### Framework

#### Ethics must begin a priori:

#### [A] Naturalistic fallacy – experience only tells us what is since we can only perceive what is, not what ought to be. But it’s impossible to derive an ought from descriptive premises, so there needs to be additional a priori premises to make a moral theory.

#### [B] Constitutive Authority – practical reason is the only unescapable authority because to ask for why we should be reasoners concedes its authority since it uses reason – anything else is nonbinding and arbitrary.

#### [C] Action theory – only evaluating action through reason solves since reason is key to evaluate intent, otherwise we could infinitely divide actions. For example: If I was brewing tea, I could break up that one big action into multiple small actions. Only our intention, to brew tea unifies these actions if we were never able to unify action, we could never classify certain actions as moral or immoral since those actions would be infinitely divisible.

#### That justifies universality –a) a priori principles like reason apply to everyone since they are independent of human experience and – b) any non-universalizable norm justifies someone’s ability to impede on your ends i.e. if I want to eat ice cream, I must recognize that others may affect my pursuit of that end.

#### Thus, the standard is consistency with the categorical imperative. Prefer:

#### [1] Performativity—freedom is the key to the process of justification of arguments. Willing that we should abide by their ethical theory presupposes that we own ourselves in the first place. Thus, it is logically incoherent to justify a standard without first willing that we can pursue ends free from others.

#### [2] Ethical frameworks are topicality interpretations of the word ought so they must be theoretically justified. Prefer on resource disparities—focusing on evidence and statistics privileges debaters with the most preround prep excluding lone-wolfs who lack huge evidence files. A debater under my framework can easily be won without any prep since minimal evidence is required. That controls the internal link to other voters because a pre-req to debating is access to the activity.

#### [3] Only universalizable reason can effectively explain the perspectives of agents – that’s the best method for combatting oppression.

Farr 02 Arnold Farr (prof of phil @ UKentucky, focusing on German idealism, philosophy of race, postmodernism, psychoanalysis, and liberation philosophy). “Can a Philosophy of Race Afford to Abandon the Kantian Categorical Imperative?” JOURNAL of SOCIAL PHILOSOPHY, Vol. 33 No. 1, Spring 2002, 17–32.

**One** of the most popular **criticism**s **of Kant’s moral philosophy is that it is too formalistic.**13 That is, the universal nature of the categorical imperative leaves it devoid of content. Such a principle is useless since moral decisions are made by concrete individuals in a concrete, historical, and social situation. This type of criticism lies behind Lewis Gordon’s rejection of any attempt to ground an antiracist position on Kantian principles. The rejection of universal principles for the sake of emphasizing the historical embeddedness of the human agent is widespread in recent philosophy and social theory. I will argue here on Kantian grounds that **although a distinction between the universal and the concrete is** a **valid** distinction, **the unity of the two is required for** an understanding of human **agency.** The attack on Kantian formalism began with Hegel’s criticism of the Kantian philosophy.14 The list of contemporary theorists who follow Hegel’s line of criticism is far too long to deal with in the scope of this paper. Although these theorists may approach the problem of Kantian formalism from a variety of angles, the spirit of their criticism is basically the same: The universality of the categorical imperative is an abstraction from one’s empirical conditions. **Kant is** often **accused of making the moral agent an abstract, empty**, noumenal **subject. Nothing could be further from the truth. The Kantian subject is** an embodied, empirical, concrete subject. However, this concrete subject has a dual nature. Kant claims in the Critique of Pure Reason as well as in the Grounding that human beings have an intelligible and empirical character.15 It is impossible to understand and do justice to Kant’s moral theory without taking seriously the relation between these two characters. The very concept of morality is impossible without the tension between the two. By “empirical character” Kant simply means that we have a sensual nature. We are physical creatures with physical drives or desires. **The** very **fact that I cannot simply satisfy my desires without considering the rightness** or wrongness **of my actions suggests that my empirical character must be held in check** by something, or else I behave like a Freudian id. My empiri- cal character must be held in check **by my intelligible character**, which is the legislative activity of practical reason. It is through our intelligible character that **we formulate principles that keep our** empirical **impulses in check.** The categorical imperative is the supreme principle of morality that is constructed by the moral agent in his/her moment of self-transcendence. What I have called self-transcendence may be best explained in the following passage by Onora O’Neill: In restricting our maxims to those that meet the test of the categorical imperative we refuse to base our lives on maxims that necessarily make our own case an exception. The reason why a universilizability criterion is morally signiﬁcant is that it makes our own case no special exception (G, IV, 404). In accepting the Categorical Imperative we accept the moral reality of other selves, and hence the possibility (not, note, the reality) of a moral community. **The Formula of Universal Law enjoins no more than that we act only on maxims that are open to others also.**16 O’Neill’s description of the universalizability criterion includes the notion of self-transcendence that I am working to explicate here to the extent that like self-transcendence, universalizable moral principles require that the individ- ual think beyond his or her own particular desires. The individual is not allowed to exclude others **as** rational **moral agents** who have the right to act as he acts in a given situation. For example, if I decide to use another person merely as a means for my own end I must recognize the other person’s right to do the same to me. I cannot consistently will that I use another as a means only and will that I not be used in the same manner by another. **Hence,** the **universalizability** criterion **is a principle of consistency and** a principle of **inclusion.** That is, in choosing my maxims **I** attempt to **include the perspective of other moral agents.**

