

The watchdogs that only bark? Media and political accountability in Central and Eastern Europe

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Abstract:

This paper critically examines how media in post-transformation countries of the CEE region fulfil their normative role of “watchdogs of democracy”, particularly in relation to the issue of political corruption, which is regarded as one of the most palpable issues the new democracies are coping with. Empirically, the paper is based on an expert survey conducted (together with Henrik Örnebring) in 2012 in eight CEE countries, on field interviews with investigative journalists, as well as on a frequency analysis of media salience of corruption and the trends in prosecution of corruption in the Czech Republic. Drawing on the results from both parts of the empirical study, the paper suggests the media have a best chance to fulfil their watchdog role and to enforce accountability when supported by the effort of other accountability institutions composing a network of actors mutually reinforcing each other in their effort to curb political corruption.

1. Introduction: the role of media in enforcing political accountability

The ability of the citizens to hold governments, elected representatives and other power holders accountable has been widely regarded as one of the crucial components and cornerstones of democracy (Diamond et al. 1999; Przeworski, Stokes and Manin 1999; Morlino 2002; Schmitter 2007). According to democratic theory, accountability – commonly understood as the obligation of the public officials to inform and justify their decisions in front of the electorate, and the capacity of the public or responsible institutions to sanction their behaviour (Schedler 1999) – is one of the main measures of the quality of democratic governance (Morlino 2002), and is regarded as the key mechanism in improving surveillance over officeholders, constraining their exercise of power and raising the overall governmental effectiveness (Camaj 2013: 24). As Schmitter (2007: 134) puts it, “the more accountable a real-existing democracy is, the higher will be the quality of its performance”.

Political accountability has been conceptualized in various ways, with one of the most common distinctions being made between horizontal and vertical accountability (see O’Donnell 1999; Schedler 1999; Whitehead, 2002). The first one refers to the system of “checks and balances” between state institutions, public agencies and branches of government (judicial, executive, legislative), while the latter applies to unequal power

relationships and describes the ability of citizens to oversee actions of the power holders. While periodic elections have been traditionally regarded as the main mechanism through which vertical accountability is enforced in democracy, with the voters being able to replace the incumbent by a newly elected government, other institutions have been considered to play an indispensable part in vertical accountability as well, most prominently mass media and civil society. It is indeed a common knowledge that in the modern societies, the ability of voters to monitor government's actions and to make informed decisions in the electoral process is itself dependent on the dissemination of information through the mass media, which thereby influence the electoral competition. However, it has also been pointed out that the media play an important role in setting the agenda for the policy making process and informing the decisions of the government and the judiciary (Camaj 2013), which means that their performance affects, directly or indirectly, mechanisms of horizontal accountability as well (see Morlino 2002).

Both of these two types of the accountability role of the media arguably find their most potent expression in what is usually called investigative or accountability journalism (Ettema 2007; de Burgh 2008), a genre specifically concerned with close monitoring of the actions of the government and public officials and exposing their wrongdoings. Within this broad scope, investigative journalism's "watchdog role" is typically exemplified through its efforts to fight corruption, commonly defined as "the abuse of public power for personal gain or for the benefit of a group to which one owes allegiance" (Stapenhurst 2000: 1, quoted in Camaj 2013: 22). Free media in general, and investigative journalism in particular, are considered to be among the most effective mechanism of external controls on corruption (Camaj 2013: 22; Vachudova 2009). However, while exposing particular corruption scandals or covering the ongoing investigations by prosecutorial institutions and judicial authorities constitutes perhaps the most visible part of the media's fight against corruption, their accountability function is certainly not limited to these. In fact, their effects on curbing corruption are thought to be mainly indirect (Camaj 2013: 23), especially through sustaining this issue in the public sphere and cultivating thereby the attitudes of the public to the problem of corruption. The salience of corruption in the media is described to have a crucial impact on the perceived state of corruption by the citizens (Grigorescu 2006) as well as on their electoral behaviour, which can be manifested by a refusal to re-elect incumbents who were exposed by the media to have been involved in wrongdoings (Chang, Golden and Hill 2010). On the other hand, an increased salience of corruption, particularly by constant reporting of high-level scandals, can

also lead to the declining of political support (Maier 2010) and of the trust in politics and public institutions in general, which may ultimately endanger the stability of political system and legitimacy of a democratic regime (Grigorescu 2006: 519). In this respect, some authors claim the overstimulation of the public by mediated corruption scandals might have an “anesthetic effect”, with the public being increasingly less moved by the permanently present stories of corruption in the news. Silvio Waisbord speaks of a gradual “banalization of corruption” in Argentina, where “mediated corruption has become so ubiquitous that it hardly scandalizes large segments of the public” (Waisbord 2004: 1091). On a similar note, pointing to a high presence of corruption allegations in public discourse in Russia, András Sajó reminds that “when everyone cries wolf, the public loses all interest in accusations of corruption and normalizes it. The very high level of government corruption becomes a normal fact of life” (Sajó 2003: 180).

It has already been pointed out by various media scholars (Thompson 2000; Lull and Hinerman 1997) that in a market-dominated media environment, revealing moral transgressions of the power holders is often driven by far more earthly motives on the side of the news organizations than by their desire to serve democracy, and the line between performing a watchdog role and manufacturing scandals might be sometimes difficult to draw. It is indeed well known that “the media scandal is one proven means to stimulate public outrage and corporate profits” (Lull and Hinerman 1997: 29). These concerns inevitably point to the issue of the accountability of watchdog journalism, and, in broader sense, of the accountability of the media as such. The problem of *media accountability*, defined by Dennis McQuail as “voluntary or involuntary processes by which the media answer directly or indirectly to their society for the quality and/or consequences of publication” (McQuail 2005: 207), has been ever more frequently raised and debated in the recent years, both within the academic discourse (Eberwein et al. 2011; von Krogh 2008) as well as among the public, particularly in the Western world, with arguably the most vivid discussions sparked by the so-called “hacking scandal” in the UK, which erupted in July 2011 following the revelation of illegal work practices among journalists from Rupert Murdoch’s tabloid *News of the World*. Nevertheless, while acknowledging the importance of asking “who is watching the watchdog” – as the advocates of media accountability rightly do – for assessing the actual performance of investigative journalism and its role in enforcing of political accountability, it would be beyond the scope of this paper to further elaborate on the elaborate on the relationship between these two concepts. This paper is primarily interested in

examining whether investigative journalism fulfils its normatively ascribed role in the context of (post-)transformation countries of Central and Eastern Europe, especially vis-à-vis the issue of corruption, and what are the factors which either help or constrain the ability of the media to function as an accountability institution.

