, is groundwork for a falsified vision of a political reality. Yet, TVP also engages in spreading typical disinformation and unleashing hate campaigns. In order to discredit climate activist Greta Thunberg and her cause (the Polish government sees the continued energy production from coal to be in the country's strategic interest), a doctored picture of the young Swedish

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activist supposedly talking to George Soros (depicted for years as an almost diabolical donor of progressive organizations) was shown in "Wiadomosci"⁹. Most viewers never found out that Soros' face covered that of former US vice-president Al Gore whom Thunberg really met. In order to keep Poles on high alert against Muslim refugees and immigration (a major source of PiS' electoral success in 2015), TVP often spreads false information about violent events involving this group in Western Europe; sometimes falsified video material was shown. TVP even created a non-existent fashion designer to speak praise on the Polish first lady's style, a fake doctor to speak on investments in healthcare, and showed skewed charts to exaggerate the healthcare

⁸ <https://de.ejo-online.eu/pressefreiheit/staatsgelenkte-oeffentlich-rechtliche-medien-pressefreiheit-in-polen> [in German]

⁹ <https://www.nytimes.com/2019/10/11/world/europe/poland-election-state-television-tvp.html>

spending development in Poland since PiS took over government¹⁰.

Migration from abroad was the backdrop of a hate campaign that TVP has unleashed against the Gdansk mayor, Pawel Adamowicz. This moderate, centrist politician took a decisively liberal approach on the issue of accepting refugees during the humanitarian crisis in Syria, and strongly challenged the government's stance. He quickly became one of the major enemies for TVP reporters, who attempted to implicate him in all manners of financial crimes or irregularities. Adamowicz was chased down the streets by a TVP camera team, his meetings with Gdansk inhabitants were interrupted, another camera crew attempted to raid his office at city hall. In 2018, different news items attacking Adamowicz aired approximately 1,800 times on TVP. Then, in January 2019, he was stabbed to death while onstage for a charity event. Although TVP denied any blame for the attack, and the perpetrator was deemed unable to take responsibility for his actions due to his mental state, his statement after the murder had political undertones and many Poles believe Adamowicz would not have been the target if not for the televised hate campaign¹¹.

THE FUTURE LOOKS BLEAK

After a year, the country fell all the way to the rank of 47 and in the following years slid slowly further down each time the index was released to reach the rank of 62 in the most recent estimation for 2019¹². Over 50 members of the Parliamentary Assembly

¹⁰ For some of the more trivial fake news on TVP see: <https://www.wprost.pl/kraj/10299159/wiadomosci-tvp-chwalily-sluzbe-zdrowia-i-zaliczyly-wpadki-zle-zdjecie-lekarza-i-zaskakujacy-wykres.html> [in Polish]

¹¹ <https://www.nytimes.com/2019/10/11/world/europe/poland-election-state-television-tvp.html>

¹² For *World Press Freedom Index* numbers, see: <https://www.press.pl/tresc/61335,polska-spadla-na-62,-miejsce-w-Swiatowym-indeksie-wolnosci-prasy> [in Polish]



MUCH LIKE THE “RE-POLONIZATION”, THE “DE-CONCENTRATION” IS DESIGNED TO PUT THE OWNERSHIP STATUS OF MEDIA INTO FLUX AND CREATE AS MANY CHANCES AS POSSIBLE FOR GOVERNMENT-FRIENDLY OR GOVERNMENT-CONTROLLED ACTORS TO BUY OUT MEDIA OUTLETS

of the Council of Europe stated that TVP is now “a propaganda channel for the ruling party.” Reporters Without Borders diagnosed that Poland’s public media “have been transformed into government propaganda mouthpieces.”¹³

¹³ <https://foreignpolicy.com/2019/11/25/poland-public-television-law-and-justice-pis-mouthpiece/>

After PiS scored victories in both the parliamentary and presidential elections of 2019 and 2020 it is not to be expected that the philosophy of conducting news broadcasting at TVP is to change anytime soon. Supporters of its hardline reporting believe that TVP merely re-balances the political broadcast in the country, as before the PiS takeover of both public media and the largest private media were hostile towards the conservative right. The man mainly responsible for the new TVP, politically appointed president and former PiS politician Jacek Kurski, believes that it is a public broadcaster's duty to present the position of the government and its coalition parties, as it is them who hold a democratic mandate¹⁴. He seems to basically ignore the existing legal regulations in Poland¹⁵ that oblige the TVP and Polish Radio to take a much different approach, one which grants any political tendency supported by groups of the Polish society access to the public via these media in order to take part in an open, pluralistic, and fair public debate.