#### [4] Consequences Fail: a] Yes act/omission distinction – there are infinite events occurring over which you have no control, so you can never be moral b] Every action has infinite stemming consequences so we can’t predict. c] Induction is circular because it assumes nature will hold uniform d] aggregation impossible – impossible to measure pain and pleasure e] Every action is infinitely divisible, only intents unify

#### [5] Contesting offense under the Aff framework is a voting issue. Reciprocity – I have to win my framework and beat the NC before I can access case, whereas you can collapse to either layer or dump on offense for 7 minutes as a no-risk issue so there’s a skew. Key to fairness because it’s definitionally equal access to the ballot.

#### Thus the advocacy: In a democracy, a free press ought to prioritize objectivity over advocacy.

### Offense

#### [1] Under the categorical imperative, objectivity must always be prioritized because anything else is a contradiction in conception of lying, if a lie were universalized then there would no longer be a conception of truth. This makes objectivity the highest layer that always comes first, even if you are advocating.

#### [2] Any claim that advocacy is constitutive to a free press is impermissible because the function of media is to report information—the constitutive purpose of the media is objective presentation of information because citizens have a right to be informed.

Klein 20 [Ian Klein, J.D. Candidate at the Texas A&M University School of Law, 2020, “Enemy of the People: The Ghost of the F.C.C. Fairness Doctrine in the Age of Alternative Facts.” Hastings Communications and Entertainment Law Journal, https://repository.uchastings.edu/cgi/viewcontent.cgi?article=1809&context=hastings\_comm\_ent\_law\_journal]/Kankee

This scarcity and long history of regulation, combined with the legal fiction of broadcast spectrum scarcity explained in the following paragraphs, is likely enough to overcome this Red Lion hurdle. Second, and more importantly, in the context of the Red Lion holding and the history of broadcast regulation, the concept of scarcity serves to underline the duty of the federal government [is] to make sure that the public has access to objective coverage of important issues.152 Red Lion was the culmination of a decades-long administrative, legislative, and judicial adaptation to the evolving nature of mass communication, during which every branch of the federal government emphasized the right of the public to be informed over the right of broadcasters to disseminate information.153 Since the Radio Act of 1927, broadcasting has been regulated because the public has a right to receive information.154 When the Communications Act supplanted the Radio Act, Congress was determined to require that the newly-created FCC had a duty to “serve the public interest.”155 The F.C.C. noted during its infancy that a democratic society should be given maximum opportunity to express diverse viewpoints on controversial issues, and, importantly, maximum opportunity to hear and read the conflicting view of others.156 As Justice White later wrote for the unanimous Red Lion Court, “[i]t is the right of the public to receive suitable access to social, political, esthetic [sic], moral, and other ideas and experiences which is crucial here . . . [t]hat right may not constitutionally be abridged either by Congress or by the FCC.”157 That right of access, based on the history and tradition of the decisions of both the Court and the FCC, extends not only to access to that information, but to the objective presentation of this information.158 Furthermore, “access” referred to the ability of broadcasters to broadcast information vis-à-vis the chilling effect and self-censorship that opponents of the Fairness Doctrine feared. However, as the Red Lion Court noted, “[i]t is the right of the viewers and listeners, not the right of the broadcasters, which is paramount.”159 The fact that the notion of the public’s right to information was reiterated so often and so prevalently indicates that courts and lawmakers did not consider it incidental to their decisions, but as the governing principle necessitating the entire body of broadcast regulation. Furthermore, as legal scholars such as Mark Lloyd and John Berresford theorize, Red Lion’s Scarcity Principle was not only secondary to the emphasis on the public’s right to be informed, but was intended as dicta, which subsequent courts misinterpreted as the crux of the opinion.160 Lloyd suggests that the scarcity principle was merely “[d]ictum that suggests the Court was aware of the spectrum [of broadcast frequencies] as a public resource,” and that the Red Lion opinion was only about the constitutionality of FCC authority over broadcast licensees.161 According to Lloyd, the Red Lion Court’s determination that there was a scarcity of broadcast frequencies was not the conclusion of an engineering or economic analysis, but was the result of a purely legal analysis based on precedent and the record that centered on previous challenges to FCC authority.162 This is significant because, as Berresford points out in his 2005 FCC Research Paper, “[t]he Scarcity [Principle] appears to assume that there is a physical thing . . . of which there is a scarce amount . . . ‘the radio frequency spectrum,’ however, has no discrete physical existence . . . [t]he Scarcity [Principle] thus appears to be based on fundamental misunderstandings of physics.”163 Arbitrary rules made up by dead racists are nothing compared to the physical laws governing the reality of the known universe. The question of scarcity was thus “dislodged from the question before the Court” in Red Lion: Whether the FCC could constitutionally enforce the Fairness Doctrine.164 If the Scarcity Principle is a legal fiction (based on a scientific one), then Red Lion’s precedential value in upholding Fairness Doctrine 2.0 must rest solely on the end that the very nature of broadcast regulation sought to further from its inception:165 the right of the public to receive objective information.166 Legal Issues Surrounding Online News and Social Media