2. Corruption, media and accountability in Central and Eastern Europe

For many researchers as well as international organizations, low levels of corruption count to the main features of a functioning democratic society and good governance, while high extent of corruption is usually linked to various developmental problems, including inequality, poverty or low investment levels (Grigorescu 2006). From the point of view of democratic theory, political corruption is widely considered to pose a serious threat to democracy and its consolidation (Mungiu-Pippidi 2006: 86). Summing up the negative effects of corruption in transition countries, Vachudova notes that:

“/.../ corruption impoverishes society by reducing economic growth, undermining entrepreneurship and stealing from the state. Corruption also undermines liberal democracy as political elites violate the legal limits of their power, citizens lose trust in state institutions and civil society is oppressed or co-opted by powerful networks” (Vachudova 2009: 44).

In context of Central and Eastern Europe, the rapid spread of corruption after 1989, following and accompanying the simultaneous transformation of both political regime and property structures, has been related to the absence of (or difficulties in enforcing) the rule of law, as well as to the “communist legacy”, characterized by the fuzzy borders between state institutions and between the state and society (Holmes 2006: 11). While many have regarded this problem as an unavoidable collateral effect of transformation, and expected the extent of corruption to decrease in time, alongside with the overall process of democratic consolidation, in many parts of the region corruption is still regarded one of the most palpable issues the new democracies are coping with, even twenty years after the beginning of transformation (Mungiu-Pippidi 2010). Not even the process of EU accession managed to eradicate the omnipresence of corruption practices among political elites and on various levels of state administration, and in several countries (notably in Bulgaria, Hungary,

Slovakia, Slovenia) the perception of the extent of corruption has actually increased, rather than decreased, since the EU accession, as the data from the Transparency International's Corruption Perception Index document (see Table 1).

Table 1: Corruption perception in CEE countries, 2004-2011

| | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 |
|-------------------|------|------|------|------|------|------|------|------|
| Bulgaria | 4.1 | 4 | 4 | 4.1 | 3.6 | 3.8 | 3.6 | 3.3 |
| Slovakia | 4 | 4.3 | 4.7 | 4.9 | 5 | 4.5 | 4.3 | 4 |
| Latvia | 4 | 4.2 | 4.7 | 4.8 | 5 | 4.5 | 4.3 | 4.2 |
| Lithuania | | 4.8 | 4.8 | 4.8 | 4.6 | 4.9 | 5 | 4.8 |
| Poland | 3.5 | 3.4 | 3.7 | 4.2 | 4.6 | 5 | 5.3 | 5.5 |
| Slovenia | 6 | 6.1 | 6.4 | 6.6 | 6.7 | 6.6 | 6.4 | 5.9 |
| Romania | 2.9 | 3 | 3.1 | 3.7 | 3.8 | 3.8 | 3.7 | 3.6 |
| Hungary | 4.8 | 5 | 5.2 | 5.3 | 5.1 | 5.1 | 4.7 | 4.6 |
| Czech Rep. | 4.2 | 4.3 | 4.8 | 5.2 | 5.2 | 4.9 | 4.6 | 4.4 |
| Estonia | 6 | 6.4 | 6.7 | 6.5 | 6.6 | 6.6 | 6.5 | 6.4 |
| Avg. | 4.39 | 4.55 | 4.81 | 5.01 | 5.02 | 4.97 | 4.84 | 4.67 |

Source: Transparency International's Corruption Perception Index, http://www.transparency.org/policy_research/surveys_indices/cpi
(Legend: the higher the score the lower the perceived level of corruption)

While the CP index reflects opinions of countries' experts, the perceived backsliding of the political efforts to curb corruption has been largely confirmed by the survey among general population, conducted as part of the Global Corruption Barometer. Asked whether the level of corruption has decreased or increased in the past three years, most respondents in most CEE countries reported the latter, with Romania (87%), Hungary (76%) and Slovenia (73%) topping the ranking of citizens' discontent.

Table 2: % of responses to the question "In the past three years, how has the level of corruption in this country changed?"

| | Decreased | Stayed the same | Increased |
|-----------------------|-----------|-----------------|-----------|
| Bulgaria | 28 | 42 | 30 |
| Czech Republic | 14 | 42 | 44 |
| Hungary | 4 | 20 | 76 |
| Latvia | 9 | 36 | 55 |
| Lithuania | 8 | 29 | 63 |
| Poland | 26 | 45 | 29 |
| Romania | 2 | 11 | 87 |
| Slovenia | 5 | 22 | 73 |

Source: Transparency International's Global Corruption Barometer (2010)

Although the above reported perceptions of corruption are not unique to citizens of Central and Eastern European countries (for example, 70% of Germans are convinced corruption has increased, too) and might not be entirely reliable indicators of what the "real" levels of

corruption are, they still have real-term political effects – quite in line with the sociological “definition of the situation”.¹ It has been demonstrated that perception of corruption has an impact on voting behaviour (Slomczynski – Shabad 2011), and the high salience of the issue of corruption in public discourse has certainly contributed to the rise of numerous new political parties across the CEE region in the last several years, riding on the wave of anti-corruption rhetoric.² Following a popular demand, governments have established various agencies and launched campaigns and programmes nominally tackling corruption, however apparently without significant effects (Mungiu-Pippidi 2006), and sometimes even being dismissed as counter-productive (Krastev and Ganey 2003).

The rising levels of corruption perception in Central and Eastern Europe in the past several years, as documented above, bring forth the question of the role of the media in handling this phenomenon and enforcing accountability of politicians and public officials found guilty of such behaviour. This question clearly cannot be discussed outside of the overall context of media systems transformation in the new democracies of this region after 1989, which has shaped and determined the structural features of the news media markets as well as the character of journalistic cultures and qualities of media performance. While acknowledging important differences among the national media systems, scholarship on media transformation in CEE usually agrees that overall, news media in the region are characterized, among others, by low institutional autonomy, high political parallelism, low (and ever more declining) journalistic professionalization, and increasing tabloidization of media content (e.g. Jakubowicz – Sükösd 2008; Dobek-Ostrowska – Glowacki, 2008; Zielonka – Mancini 2011; Gross et al. 2012), which are all qualities rather unfavourable for the development and firm establishment of the accountability role of journalism. As Katrin Voltmer puts it,

“the media in many new democracies often seem to lack the qualities that would qualify them

¹ The term “definition of the situation” (or the “Thomas theorem”) was coined by the American sociologist William I. Thomas in 1928. According to Thomas, “If men define situations as real, they are real in their consequences” (Thomas and Thomas 1928: 571-572).