Instead of easing the grip on political reporting, the governing party intends to tighten it before its second term in office ends in 2023. As it is often the case with creators of so-called "fake news", TVP and PiS politicians accuse other media of spreading them¹⁶. Currently, the debate on the media landscape's future turns toward the idea of the so called "re-polonization" of private media outlets, which are owned by foreign capital. During the 2020 presidential campaign, the Swiss-German and American owners of the *Fakt* newspaper, TV

channels TVN and TVN24, the *Newsweek Polska* weekly, and the Onet.pl website were harshly criticized for alleged attacks against Andrzej Duda. It was implied that they did not act out of journalistic sense of professional duty, but rather as agents of foreign interests that wished President Duda removed from presidential office.

Germany especially has been painted as an agent that is willing and ready to use the media they have in Poland to exercise political influence against PiS. Hence, the Polish government would like to take over as many private media groups as possible (or rather facilitate their takeover) by Polish state-owned big business corporations (from energy or insurance sectors) or even by private Polish companies, as even these would be easier to steer towards compliance with the government's coverage expectations¹⁷.

Another facet of the plans to extend the political control is the so-called "de-concentration" of media, even those owned by Polish private capital. The owner of, for example, a newspaper would be legally forced to sell their news website or radio station. Much like the "re-polonization", the "de-concentration" is designed to put the ownership status of media into flux and create as many chances as possible for government-friendly or government-controlled actors to buy out media outlets.

The free speech of those who wish to speak negatively of PiS can be narrowed even further with a planned "law against fake news". A journalistic self-governing body would then be established to decide which news is considered "fake" and which is "true"¹⁸. Of

¹⁴ <https://foreignpolicy.com/2019/11/25/poland-public-television-law-and-justice-pis-mouthpiece/>

¹⁵ <https://www.lexlege.pl/ustawa-o-radiofonii-i-telewizji/rozdzial-4-publiczna-radiofonia-i-telewizja/6111/> [in Polish]

¹⁶ <https://www.o2.pl/informacje/kontrowersyjne-wydanie-wiadomosci-tyt-oskarza-o-medialny-atak-na-andrzeja-dude-6531940204387040a> [in Polish]

¹⁷ <https://oko.press/polsce-grozi-wegierski-model/> [in Polish]

¹⁸ <https://foreignpolicy.com/2019/11/25/poland-public-television-law-and-justice-pis-mouthpiece/>



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course, a politicized process to appoint this body is to be expected; therefore, consequences of spreading alleged “fake news” – such as hefty fines – would certainly affect opposition media only. Plus, a harsh clamp-down against journalists in libel cases by increasingly government-controlled courts is a possible means to inflict self-censorship as a scare-tactic.

POLAND AS PART OF A WORLDWIDE TREND

Disinformation spreading media outlets appear around the world in every possible color. They have one propensity in common, though: to accuse others of being “fake news” – precisely those who attempt to falsify their stories. This is the reason why Poland plans to bring in sanctions against “fake news”, why Donald Trump and Rodrigo Duterte, the president of the

Philippines, repeatedly envision a similar action against the mainstream media that dare to fact-check them, why Singapore, Qatar, and Russia already introduced such legislation, and why Egypt even imprisoned people accused of repeating alleged fake news. These regimes are also poised to use this type of legislation to take action against people who reveal facts, i.e. whistle-blowers¹⁹.