#### That affirms: if we all necessarily want our rights enforced and freedoms respected, we all necessarily agree to carry the responsibilities as well as the rights and privileges of citizenship to ensure the government can accurately act as a collective agent

**Korsgaard 18** [The Claims of Animals and the Needs of Strangers: Two Cases of Imperfect Right. The Journal of Practical EthicsVolume 6, No. 1, June 2018. OPEN ACCESS. <http://www.jpe.ox.ac.uk/papers/the-claims-of-animals-and-the-needs-of-strangers-two-cases-of-imperfect-right/>] // SJ AME

Like many philosophers, I think there is no problem in recognizing that groups of people can form collective agents in this way**. Groups can think when their members can think, and when they can also talk and debate, which amounts to thinking together. They can act**—not just individually but as a group—when they have procedures for making and enacting decisions that makes those decisions and actions count as the decisions and actions of the group. **Political states are collective agents in exactly that sense. A political state thinks through the thoughts of its citizens and legislators when they debate public issues, makes its decisions by voting and passing laws, and enacts its decisions by enforcing those laws. The enforcement of the law counts as the action of the state. It also acts as a collective agent when its duly elected representatives, or otherwise legitimate leaders, perform actions in their official roles that the laws entitle them to do**. That’s what happens when one country declares war on another, for instance. That is something that the country, considered as a collective agent, does.

#### [3] A condition of reason is to be able to formulate ideas and ends based on both your private and public use of reason. This can only happen through public information exchange that is not connected to personal or subjective ties.

**Donald 03** [James Donald, February 3, 2003; KANT, THE PRESS, AND THE PUBLIC USE OF REASON JAMES DONALD James Donald is Professor of Film Studies at the University of New South Wales, email: [J.Donald@curtin.edu.au](mailto:J.Donald@curtin.edu.au). https://javnost-thepublic.org/article/pdf/2003/2/3/]