² Pursuit of strong anti-corruption agenda helped the Law and Justice party, headed by the Kaczynski brothers, to win the elections in Poland in 2005. The Romanian president Traian Basescu (2004-) has always used aggressive anti-corruption rhetoric as his main weapon in combat against political opponents and instrument in gaining popularity among the voters. In the Czech Republic, the newly-established Public Affairs party gained over 10% of votes in the 2010 elections almost solely based on the promise of ending the corrupt practices of established political parties (with whom it nevertheless sealed a coalition right after the elections).

for playing a key role in promoting accountability and inclusive politics. They are frequently criticized for remaining too close to political power holders to be able to act as effective watchdogs; political reporting is regarded as too opinionated to provide balanced gatekeeping; while commercial pressures on news coverage often encourage an overemphasis on the trivial and popular at the expense of serious and sustained attention to international affairs and complex issues on the policy agenda” (Veltmer 2009: 137-138).

Given the frequent structural intertwinement of media, business and politics in the region and the subsequent problem of instrumentalization of media by their owners to promote their political or business interests (Stetka 2012; Örnebring 2012), many have raised doubts about the capability of the media to play the watchdog role and act as “credible actors” to denounce corruption (Mungiu-Pippidi 2010). This has been particularly pointed out in relation to Bulgaria and Romania, where practices of scandalizing of political opponents by publishing information in allied media about their alleged corruption are rather well-known and documented (e.g. Coman, 2010).

However, despite its apparent importance for understanding whether and how political accountability is enforced in consolidating democracies, the watchdog role of the media in Central and Eastern Europe appears to be surprisingly under-studied area. Existing studies are usually limited to a general qualitative assessment of the media performance in a given country (e.g. Jakubowicz – Sükösd 2008; Dobek-Ostrowska – Glowacki 2008; Klimkiewicz 2010; Gross et al. 2012, for the most recent examples), while systematic, empirical research is scarce. In relation to the issue of media reporting on corruption, possibly the only empirical study with a pan-regional scope was conducted by Alexandru Grigorescu (2006) who found, using a frequency analysis of a sample of news content, that there has indeed been a significant increase in the media salience of corruption in East-Central Europe over the course of ten years – a “corruption eruption”, as he terms it – starting in the late 1990s, which he attributed to the increasing number and activities of “powerful international organizations that have become involved in this realm” (Grigorescu 2006: 547). However, while making a link between the IOs pressure, amplified by the media, and the establishment of various anticorruption mechanisms and policies by many governments in CEE in the given time period, Grigorescu also warned against the short-lived effects of such pressures and a possible growth in disillusionment on the side of the public, should the anticorruption efforts not bring significant progress. As he writes,

“If the newly created anticorruption mechanisms are perceived to be ineffective, the feeling of helplessness will sink in. Even if the region may not experience reversals of democracy, such apathy may nevertheless lead to a continuous erosion of democratic norms by corruption” (Grigorescu 2006: 549).

Looking at the recent tendencies in corruption perception in CEE, these can be seen as prophetic words, and a further incentive for studying whether and how the media engage in combating corruption and contribute to increasing political accountability, especially in the period following the European Union accession when the intensity and effect of the EU leverage tends to subside (Vachudova 2009). This paper attempts to shed some light on these issues and partly fill the gap in existing CEE media scholarship by comparatively examining the perceived effects of investigative journalism in eight countries of the region, as well as by exploring, by means of a case study, the possible relationship between the media salience of corruption and the trends in prosecution of corruption in the Czech Republic. Drawing on the results from both parts of the empirical study, the paper concludes with a proposition of a model of relationship between the media and the other accountability institutions, a “virtuous network” of actors mutually reinforcing each other in their effort to curb political corruption.

3. Methodological background

In terms of empirical material, the paper utilizes data gathered through a mixed-method approach. The data on the perceived effects of investigative journalism were obtained as part of a broader study on the state and performance of investigative journalism in Central and Eastern Europe,³ conducted in 2012 together with Henrik Örnebring and using a combination of an expert survey and in-depth interviews with investigative journalists in the region. The expert survey was conducted in nine CEE countries (Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania and Slovakia) among 57 respondents with a first-hand experience with investigative journalism, who have either worked as investigative journalists/reporters themselves, or have been systematically observing this area as media

³ The study itself originated from the ERC-funded project “Media and Democracy in Central and Eastern Europe” (2009-2013).

scholars, commentators or activists.⁴ For the initial sample, ten experts in each of the nine CEE countries were identified, with an attempt to safeguard an approximate balance between active journalists on the one side, and academics and commentators on the other. The 39 per cent response rate (achieved after two reminders) was further increased by including responses from 18 journalists who were interviewed face-to-face and asked the same questions as those contained in the questionnaire (in addition to discussing other topics). On average, there were six responses per country, which can be regarded an acceptable rate compared with results achieved by other expert surveys in comparative politics (Huber and Inglehart 1995; Ray 1999). However, the two questions related to the practical effect of investigative journalism, which this paper draws on, were answered by less than four experts in the Czech Republic, and therefore (following Huber and Inglehart 1995) the country was taken out of the comparison for this particular level of analysis.

Because of the issue of data availability, the analysis of the media salience of corruption and its relationship to the tendencies in prosecution of corruption was conducted only in one country – the Czech Republic – and can therefore serve merely as a case study whose results are only tentative, and will yet have to be tested in other countries of the region. The case study utilized frequency analysis of the issue of corruption in selected Czech news media over the period of six years (2005-2011). The data were gathered partly from the Lexis/Nexis database, partly from online archives of other available media outlets. In addition, official reports and statistics produced by the Police of the Czech Republic were used to document the development of prosecution of various criminal offences subsumed under the “corruption” label.

4. Watchdogs that don't bite? Limited powers of investigative journalism in CEE

In the expert survey, political impact of investigative journalism was examined by asking the respondents to estimate the number of high-profile public officials who have in the last five years a) been forced to step down from their position, and b) who have been sentenced by a

⁴ The composition of the sample was as follows: Bulgaria: 6 experts (3 journalists / 3 academics); Czech Republic 5 (2/3), Estonia 4 (1/3), Hungary 7 (5/2), Latvia 9 (5/4), Lithuania 6 (3/3), Poland 6 (3/3), Romania 6 (3/3), Slovakia 8 (5/3).

court, in both cases following an investigative article or series of investigative reports.⁵

Table 3: Estimated number of public officials punished for corruption following investigative news reports in the last five years

| | <i>Corruption perception (TI, 2011)^a</i> | Officials stepping down Range (mean) | Officials sentenced Range (mean) |
|------------------|---|--|--|
| Bulgaria | 3.3 | 0-2 (1) | 0-2 (0.3) |
| Estonia | 6.4 | 4-10 (7) | 1-2 (1.5) |
| Hungary | 4.6 | 1-5 (2.4) | 0-3 (0.6) |
| Latvia | 4.2 | 0-20 (6.1) | 0 |
| Lithuania | 4.8 | 0-5 (3) | 0-3 (0.5) |
| Poland | 5.5 | 5-7 (5.3) | 0-5 (3.3) |
| Romania | 3.6 | 1-3 (2.5) | n.a. |
| Slovakia | 4 | 1-8 (3.5) | 0-3 (0.6) |