It has become very easy to call facts “fake news”. Since the Internet’s information revolution – particularly since the onset of social media predominance as gateways to online news articles – the identity media became the most popular type of media that readers and viewers interested in politics consume²⁰. In Poland, the argument that people want TVP to be an identity media outlet rather than an “outdated” public broadcaster in the classical sense of the term, has also made its rounds²¹. With so many of “the media” having a partisan bias, anyone can dismiss any criticism as coming from an untrustworthy source, one that does not seek the material truth, but is on an ideological mission for enemy forces. Accusations of “fake news” are just another step down the same line. If someone attacks us for ideological reasons and raises the matter in question in a glaringly one-sided way, then who will not believe that that same person is not just bending facts, but also generating them? It is not difficult to establish and upkeep a “news” organization based on lies in an environment where almost everyone lies at one point or another.

¹⁹ <https://theglobepost.com/2018/10/23/fake-news-silencing-citizens/>

²⁰ <https://www.journalism.org/2014/10/21/political-polarization-media-habits/>

²¹ <https://foreignpolicy.com/2019/11/25/poland-public-television-law-and-justice-pis-mouthpiece/>



DISINFORMATION SPREADING MEDIA OUTLETS APPEAR AROUND THE WORLD IN EVERY POSSIBLE COLOR

Here we come to a double dilemma. One impulse, maybe even the first impulse, is to call for a ban on disinformation and to extend the control over the information flow on the Internet. This way a gatekeeper mechanism is reintroduced, and conspiracy theorists, religious fanatics, automated bots, foreign-funded manipulators, and basic disinformation spreaders are deprived of the ability to reach huge audiences.

Still, is it not exactly what authoritarian regimes would want to do? Can we go and use their methods just because we believe, as liberals, that our cause is noble? The first part of the dilemma is the Internet's nature of being both a tool to control authoritarian tendencies and governments who overstep their boundaries and attempt to encroach on our freedoms, and a tool to spread disinformation that weakens liberal democracies and politically strengthens precisely those who are most likely to encroach upon these freedoms of ours. The second part of the dilemma is the nature of disinformation. It is both a form of free speech (as outside the courtroom – and maybe church – lying is actually legal, although morally ques-

tionable), but it, clearly, at the same time, undermines free expression.

Therefore, liberals need to find ways to combat disinformation without banning it (especially since some disinformation is generated by people who made a mistake inadvertently) and to ameliorate the Internet tool, so that a decreasing number of people follow, believe or even decide to read disinformation. It erodes the trust in journalism, makes a reasoned public debate increasingly impossible, takes credibility away from genuine truth-seekers who are treated with often equal mistrust as malicious partisan pundits and become unable to persuade their readers or viewers.

Finally, disinformation undermines the very idea of democratic governance, as it seems questionable whether a majority of citizens should still decide on the course of political action if that majority is seriously ill informed. Freedom of speech will not survive for long if the public is no longer able to distinguish fact from falsehood. If criticism is made futile through multiplication of falsehoods in a public debate, free expression becomes pointless. This is precisely the reason why authoritarian regimes spread disinformation and fake-fight them.

The consumer of a news item must be made aware each time that they consume false news. Some social media platforms are taking first, yet hesitant steps towards this goal: in 2020, Twitter started to flag tweets which include false or heavily disputed information on the COVID-19 pandemic²². Facebook began labeling news items as "fact-checked" or "disputed" after the presidential election fiasco of 2016²³.

²² <https://www.vox.com/recode/2020/5/11/21254889/twitter-coronavirus-covid-misinformation-warnings-labels>

²³ <https://venturebeat.com/2018/08/21/facebook-now-gives-users-who-flag-fake-news-a-credibility-score/>

Research conducted at MIT led by David Rand and his team showed that a comprehensive system of labels can be effective as the number of people willing to repost disinformation decreased significantly if the label was present, from almost 30% in an online environment not using any labels to 16%.

The challenge presented here is one of completeness. 36% of disinformation stories were reposted when they were unlabeled in an online environment using labels. Consumers decided that the absence of a “false” label meant the story was true, and not just pending fact checking. In conclusion to their findings, Rand’s group suggested that all posts on, e.g. Facebook, receive labels, including those yet to be fact-checked, so that the “implied truth-effect” does not distort the consumers’ behavior.