This, according to Pinkard at least, was the receptive cultural milieu which Kant addressed with this dramatic opening answer to Biester’s question: E**nlightenment is man’s emergence from his self-incurred immaturity**. The motto of enlightenment must be, Sapere Aude! Dare to know. Have the courage to use your own reason (Kant 1991, 54, translation modified). What, though, did using your own reason mean in this context and at that time? And, more broadly, in what circumstances is the use of reason possible? Here it is necessary to read what Kant has to say both historically and philosophically. The Berlinische Monatsschrift was not just in the business of publishing news and views. It had a political and social agenda. The journal represented the public face of a secret society of senior officials in the administration of Frederick II who were committed to embedding Enlightenment principles in the institutions of the Prussian state. The inference must therefore be that Kant knew exactly whom he was talking to, and that his emphasis on daring and courage in the somewhat hesitant and cryptic opening of the essay is a nod towards the risks these men would have seen themselves as taking in the attempt to create social conditions in which their fellow-citizens might be (more) free to think (Caygill 2001, 31). At the time Kant’s essay was published in 1784, they were especially concerned that their achievements should not be reversed when Frederick II, then in the 44th year of his reign, died  as he did two years later  and was replaced by his more reactionary heir. It helps to know this, as it explains the strategic nature of the essay. It is designed to make use of the press and its public access in order to help a political cause as well as to establish philosophical principles. The philosophical basis for the argument **about the public use of reason is Kant’s axiomatic belief that thinking well must be based on three maxims: Think for your- self; think from the standpoint of everyone else; and think consistently. Respecting all or any of these maxims is possible only in community with others to whom we communicate our thoughts, and who communicate their thoughts to us.** Thinking is of its nature a social activity, then, and reason is a product of society (Wood 1999, 301). For thinking to demonstrate reason, it must be critical, testing what is thought from different possible perspectives in order to achieve understanding and coherence. To a degree, and perhaps quite a considerable degree, such critical self-reflection is possible through the inner exercise of imagination. To be most effective, however, imagination needs at least some external stimulus from actual dialogue with people in relation to whose viewpoints one is trying to think. This is why, in What Is Enlightenment?, Kant insists that citizens have a philosophical responsibility to do their thinking in front of the entire reading public  even if his historical under- standing of who should make up the public was much more discriminating (Kant 1991, 55). **Kant’s is thus an inherently pluralistic conception of reason: that is, it requires the disposition of not being occupied with oneself as the entire world, but regarding and conducting oneself as a cosmopolitan** [or citizen of the world] (Wood 1999, 302). This is how he puts it in his discussion of census communis in The Critique of Judgment: **The idea of a public sense, i.e., a critical faculty which in its reflective act takes account (a priori) of the mode of representation of everyone else, in order, as it were, to weigh its judgment with the collective reason of mankind, and thereby avoid the illusion arising from subjective and personal conditions which could readily be taken for objective, an illusion that would exert a prejudicial influence upon its judgment. This is accomplished by weighing the judgment, not so much with actual, as rather with the merely possible, judgments of others, and by putting ourselves in the position of everyone else, as the result of mere abstraction from the limitations which contingently affect our own estimate** (cited in Splichal 2002, 101). Without that worldly regard for the thoughts, feelings, and wishes of others, thought and judgment fall prey to the opposite of pluralism, which is egoism. And egoism, whether in terms of one’s understanding, one’s tastes or one’s interests, in turn produces traits that are obstacles to moral self-development: passion, self- conceit, fear, and intellectual indolence (Wood 1999, 283).1 It is the very nature of thinking that requires its public use and an initiating act of resolution and courage if reason is to be developed in individuals and in humanity as a whole. The immaturity (Unmündigkeit), or intellectual and moral de- pendency, that is the opposite of enlightenment is not a developmental stage be- fore maturity, but is self-incurred (selbstverschuldet) (Kant 1991, 54). **Thinking adults have a choice. They have to decide between the challenging demands of reason and the comfort zone of conformity and deference to authority: people who do not need to submit to tutelage often do so because they find it convenient to have others guide them.