N=52

^a the lower the value, the higher the perceived corruption in a country

As it can be clearly seen from the results, summarized in Table 3, the direct effects of investigative stories are estimated to be very weak in almost all the countries in the sample. The relatively low numbers of officials who were forced to step down following an exposure of their corrupt behaviour – less than five in most countries over the five year period – are a telling indicator itself, particularly in relation to the high levels of perceived corruption in these countries. It has been frequently pointed out in the interviews that officials who were revealed to be corrupt often remain in their seats, regardless of the media pressure, or leave only temporarily to come back later when media interest has moved on to other things. However, what seems even more daunting, at least from the perspective of the expected accountability function of the media, is the estimated number of officials sentenced by courts for their actions following an investigative story. It is clear that in most countries, even if politicians are forced to step down and court proceedings are initiated against them, only rarely does this lead to sentencing. In most countries, barely one person has been sentenced in the last five years following a journalistic investigation; the only exception seems to be Poland with about three people sentenced during that time frame. Looking at the scores on the TI's Corruption Perception Index, there seems to be an inverse relationship – the

⁵ The exact wording of the two questions was following: A) Concerning the impact of investigative journalism, approximately how many cases in the last 5 years can you recall in [YOUR COUNTRY] of high-profile public officials losing power (e.g. by stepping down / being removed from office, even if only temporarily) for their actions which have been first exposed by an investigative article or report (series of articles/reports)? B) Likewise, approximately how many cases in the last 5 years can you recall in [YOUR COUNTRY] of high-profile public officials being sentenced by a court for their actions which have been first exposed by an investigative article or report (series of articles/reports)? (Stetka – Örnebring 2012).

countries displaying the highest levels of perceived corruption are those where investigative journalism yields the lowest practical effects (Bulgaria, Romania, Slovakia), while in those countries where corruption is currently not perceived as such a big problem (Estonia, Poland), investigative journalism is more likely to remove corrupt officials from their posts, and the courts are more likely to penalize such media-exposed behaviour.⁶ The country with a seemingly biggest discrepancy between the number of officials stepping down (6) and the number of them being sentenced (0) following investigative reporting is Latvia, which has been attributed by one of the respondents to the often dubious course and lengthy duration of the court processes, inevitably resulting in a declining public attention to the case:

“/.../ It also has to be noted that the way from being accused to being sentenced is awfully long, and at the end [it] does not feel as fair trial. The prime example is Mayor of Ventspils, Aivars Lembergs, whose misconduct has been exposed in media much longer than he has been investigated, but as the saga is dragging on for years, everyone has forgotten what he is tried about.”⁷

The weakness or lack of autonomy of other accountability institutions, notably the courts and the police, have been quoted by other respondents as explanations for the low effects of journalistic investigations as well. One Slovak respondent pointed to how the police cannot or do not make proper use of the information collected and published by the media.⁸ Adding a personal experience with the ineffectiveness of the courts in Bulgaria, where investigative journalism seems to have the least effect of all the countries in the sample, the local investigative journalist Rossen Bossev claimed:

“Twice a year, I'm called to go to the prosecutor in order to give information about the articles I wrote because they have opened investigation based on the facts that I have revealed. But after that, past one two years and nothing happens, so [that means] there was no political decision to tag those people”.⁹

⁶ In Poland, investigative journalism has, directly or more indirectly (as one of several factors), led to the downfall of several leading politicians. The most notable case in this regard is probably the so-called Hazard Scandal (Afera hazardowa, 2009; referring to illicit political lobbying in connection with the 1992 changes in the Gambling and Betting Act, revealed only in 2009) that led to the firing or resignation of a number of political officials including Zbigniew Chlebowski (Chair of the Parliamentary Group of Civic Platform), Mirosław Drzewiecki (Minister of Sport), Grzegorz Schetyna (Vice-Prime Minister and Minister of the Interior), Andrzej Czumę (Minister of Justice), and others (Stetka – Örnebring 2012).

⁷ Respondent ID_17, Latvia.

⁸ Respondent ID_51, Slovakia

⁹ Interview with Rossen Bossev, Sofia, 18 September 2012

The point about political factors ultimately determining the consequences of journalistic investigations was made by several other respondents, particularly in Romania, Slovakia or Hungary. According to one Slovak respondent, "...there were cases of ministers resigning, but it was more likely due to 'political games' rather than media/public pressure".¹⁰ In the opinion of one Hungarian journalist, the question of autonomy of investigative journalism has always be taking into account: "[It is] difficult to discern cases where leaks were a prelude in some power game from real instances of investigative journalism bringing officials down".¹¹ The shared opinion seems to be that investigative journalism alone does not have enough power to enforce political accountability: "an exquisite investigative story, most of the time, /.../ is not enough to have somebody removed from the office," as one of the respondents from Romania put it.¹² Likewise, respondents have reminded that "...removal very seldom is direct consequence of exposure in media, more often a favourable co-incidence of several factors (exposure, political climate, societal pressure)".¹³ In the opinion of one of the leading Slovak investigative journalist, Marek Vagovic, the inability of the media to keep a case on the agenda for a prolonged period of time – an inability caused by the media organizations' lack of resources to pursue such long-term stories – leads to many scandals being simply dropped after some time, which is a fact the politicians have gotten used to:

"There are many scandals which simply evaporate; it all depends on whether the medium keeps pushing it, or if it is able to do so at all /.../ But there are only few [investigative] journalists, and they have to work on many things at once, so they don't really have time to drag the case and follow it; they might try for two, three days, and then it fades away. This is why the politicians count on that."¹⁴

This does not go without an impact on the journalists, either; according to one of the Romanian investigative journalists, Paul Radu, "if you will talk to majority of investigative reporters, they are going to say that they are frustrated /.../ So such a wonderful job and nothing happens".¹⁵ Seconding this opinion, the Czech investigative reporter Filip Černý confessed that "if you have been working on a certain issue for five years and there has been

¹⁰ Respondent ID_12, Slovakia

¹¹ Respondent ID_19, Hungary

¹² Respondent ID_47, Romania

¹³ Respondent ID_17, Latvia

¹⁴ Interview with Marek Vagovic, Skype conversation, 25 September 2012

¹⁵ Interview with Paul Radu, Bucharest, 28 September 2012.