Interestingly, readers also rejected news items labelled “false” when these were in accordance with their personal political views. In an age of ideological “bubbles” and a tendency to read only pieces of information one agrees with (while avoiding even reading those they reject on ideological grounds), it is worth noting that fact accuracy trumped ideological preference²⁴.

HOW TO LABEL?

Yet, labeling millions of news items with new ones coming in every hour is a gargantuan challenge. One of the ideas to tackle this is a crowd-sourced system of judging news. In fact, Rand’s team found that labeling news items by having users vote on their accuracy is promising – the judgments of the regular readers were mostly in line with those conducted by experts.



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Known disinformation outlets and highly partisan media fared particularly poorly when crowd-sourced judgment was used. Yet, this kind of “democratic” decisions on what is false news and what is not, raises some questions especially with regards to hacking of the rating procedure and winning “true” labels for false stories.

Another solution would be to refrain from labeling each single news item and to label news outlets and providers on their overall record instead. It seems possible to award labels for a set time frame (e.g. 3 months) that would be up for revision after elapsing. Any news provider could improve or damage their label based on their most recent performance in terms of fact accuracy. A range of labels could be introduced: from “always true” to “generally fake news” with

²⁴ <http://news.mit.edu/2020/warning-labels-fake-news-trustworthy-0303>

shades of gray of the type “known to publish disinformation, yet occasionally true stories as well”. With such a system in place, all consumers of news would be able to exclude false or unsure news sources from their newsfeed if they chose to. Rand’s findings show that a majority of people would probably do just that²⁵.

Labeling systems already exist with regards to aspects other than accuracy. The website AllSides²⁶, for example, charts Anglophone media outlets according to political or ideological leanings and to the extent of bias they exhibit. This mechanism, combined with the aforementioned “true” vs. “false” labeling, could create an even more precise tool to categorize the media. A consumer of news could not only find a news provider whom they like ideologically and which is free of disinformation, but also divide the media into a few categories depending on their approach to reporting.

Even among disinformation-free media, there are serious differences between content barren of any comment whatsoever and strongly partisan reporting. One category would then be a media outlet (or a programme) that reports “naked” news only, does not air any comment about the news, no opinions from any political figures, thus being totally unbiased.

A second category would constitute news programmes that allow for comment and opinion to accompany the pure information, but always – as their quality trademark – present opinionated commentaries from all (in many cases two, yet sometimes more) sides of an argument (and the news anchors always remain neutral). Debate talk

shows with representatives of political parties would typically fall into this category.

The third category would be media independent of all politicians, which would not only report news, but also create it with means of investigative journalism. Citizens’ media geared towards fulfilling the original function of the so-called “fourth branch” of government would be a part of this category.

The fourth category would be social media, where everyone is free to speak whatever they like, so it is logical that the information available there can be both highly partisan and inaccurate. Finally, the fifth category would be the identity media, both tied to political parties and independent of them but with a clear ideological leaning. On their programmes, viewers could expect to hear one side of the story, yet even here there would probably be both low quality, obscure outlets of disinformation, and higher-quality journalism, biased yet respectful of facts, and, at worst, omitting them.

A labeling system would also eventually be used as means to pressure public broadcasters in now somewhat failing democracies (such as TVP in Poland) to return to the level of quality media. Eventually no public broadcaster could operate if labelled as spreading disinformation or partisan news, as this is not their role. It ought to be clear that public broadcasters can only air programmes that may be categorized in one of the three categories: “pure news”, “news with balanced comment or opinion with a neutral anchor”/“balanced debate talk shows with a neutral moderator”, and – maybe – “investigative journalism”.

WHO IS TO AWARD LABELS?

So far, so good, but a fundamental problem remains. Who would decide which label to award to each of the media outlets?

²⁵ <https://www.fastcompany.com/90471349/study-fake-books-fake-news-labels-have-a-fatal-flaw>

²⁶ <https://www.allsides.com/media-bias/media-bias-chart>

There seems to be very little doubt that if the label awarding commission was to be appointed in a politicized manner in Poland, PiS would seize control over it and award TVP's "Wiedomosci" with labels "always true", "news with balanced comment or opinion with a neutral anchor", and "no ideological leaning". Case closed.