** Being unaccustomed to think for themselves, they are often frightened by the prospect of having to do so (Wood 1999, 305). This is why some of the most intransigent barriers to the development of rea- son are to be found in ourselves. Mündigkeit adulthood ,majority, or maturity brings with it not just the freedom and assurance of autonomy, but also its attendant anxieties, risks and responsibilities. As Kant strategically acknowledges, however, the roadblocks to enlightenment are external as well as internal. **It is in the interests of tyrants, priests, and other often more benevolent powers to tell people what to think, to tell them what will make them safe and happy, and so to perpetuate their deference and dependency. Their most effective weapon is, of course, the ability to play on spiritual, social and economic fears.** Having carefully prevented the docile creatures from daring to take single step without the leading- strings to which they are tied, such authorities will attempt to show them the danger which threatens them if they try to walk unaided (Wood 1999, 305-306). **Kant does not deny the existence of such dangers and discontents, but sees them simply as part and parcel of the human condition, as obstacles that need to be overcome**: they would certainly learn to walk eventually after a few falls (Kant 1991, 54). And learning to walk means taking on those social impediments as well as well as one’s own fears. Kant sees it as our duty to opt for maturity: a duty to ourselves, because to opt for tutelage and dependency is personally degrading, but also a kind of species- duty, in the sense that reason can exist and fulfil its vocation in human history only through free rational communication between independent thinkers (Wood 1999, 306). Kant’s philosophy was radical in its emphasis on the spontaneity and autonomy of human beings, and it was this that found an affinity with an emerging cultural sense of people’s potential  and desire  for subjective development and collective progress. As Pinkard (2002, 19) puts it, he captured a deep, almost sub- terranean shift in what his audience was coming to experience as necessary for themselves: from now on, we were called to lead our own lives, to think for ourselves. Historically, the question is whether, how and to what extent the dissemination of Kant’s philosophical ideas helped to articulate that ethos as a social force. From that point of view, what is electric in Kant’s account of that now are his comments about the social circumstances that are necessary if such courage is to lead to autonomy. When Kant observes that for enlightenment of this kind, all that is needed is freedom, he is not just talking about overcoming the psychological comforts of immaturity and the inner tyranny of superstition and timidity, but also about all too real and familiar ideological pressures and political-legal obstacles to free communication, to the operation of reason, and so to human progress (Kant 1991, 55; Wood 1999, 283).2 Hence the need for courage, but also the need for the existence of social circumstances that made daring to use one’s reason a possibility**. Because we can develop our reason only by communicating with others, and as the development of reason in human society depends on its public use, therefore Kant de- fends freedom of public communication as an absolute precondition for the collective development of people’s rational powers and so for human progress** (Wood 1999, 306). The freedom to communicate, asserts Kant, is the one treasure which remains to us amidst all the burdens of civil life, and which alone offers us a means of overcoming all the evils of this condition (in Reiss 1991, 247). To prohibit the use of public reason, however, is not only to injure and trample on the rights of mankind. In a subtle argument  or a piece of opportunist flattery, depending on how you look at it  Kant makes the case that such restriction is also against the interests of an enlightened ruler who is not afraid of shadows [or phantoms]. It is, after all, the public use of critical reason alone that can foster enlightenment, and so create a population that is likely to be peaceful and virtuous. A prince who does not regard it as beneath him to say that he considers it his duty, in religious matters, not to prescribe anything to his people, but to allow them complete freedom, a prince who thus even declines to accept the presumptuous title of tolerant, is himself enlightened. This spirit of freedom is also spreading abroad, even where it has to struggle with outward obstacles imposed by governments which misunderstand their own function. For such governments can now witness a shining example of how freedom may exist without in the least jeopardizing public concord and the unity of the commonwealth. Men will of their own accord gradually work their way out of barbarism so long as artificial measures are not deliberately adopted to keep them in it (Kant 1991, 58-59). Just as individuals need to think their way out of tutelage and towards maturity, so the general development from an age of enlightenment to an enlightened age requires a polity that not only allows, but encourages criticism of existing political institutions as part of the development and expansion of reason.