no change in the society, it is immensely frustrating”.¹⁶

5. Fighting corruption in the Czech Republic: changing of the tides?

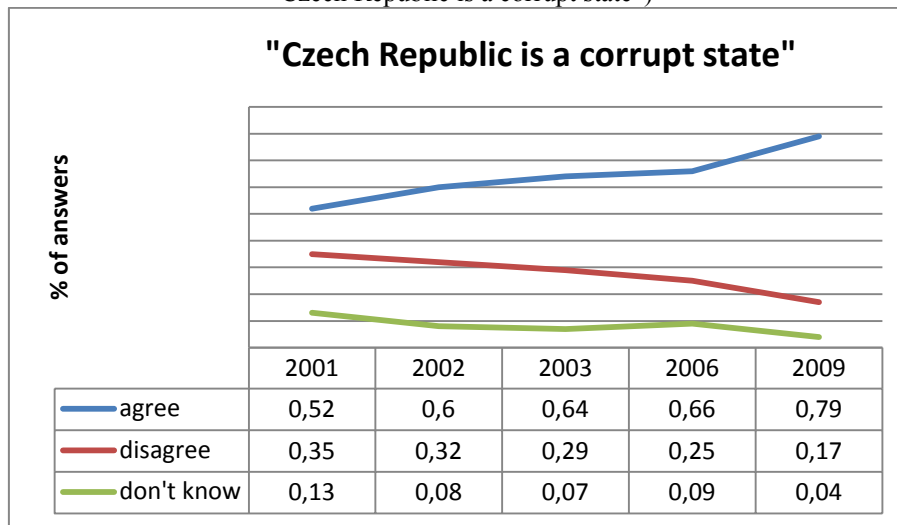
The above summarized information obtained through both the expert survey and the in-depth interviews paints a fairly bleak picture of the watchdog role of media in Central and Eastern Europe (with the exception of Estonia and, possibly, Poland), whose ability to enforce accountability in relation to political corruption is, by and large, significantly limited, if existing at all. However, there seems to be an important conclusion coming out of the interviews and experts’ opinions, namely that the pressure exerted by the media, even if persistent and stemming from high-quality investigative work (which itself is an exception rather than rule), is unlikely to bear any fruit if not complemented by the proper functioning of other accountability institutions, most importantly the police and the courts. This is a proposition which I am now going to further explore, by means of a case study, in the empirical context of the Czech Republic, a country where the battle against corruption has recently increased both in intensity and visibility.

To an external observer who got used to the conventional narrative of the Czech Republic as one of the frontrunners of the transformation process in Central and Eastern Europe and an example of a successfully consolidated democracy, it might come as a surprise that corruption is currently perceived by the citizens as the country’s single most important social problem, having overcome criminality and unemployment which used to dominate the polls during the past two decades (Burianek 2012).¹⁷ The percentage of the population displaying an agreement with the statement that “the Czech Republic is a corrupt state” has been progressively increasing over the last decade, reaching 79 per cent in the last survey in 2009; according to the polling agency (see Mravec 2012), the level of agreement was higher among people on executive positions, among entrepreneurs and self-employed, as well as among respondents with higher education (see Graph 1).

¹⁶ Interview with Filip Černý, Prague, 12 July 2012.

¹⁷ The data come from the European Social Survey, conducted in the Czech Republic in February 2011 (Burianek 2012).

Graph 1: Perceived level of corruption in the Czech Republic (% of cumulative agreement with the statement "Czech Republic is a corrupt state")



Source: Mravec (2012), based on a representative survey by GfK

The sharp increase in perceived corruption in the late 2000s is confirmed by other polls, for example by a survey conducted among the owners of small and mid-sized companies, an overwhelming majority (65 per cent) of whom identified the period between 2006 and 2009 as an era of the highest corruption in the history of the country (AMSP CR, 2010).¹⁸ The above presented scores on the Transparency International's Corruption Perception Index show a notable decline over the course of the last several years as well (even if slightly delayed compared to the other data), from 5.2 in 2007-2008 to 4.4 in 2011, which means the Czech Republic has slid back on the ranking among other CEE countries from the 3rd place in 2008 down to the 6th place in 2011, leaving only Latvia, Slovakia, Romania and Bulgaria behind.

These empirical figures (albeit often of a rather "soft" nature, given the fact that they measure perceptions rather than the actual phenomenon itself) are further complemented by highly critical assessment of reputed experts or international media which have started taking note of the extent of corruption in the country. Commenting on a corruption scandal which erupted in

¹⁸ The survey was conducted among 547 respondents, owners of companies with 5-250 employees. The second most voted period of highest corruption in the history of the Czech Republic (11.7 per cent of respondents) was the period between 1995-2000; only 0.7 per cent selected the period between 2001-2005 (AMSP CR 2010).

2010 at the Ministry of Environment,¹⁹ the Chair of the Board of the Czech branch of Transparency International, Václav Láška, claimed that “corruption [in the Czech Republic] has become part of the functioning of the political system, leading to the fact that the actors within this system have started perceiving it as something natural”.²⁰ In November 2011, an article in *The Economist* has described the situation in the country by using the term “state capture” (defined by Anna Grzymala-Buse as “the elite extraction of state resources for private gain”, see Grzymala-Buse 2008) and claimed that the Czech leaders have since the 1989 “enjoyed a two-decade power trip that has made them arrogant and corrupt”.²¹

The above documented tendency in rising levels of perceived corruption in the Czech Republic necessitates the questions of how salient the issue of corruption is in the Czech news media, and whether there is any response to this trend on the side of other accountability institutions, namely police and the judiciary.