It is more than clear that no government who runs its own media can fulfill this role. It is also not possible that competing media organizations would award each other labels as *quid-pro-quo*s or – alternatively – hostile coalition building would ruin the whole undertaking. Of course, a better outlook could be provided if journalists created such a system on an international level. In fact, Reporters Without Borders launched the Journalism Trust Initiative that could introduce a certification system based on reporting accuracy of media²⁷. Tech giants should also refrain from taking up this task as they can easily come under the suspicion of aiming at censorship. Fact-checking groups are better equipped, but as major opponents of influential disinformation spreaders, those who consume false information today do not trust them.

One possibility would be to recreate the consumer union movement that at some point developed into broad organizations warning people about low-quality products or dishonest service providers. If hundreds of thousands of people would involve themselves in investigating the media reporting's accuracy and releasing the findings to the public, the lives of disinformation groups would instantly become very difficult. Instilling default skepticism among consumers of news would be the first goal. Next, these movements could

expand into activist groups that would intervene in media corporations' decision, force them into more transparency and demand quality publications only. Teaching media consumption literacy in schools would be another crucial step. It is within these structures that a – maybe even informal, but powerful by its reputation – commission to award warning labels and quality certificates for media outlets would come into existence.

Another option was presented by the European Union. The EU already introduced a voluntary Code of Practice for social media platforms with regards to their self-policing attempts that are oriented towards stopping hate speech, disinformation, and deep-fake manipulations. Within the scope of a future EU Digital Service Act, these platforms will share common content moderation tools. The social media operating tech giants seem willing to help the cause, as from a business perspective they have little interest in being widely considered as relays for low quality content and misleading information²⁸.

CONCLUSIONS

The three ranges of labeling, namely 1) accuracy: from "always true" to "generally fake news"; 2) ideological leaning: from "left" to "right"; and 3) approach to reporting: from "pure news" to "identity media", would empower the consumers of information. It would further guarantee them freedom from cunning manipulation, awareness of what they came across, ability to evaluate what they are seeing, a foundation for conscious choices of news sources – and, hence, for responsible and well-informed political decisions. Liberal democracies profoundly require these changes. It would be a way to re-establish the public's belief

²⁷ <https://theconversation.com/governments-are-making-fake-news-a-crime-but-it-could-stifle-free-speech-117654>

²⁸ <https://www.accesspartnership.com/free-speech-vs-fake-news-the-future-of-content-regulation/>

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PUTTING AN ADEQUATE LABEL ON LIES DOES NOT CONTRADICT FREE SPEECH

in the existence of truly impartial news, with commentaries and opinions clearly separated from facts as they once used to be on the pages of serious newspapers in a different day and age.

Many countries have long ago introduced very thorough labeling systems for movies, video games, and even music albums. Consumers are warned when material is not suitable for children below a certain age. Even adult viewers are warned that the material includes violence, nudity, drug consumption, or colorful language and explicit lyrics in case they would prefer to avoid these. Still, for some reason, a system that warns people about the threat of misinformation is yet to be established, despite the fact that foul news media can have much more harmful effects on the political future of human lives than watching a sex scene.

The dispersal of information sources from once maybe a dozen national outlets per country to now countless sources that almost every internet user can start and establish, the lack of trust towards all types of elite that fuels the allegedly “independent”, “rogue”, “courageous” explainers of reality operating from their parents’ basement, the deep ideological divisions that kill off pure news programmes and contribute to

the growth of identity and partisan media are a clear and present danger to our liberal democracies. Committed and accurate reporters cannot be forced to fight in the same category with liars. Brutally put, there is a need to name and shame. No one, except for those who call for violence or slander others, should have their freedom of speech restricted. But putting an adequate label on lies does not contradict free speech.

The European Union and the Council of Europe attempt to stop the erosion of the rule of law in countries like Poland. However, stopping authoritarian-leaning regimes from turning public (and publicly financed) broadcasters into disinformation spreaders, who then do the government party’s dirty work, seems equally important.



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