## UV

#### [1] Aff gets 1AR theory since the neg can be infinitely abusive and I can’t check back. Aff theory is drop the debater, competing interps, and the highest layer since the 1ar is too short to win both theory and substance and reasonability bites intervention since it’s up to the judge to determine. No 2NR paradigm issues since they’d dump on it for 6 minutes and my 3-minute 2AR is spread too thin. No RVIs on AC arguments – incentivizes a 7 minute collapse that decks 1AR strategy.

## Advantage

#### The Populist PiS is in control of Poland. EU sanctions are effective, but the PiS continues to rebel

**Moskwa and Jefferson 20**Moskwa, Wojciech, and Rodney Jefferson. “Poland's Populist Turn.” Bloomberg.com, Bloomberg, 31 Oct. 2020, <https://www.bloomberg.com/quicktake/poland>.//SJEP

PiS- Law and Justice Party

If Poland had a tumultuous 20th century, the 21st started off pretty well. Having just joined NATO, the country entered the European Union and cemented its transition to capitalism with unrivaled economic growth. **Then a 2015 election unleashed a populist backlash, delivering unprecedented power to a party that promised a shakeup in the name of ordinary Poles. They were fed up with uneven wealth and tossed out what they saw as a self-serving elite that had misruled the country. The Law & Justice Party’s drive to control the courts and remove checks on its power sparked sporadic protests and criticism from the EU, which accuses Poland’s leaders of flouting the rule of law.** Former Polish Prime Minister Donald Tusk warned in 2017 that the country was moving “backwards and eastwards.” Is eastern Europe’s biggest economy risking the democratic order it has built since escaping communism? In October, there was a national outcry after a Constitutional Court ruling tightened what was already one of Europe’s most restrictive abortion laws. Women staged a strike and protesters flooded the streets in the biggest threat to the government since it came to power. **The Law & Justice Party had won followers by reducing the tax burden on the poor and providing bigger subsidies for raising children. Winning a second term in 2019, it pushed through more judicial reforms after revamping the constitutional court, nearly doubled the minimum wage and exerted more control over the media. The EU, which gives more money to Poland than any other country on a net basis, has pursued a series of disciplinary measures against Poland for failing to adhere to democratic values; it’s talked of tying future funds to rule-of-law standards, though little has been done.** Poland’s ruling party struck a nerve at home and abroad by calling for the country to assert its national identity, uphold Catholic values and control its borders. It’s also sought to rewrite history, turning Solidarity freedom fighter Lech Walesa into a communist collaborator, making it illegal to suggest that the Polish nation had a role in the Holocaust and backing the creation of “LGBT Free” zones. While it re-nationalized banks and power companies, the economy has remained robust, though the coronavirus pandemic created new challenges. **Jaroslaw Kaczynski, the Law & Justice leader and the man who pulls the strings in Poland, says the government upholds the rule of law and that history shows Poland suffers when outsiders interfere in its politics. He says EU leaders in Brussels should focus on their own problems. He has an ally in Hungarian Prime Minister Viktor Orban, who is also challenging the European mainstream. The Polish government has replaced much of the country’s establishment since it came to power, justifying the moves with the same “drain the swamp” appeal used by U.S. President Donald Trump. Foreign banks and retailers have also been criticized for not sharing enough of their profit. Critics say Poland’s leaders have eroded civil liberties, turned the media into a party mouthpiece and transformed state companies into political machines.**

#### The PiS controlled Polish media is key to guarantee future elections and sway voters to the PiS.

**Kalan 19** Kalan, Dariusz. “Poland's State of the Media.” Foreign Policy, 25 Nov. 2019, https://foreignpolicy.com/2019/11/25/poland-public-television-law-and-justice-pis-mouthpiece/.//SJEP

**WARSAW, Poland—Asked about the difference between Poland’s public television station, TVP, before 2015 and after, a veteran journalist who works at the network was quick to respond. “Ruling politicians,” they said, “had never had that kind of impact on television” before. “They have audacity and courage to approach reporters and say, ‘I want to say something, and you have to record me.’ This is our everyday life,” the journalist, who insisted on anonymity, said in early October. After a long moment of reflection, they added: “You will not find true information in our television.” TVP, whose two flagship channels were among the country’s** [**most popular**](https://businessinsider.com.pl/media/tv-radio/najpopularniejsze-programy-i-kanaly-w-2018-roku/24lx5c1) **in 2018, has for the last several years been squarely under the control of Poland’s right-wing Law and Justice (PiS) party, which clung to power in elections in mid-October. According to the Organization for Security and Cooperation in Europe, these elections were “administratively prepared well.” But the voters’ “informed choice was undermined by a lack of impartiality in the media, especially the public broadcaster,”** [noted](https://www.osce.org/odihr/elections/435941) Jan Petersen, the head of an election observation mission**. It was not the first time TVP’s reporting raised concerns. This fall, 54 members of the Parliamentary Assembly of the Council of Europe** [**called**](https://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=28221&lang=en) **TVP “a propaganda channel for the ruling party.” Reporters Without Borders similarly** [**stated**](https://rsf.org/en/poland) **that Poland’s public media outlets “have been transformed into government propaganda mouthpieces.” This fall, in interviews with almost a dozen current and former TVP journalists and executives, most asked to go unnamed. None argued that TVP’s political news has been objective. In fact, many openly admitted that TVP is purposefully keeping quiet about PiS scandals, gives airtime almost exclusively to pro-PiS voices, and has campaigned against the party’s opponents. Those I spoke to who back PiS largely argued that the hard line was both necessary to ensure a second PiS term and a legitimate response to the private media’s alleged support of the opposition. Interlocutors on both sides believe that there is nothing unique in what is happening in Poland. Rather, their country is just one among many suffering the rise of fake news. According to Ryszard Bankowicz, the head of the Polish Council of Media Ethics, a nonpartisan body promoting principles of ethical journalism, readers and viewers around the world have ceased to want real information.** “They chose a given newspaper or TV station not in order to find the truth but to confirm their own beliefs or take a side against or for someone,” Bankowicz said. “And many journalists do not know principles of ethical journalism. This is a worldwide trend, and Poland is its victim.” But not everyone has given up. This year, Bankowicz, took a public stand on one of the [most serious accusations](https://www.rp.pl/Platforma-Obywatelska/190119723-Borusewicz-To-skutek-nagonki-na-Adamowicza.html) against TVP, made by Bogdan Borusewicz, a former democratic opposition activist under the communist regime and a former speaker of the Senate, among others: that it had incited hatred against Pawel Adamowicz, Gdansk’s mayor, who was stabbed to death at a January charity event. Adamowicz, a popular liberal politician, had been a target of numerous TVP reports that had suggested he was corrupt and had close ties with local businessmen. In a [report](http://www.rem.net.pl/data/20190211.pdf) published in February, Bankowicz wrote that “the authors of these publications manipulated the facts … in order to present Adamowicz as an unreliable person.” He concluded that “TVP spews propaganda, which serves to destroy opponents of the ruling party.” However, he refused to comment on whether violations of journalistic ethics contributed to Adamowicz’s death. “TVP is certainly not to blame for this tragic event,” said Maciej Stanecki, who was TVP’s deputy chairman from 2016 to 2019. But he was quick to add: “But for allowing the radicalization of the public opinion, of the crowd … well, I think that every media person must be aware that such responsibility exists.” Stanecki, a film producer, is proud of his achievements at TVP during his leadership, which include the television’s technological development, but he is aware that the network’s reputation has been tarnished.