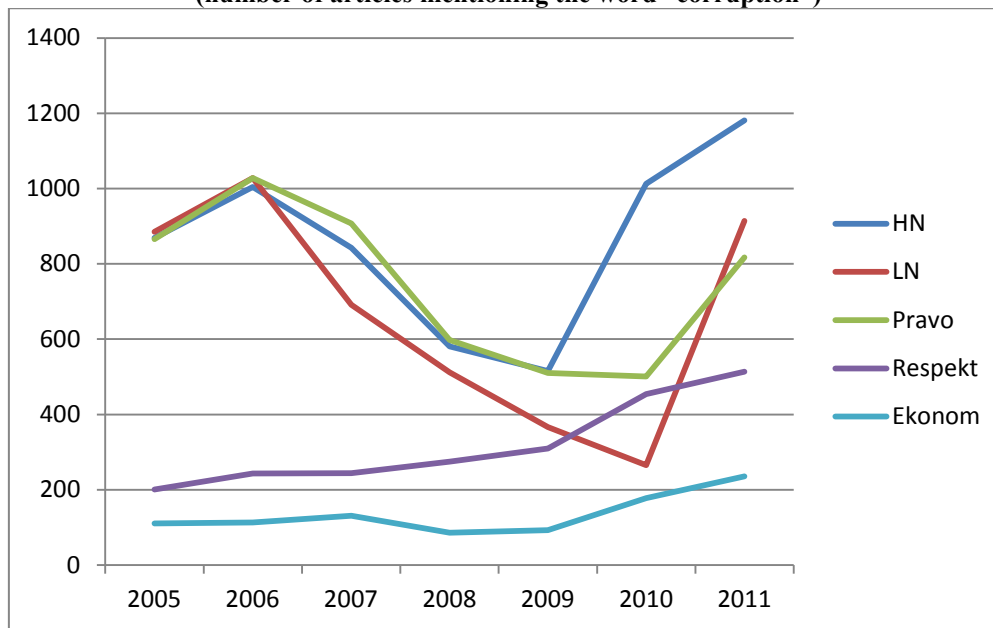
In order to explore the first question, I have conducted a frequency analysis of the issue of corruption in selected Czech news media over the period of six years (2005-2011). Both the time frame and the particular news outlets (dailies *Lidove Noviny*, *Pravo* and *Hospodarske noviny*, and weeklies *Respekt* and *Ekonom*) were chosen based on public availability of the electronic archives (Lexis/Nexis in case of *Lidove Noviny* and *Pravo*, and online archives in case of the other three papers). The articles were harvested using a keyword “corruption” and its most frequent variations in Czech language (“korupce”, “korupční“, “korupci”).

¹⁹ The scandal which concerned illegal party financing through the Ministry’s funds was revealed by the former Head of the State Environmental Fund, Libor Michálek, and led to resignation of the Minister of Environment Pavel Drobil. However, while Michálek – as a whistleblower – was forced to step down from his position following the scandal, the ex-Minister Drobil was subsequently ‘promoted’ by his Civic Democratic Party into the role of a Head of its Programme Section shortly after. The case ended without any criminal charges.

²⁰ From <http://www.ceskatelevize.cz/ct24/domaci/110070-transparency-international-korupce-se-v-cesku-stala-samozrejmosti/>, last accessed on 25 February 2013.

²¹ From <http://www.economist.com/blogs/easternapproaches/2011/11/czech-politics>, last accessed on 25 February 2013.

**Graph 2: Salience of corruption in the selected Czech news media (2005-2011)
(number of articles mentioning the word “corruption”)**



Source: Lexis/Nexis database (<http://lexisnexis.com>); online news archives

The frequency analysis reveals that there has indeed been a significant increase of articles about corruption in the Czech news media in the last two years of the observed period (2010-2011). While the salience of corruption has been more or less steadily rising over the entire period in case of the two weeklies (*Respekt* and *Ekonom*), in case of the three dailies, the interest in reporting about corruption first peaked in 2006 (the year of parliamentary elections), gradually declining afterwards for the next three- to four years before climbing sharply up again in 2010, when another parliamentary elections took place (*Hospodarske Noviny*) or the year after (*Pravo* and *Lidove Noviny*). This difference means that unlike in 2006, the rise of news mentioning corruption cannot be attributed solely to the election campaign, especially since the number of articles has continued to climb up even after the elections, quite contrary to the development during the previous election term. In other words, the data reveal that the news agenda must have been constructed following other events and issues, not just rhetorical clashes of political parties and their leaders before the elections.

The interviewed Czech investigative journalists and experts confirmed they have also noticed a significant rise of the anti-corruption agenda in the media, as well as in the public discourse in general, in course of the last couple of years. Although investigative journalism as a genre is not considered particularly prominent in the Czech news media – a fact merely confirmed

by the expert survey, with an average estimate of fifteen investigative journalists and between six and seven media outlets pursuing investigative journalism, at least occasionally (see Stetka – Ornebring 2012)²² – the willingness of the media to open corruption scandals and expose moral transgressions of public officials is perceived as visibly greater than just several years ago. According Radim Bureš from Transparency International, “there is a stronger interest in and greater motivation to write about [corruption], either in a form of reprinted information or based on an exclusive analysis /.../ If you compare the current state with the situation during Mirek Topolánek’s government [2006-2009] the difference is absolutely obvious”.²³ In the opinion of Jaroslav Spurný from the investigative weekly *Respekt*, the increase in the salience of corruption in the media can be explained partly by the fact that “the journalists are more curious”, partly by the rise of a number of civil society organizations (as well as professionalization of the existing ones) which have the fight against corruption on their agenda. The importance of civic initiatives and NGOs for flagging the issue of corruption and giving courage to others to make a stand against corrupt politicians has also been mentioned by Istvan Leko, the editor-in-chief of *CzechPosition.cz* (an online daily with an investigative scope), pointing out that many of these initiatives were founded by private entrepreneurs who simply got “fed up” with the long-established corrupt system and decided to do something to change it.²⁴ However, apart from raising the anti-corruption agenda in the public discourse, the NGOs have often been instrumental to journalists by producing high-quality studies and reports on particular topics. According to Jaroslav Spurný,

“The journalists have an easier work because of that. If I want to write about ČEZ [the state-owned electricity producer] and solar energy, all I need to do is to look at the website of EPS²⁵ where I can find things which I would otherwise have to inquire about for maybe two

²² Among the most often quoted representatives of Czech mainstream media with an investigative profile there were the weekly *Respekt*, the leading quality daily *Mladá fronta DNES*, and the public service TV station *Česká televize* (with its weekly investigative programme *Reporters of CT*).