#### Biased polish media shifts public perception to the PiS and alters election outcomes.

**Gipson 21** Gipson, Abigail. “New Report: Poland's Public Media Serve as Propaganda Tool.” International Press Institute, 17 Dec. 2021, https://ipi.media/new-report-polands-public-media-serve-as-propaganda-tool/.//SJEP

**A** [**recent report**](http://www.batory.org.pl/upload/files/Programy%20operacyjne/Masz%20Glos/RaportTDEnglFin_June%2010N.pdf) **by Poland’s Society of Journalists and the Batory Foundation finds that public media in Poland do not fulfil their role as a source of independent and balanced news, but rather function as a propaganda tool for the government. “We saw that the government was using public service media, which is under its control, to support its own programme and its own candidates in the election”, Krzysztof Bobiński, who is a board member for the Society of Journalists, explained in an interview with the International Press Institute (IPI). The report observes that Wiadomości, the main news programme on Poland’s public broadcasting station TVP, demonstrates notable bias in favour of the ruling Law and Justice party (PiS). The bias manifests in both proportionally higher screen time for members of PiS and overwhelmingly positive coverage of the party and its interests. In addition to favourable coverage of the ruling party, the programme often casts opposition politicians and their supporters in a negative light.** At times it neglects to cover the opposition at all and omits stories that may reflect poorly on PiS. TVP receives about 28 percent of viewing share, the highest among Polish broadcasters, and Wiadomości averages 2.4 million viewers daily. However, according to a poll conducted earlier this year, Wiadomości ranked very low in public trust, Andrzej Krajewski, the author of the report, said in an interview. Public broadcasters should be independent, giving fair and balanced coverage to all political parties. But according to the report, Wiadomości has neglected to live up to that standard. The report concludes that Wiadomości has “failed to observe the conditions of [article 21.1 of Poland’s law](http://prawo.sejm.gov.pl/isap.nsf/download.xsp/WDU19930070034/O/D19930034.pdf) on radio and TV, which requires public service television to be ‘pluralistic, unbiased and independent’.” “This is public media we are all paying for, it’s our public media, and they’re breaking the law”, Bobiński commented. “They’re not only breaking the law because they’re biased, but also they’re breaking the law because they’re [PiS] using this media as part of their election campaign, and that should be in their election campaign expenses. Really, they are using our money to bamboozle us.” In a statement accompanying the report, the Society of Journalists, an independent group affiliated with the European Federation of Journalists, noted that in 2019 TVP received a one billion złoty (250 million euro) subsidy from the government on top of its advertising and license fee income. From 2016 TVP budget subsidies were more than two billion złoty (500 million euro). Poland’s media regulator, the National Council for Radio and Television (KRRiT), is legally obligated to monitor media activity and ensure Poland’s public broadcast laws are implemented. However, when the Council was approached with complaints about TVP’s failure to comply with impartiality laws, it failed to take action, Bobiński said. This inaction by the KRRiT is part of what spurred the media monitoring behind the report. “At that point, what does a citizen do? You either don’t do anything or you try to fill the gap that’s been left by a state institution, which is mandated by the constitution to do this work”, Bobiński said. **The report examined Wiadomości coverage from May 10 to 23, the period leading up to the 2019 European Union parliamentary elections. During this time, two-thirds of the news items reported by Wiadomości were election-related. All but one of the stories covering PiS were positive, and the outlier was neutral. The opposition European Coalition was covered negatively in all 33 news items in which it appeared. Liberal and left-wing parties contesting the election were not mentioned at all. The report also notes that Wiadomości “did not mention climate change, a key issue in many other member states.” Shortly after coming to power in the fall of 2015, PiS made moves to disrupt and reform Polish public media.** Parliament passed a law that terminated the contracts of the heads of Poland’s public television and radio broadcasters. The treasury minister was given the power to hire and fire broadcasting directors, a matter that was previously decided by a media supervisory committee. In early 2016, Jacek Kurski, a former PiS member of the European Parliament, was appointed director of TVP, and he remains in this role today. **TVP has not been PiS’s only target. Recently PiS officials** [**announced plans**](https://www.ft.com/content/1a4f9232-9358-11e9-aea1-2b1d33ac3271) **to “re-polonize” media in Poland if they maintain the majority in the upcoming parliamentary elections. Bringing private media in Poland under Polish ownership has been part of PiS’s agenda for several years, though legally it would be difficult to force out non-Polish media companies that are from within the EU, Krajewski explained. However, these companies could be bought out by Polish enterprises.** Foreign-owned broadcasters are some of the most critical in the Polish media landscape, and the threat of their capture by the government presents a serious risk to plurality in Polish news PiS’s [capture of Polish public media](http://ipi.media/polish-public-broadcaster-veers-from-impartial-mission/) poses ominous repercussions not only for Poland but for the European Union as well. **In its statement, the Society of Journalists expressed concern that the “transformation of the public service media into a propaganda tool violates the right […] to a fair election”, and that this transformation “poses the question of whether the election of the Polish members of the European Parliament in May 2019 was conducted in an honest and fair manner”. Wiadomości’s election coverage will continue, as Poland will hold parliamentary elections this fall. Wiadomości and TVP have the potential to significantly affect voters’ perceptions of both PiS and the opposition. “Watching Wiadomości every day, they are doing exactly what they did during the previous election period”, Krajewski said. “It’s propaganda. For instance, almost every day they denigrate [President of the European Council and former Polish Prime Minister] Donald Tusk because possibly he will be a candidate for Polish president, so they want to lower his chances in the local elections.” Without fair, balanced, and transparent coverage of all political parties, Polish citizens cannot make informed decisions at the polling booths. “With such strong propaganda by public media, which is illegal, the results of the elections are questionable”, Krajewski said.**