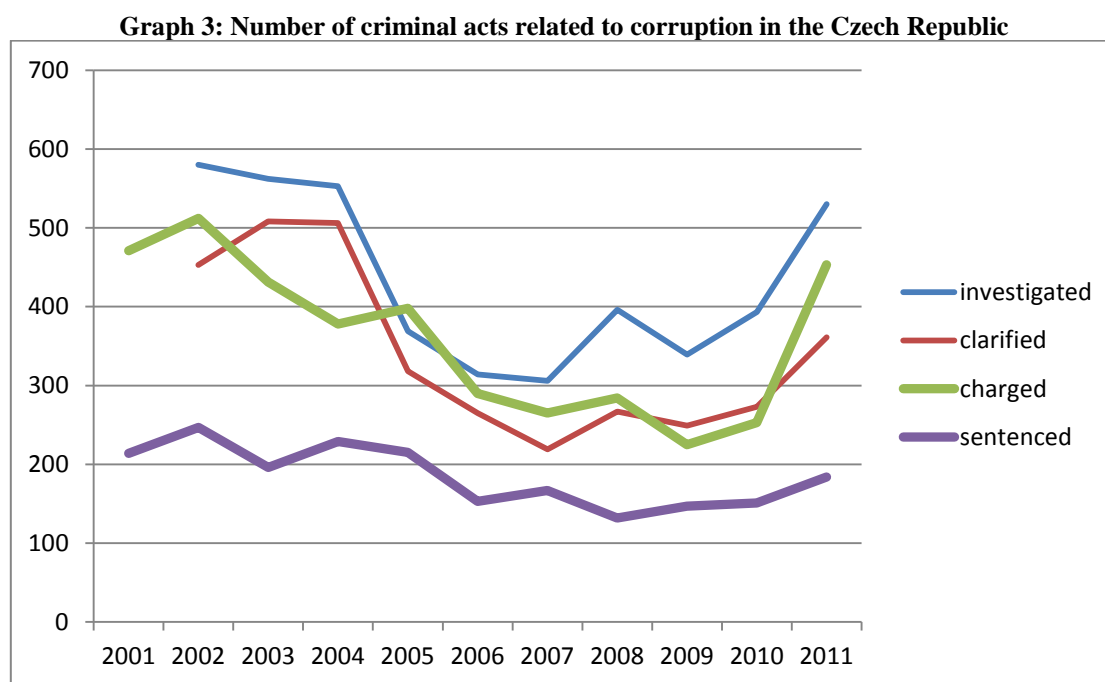
²³ Interview with Radim Bureš, Prague, 12 April 2012.

²⁴ Interview with Istvan Leko, Prague, 2 May 2012. Among these newly established initiatives, the most visible probably are the “Foundation against corruption”, founded in 2011 by several entrepreneurs headed by a multi-millionaire financier Karel Janeček; the anti-corruption movement “ANO 2011”, founded by the second-richest Czech businessman Andrej Babis, which has since its establishment transformed into a political party; or the initiative “Change the politicians”, aiming to achieve a systemic change by encouraging people to vote individual corrupt politicians out of their offices.

²⁵ EPS is an abbreviation for the Environmental Law Service, an NGO focusing at environmental a human rights issues, as well as on corruption and public governance.

weeks, with an uncertain result”.²⁶

In addition to the mushrooming of anti-corruption NGOs and a growing public interest in the problem of corruption, the interviewees have pointed to another, and possibly crucial, factor which not only keeps the topic high on the news agenda but which is also indispensable in enforcing accountability, namely the increasing activity of the police and the courts, and their greater willingness to prosecute corruption. According to the investigative journalist Filip Černý, there has been a “great emancipation of the police and the justice” in the last couple of years in the Czech Republic, with “the police starting to investigate things which have appeared in the media. This has never been the case before”.²⁷ The gradual process of de-politicization of the police and prosecution authorities, which has started after the 2010 elections, has been reported to bear fruits, as various politically sensitive cases were opened and pursued which would most likely have been dropped before. This claim about a recent increase in prosecution of corruption by the state authorities can be supported by official statistical figures, as summarized in the following Graph 3:



Source: Police of the Czech Republic (2012)

²⁶ Interview with Jaroslav Spurny, Prague, 15 July 2012.

²⁷ Interview with Filip Černý, Prague, 12 July 2012.

The graph documents a sharp increase not only in the number of corruption acts²⁸ which were investigated as well as clarified by the police from 2010 on, but also a notable rise of the corruption cases ending with a charge (by 45 per cent from 2010 to 2011). The increase in the number of court sentences for corruption acts has been a bit more moderate in comparison to the other three figures, but still quite prominent (from 151 sentences in 2010 to 184 in 2011). In addition to this, data from other sources confirm the heightened activity of prosecution agencies regarding high-profile corruption in the Czech Republic; the specialized police Unit for Discovering Corruption and Economic Criminality has recorded a noteworthy growth in the number of people prosecuted for corruption in the last couple of years (from 58 in 2008 to 159 in 2011).²⁹ Adding yet another indicator, it can be pointed out that between 2011 and 2012, twelve high-level politicians (MPs, senators and ministers) were charged by the police for criminal offenses (including corruption), which is more than the cumulative figure for the previous seven years.³⁰

6. A tale of two countries: enforcing political accountability in the Czech Republic and Slovakia

The above described trends appear to have a reinforcing effect on the investigative work of the Czech journalists, who are reported to be taken more seriously by the politicians than before. Previously, according to Jaroslav Spurny, the politicians “used to laugh in our face, and they would not talk to us about it [corruption] at all. They had the police and state prosecution authority under their thumb and did not give a damn about the journalists. /.../ They knew that I could write an article which will not give them a good name, but at the same time, they also knew that I could not do anything else, and that the police will not pick that up.” However, following the personal and institutional changes in both the police and the prosecution office after 2010, leading to changing performance of both institutions, “the politicians /.../ have suddenly been thrown off their balance. They don’t know what the police will find out about them. /.../ They have realised they are not exempt from punishment”.³¹ This atmosphere might be affecting high-profile businessmen as well, as suggested by

²⁸ The police statistics on corruption prosecution compile five particular criminal acts which are most commonly labelled as corruption, namely the abuse of public authority; misfeasance in public office; accepting a bribe; bribery; and indirect bribery.

²⁹ <http://www.policie.cz/soubor/jaroslav-ibehej-uokfk-2012.aspx> , last accessed 25 February 2013.

³⁰ <http://www.rozhlas.cz/zpravy/trestnecinyvpolitiku> , last accessed 25 February 2013.

³¹ Interview with Jaroslav Spurny, Prague, 15 July 2012.

another journalist commenting on the recent suicide of one of the Czech coal barons who was being prosecuted for corruption and tunnelling; posing a rhetorical question whether other entrepreneurs with murky business histories should now fear for their properties, Jaroslav Plesl from the weekly Reflex replied:

“The answer is: they should. Compared to the previous twenty years, something has finally changed in the Czech society”.³²

The question, of course, still remains what exactly has triggered this “change in the society”, and how much did the media contribute to it. While this study has described simultaneously rising tendencies in the media salience of the issue of corruption and in criminal prosecution of corruption in the Czech Republic, both in the context of significantly increasing perception of corruption among the Czech public as well as of growing number of anti-corruption NGOs, the scope and character of data unfortunately does not enable for drawing any kind of path-dependency model, so this question has to remain without a clear-cut answer – if there is, in fact, any at all. Instead, it seems plausible to argue that all these tendencies reveal an intertwined system of various accountability institutions which have a mutually reinforcing effect on each other’s performance; and vice-versa, a system in which deficiency, low independence or lack of activity of the individual institutions weaken the effect of the rest. It is possible to argue that without a systematic, long-term pressure by the media and the civil society, a change of attitude towards corruption on the side of the institutions of horizontal accountability – the government, police or the judiciary – appears much more difficult to achieve. On the other hand, without properly and independently operating prosecution authorities as well as the judiciary, media pressure itself is unlikely to safeguard visible, systemic changes, and can even lead to disillusionment and decline of the public interest, as discussed at the beginning of this paper.

This difference can be perhaps best illustrated by contrasting the situation in the Czech Republic with the one in the neighbouring Slovakia. According to the local journalists, the main problem with the accountability role of Slovak media is that it frequently hits the wall of the prosecution authorities and the judiciary, which are reported to be captured by clientelist political-business networks and therefore do not properly function as institutions of democratic accountability. As a result, not only do the investigative stories brought by the

³² <http://www.reflex.cz/clanek/nazory/49841/jaroslav-ple-sl-uhlobaron-mekota-neunesl-tlak-vysetrovani-bat-by-se-meli-i-dalsi-kmotri.html> , last accessed 28 March 2013.

media very rarely end up at the court, much less with a sentence (see Table 3), but the politicians, public officials as well as high-profile businessmen have also adopted a habit of suing the media for libel as an almost automatic response to publishing of reports revealing their wrongdoings (see Belakova 2013; Vagovič 2012). With the courts routinely deciding in favour of the complainants, imposing high, potentially damaging fines on the publishers and broadcasters, and even prosecuting the reporters themselves, the willingness of news media as well as individual journalists to push their watchdog role has been significantly dampened. The respondents in the expert survey have noted the chilling effect of this judicial practice particularly on commercial TV stations. According to one of the respondents:

“In last 3 years all commercial TV stations stopped producing their investigative programmes. These were of good quality and were regular winners of journalistic awards. However, they attracted lawsuits.”³³

However, print media are by no means less affected, as confirmed by the personal account of Zuzana Petková, an investigative journalist at *Hospodarske noviny*:

“Although I am doing this [investigative reporting] knowing that accusations, interrogations, courts and prosecutions belong to the job, if there are too many of these, it drives one away. Even the publishers begin to consider what to publish, and in what form. /.../ When you start writing with the thought of not causing financial problems to the company, that is not a good motivation” (quoted in Vagovič 2012).

This situation is particularly well exemplified by the so-far outcomes of the scandal “Gorilla”, a code name for a wiretapping operation carried out by the Slovak secret service between 2005-2006. Despite the fact that the transcripts from the wiretaps have been known to the significant part of the Slovak media, including the leading quality daily SME, for several years, none of them picked them up, allegedly because of the fears from law suits.³⁴ In the end, the transcripts were leaked on internet in December 2011, instantly causing a big uproar on the political scene and leading to a series of mass demonstrations, as the leaks revealed large-scale corruption reaching to the very top of the entire Slovak political scene.

³³ Respondent ID_31, Slovakia. This opinion was shared by another respondent, according to whom “strong regulation and often penalties causes decrease of investigative [programmes] in major TV channels” (Respondent ID_26, Slovakia)

³⁴ Interview with Milan Šimečka, Bratislava, 10 July 2012.

While direct impact on the individual political actors involved in the scandal has been very little, and the police investigation has gradually faded away without anybody being prosecuted, the investigative journalist Tom Nicholson who published a book based on the leaked transcripts (see Nicholson 2012) ended up facing multiple lawsuits filed by the key persons mentioned in the transcript, who are all suing him for libel. As Nicholson puts it,

“They feel totally untouchable. It is entirely absurd that it could be me who might go to prison, and not the actors of Gorilla. How dare they are? First, they steel billions, and then they sue the journalists who have written about it?” (quoted in Vagovič 2012).

In the opinion of Milan Šimečka, journalist and former editor-in-chief of the Slovak daily SME, the Gorilla scandal highlighted the difference between the current performance of media as well as other accountability mechanisms in the Czech Republic and Slovakia:

“The Czechs did not have ‘Gorilla’, but instead there has been a permanent pressure by some of the media which have been bringing ever new scandals until it became apparent that the base of the entire system started shaking. The concentrated pressure by the society and the media, not just through one scandal but through many which have documented how corrupt the system is, this pressure seems to have awoken the courts, the police, as well as the media themselves, so now it looks like the politicians have really been trapped. I think the Czech Republic demonstrates that if there is a concentrated effort, it will bear fruit”.³⁵

7. Concluding remarks

Even if the long-term effects of this “concentrated effort” of the accountability institutions in the Czech Republic still remain to be seen, the tendencies observed in the last couple of years give reason for a cautious optimism, and partly balance out the critical assessment of the watchdog role of the media in the CEE region as a whole, as presented above. Although the data limit the possibility of a proper comparative analysis across the region, the interviews indicate that the main difference between the Czech Republic and some of the other CEE countries lies in the fact that in the former country, increasing media salience of corruption is supported and further fuelled by the simultaneous activities of parts of the society and the

³⁵ Interview with Milan Šimečka, Bratislava, 10 July 2012.

state, particularly the NGOs, police and the courts, which all have been showing greater interest in fighting corruption and exposing and sanctioning the wrongdoings of public officials. This suggests that the accountability role of the media in Central and Eastern Europe has to be analyzed within a broader context of the functioning of other accountability mechanisms and institutions, instead of focusing primarily at the performance and effects of the media and the investigative journalism themselves – a conclusion confirming some general observation on political accountability, which according to Silvio Waisbord “hinges on the combined actions of a network of institutions rather than on the solitary actions of one organization” (Waisbord 2000: 229).

This perspective, of course, does not diminish the importance of the news media, and investigative journalism in particular, for the overall effort of many of the post-transition societies to curb political corruption and improve political accountability. Even if their exact contribution to this process might rarely be possible to determine, it is beyond doubt that without their active participation – both by an increased salience of the issue of corruption as well as by more detailed, sustained coverage of particular corruption cases, the cumulative effect of the whole accountability network would arguably be weaker. This reminder seems even more relevant in the times of gradual diminishing and weakening of investigative journalism in many Central and Eastern Europe, especially since the beginning of the economic crisis in 2007/2008 which has put news media organizations under an unprecedented pressure and resulted often in trimming down the media’s investigative departments (Rudusa 2010; Salovaara and Juzefovics 2012; Stetka and Örnebring 2012) and made media generally more vulnerable towards political and economic pressures (Stetka 2012). These processes can certainly have a chilling effect on the democratic performance of journalism, and may contribute to silencing of the attempts to hold politicians and other power holders accountable (as indeed documented above on the Slovak case). Still, while freedom and autonomy must undoubtedly be protected as basic preconditions for the media to perform their normatively ascribed watchdog role, we also have to bear in mind that it is only through the effective performance of the other institutions that the watchdogs of democracy actually gain the power to bite.

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