#### Poland will never leave the EU, but PiS power ensures packed courts and decisions that deck legitimacy-that spills over and causes a massive crisis

**Economist 21** Economist, Oct 21 2021, "Poland is a problem for the EU precisely because it will not leave," https://www.economist.com/europe/2021/10/14/poland-is-a-problem-for-the-eu-precisely-because-it-will-not-leave//SJJK

Brexit, before it happened, was imagined in many forms. Hard, soft, Norwegian, Swiss or Turkish. Briefly, an Albanian option was discussed. Often it was just “clean”. A “clean Brexit” would free Britain from the eu’s single market, customs union and its courts, advocates said. Just as there are many ways of leaving the eu, there are many ways of remaining. There is the clean version, in which countries quietly accept the eu’s strictures. Then there is the messy version, where governments foul up the club. Think of it as “dirty remain”. **To see dirty remain in action, look at Poland. Its Constitutional Tribunal challenged the legal order of the club in a ruling on October 7th. In a case brought by the Polish prime minister, the court, which is stuffed with allies of the government**, **ruled that fundamental parts of eu law do not trump Poland’s constitution. The judgment, which was exactly what the government wanted, has punctured six decades of European case law. In short, the eu’s supreme court is no longer supreme, as far as Poland is concerned. Poles protested in droves, claiming that the government was attempting to drag the country out of the bloc against their will. But anyone expecting a British-style “Polexit” will be disappointed**. S**upport for the eu within the country is among the highest in the union. Standing for an election in Poland on a platform of quitting the eu would be akin to a manifesto promising to drown puppies.** **The problem is not that Poland is trying to leave the eu; the problem is that it intends to stay.** Dirty remain is more pernicious than Polexit. **The risk is that the eu’s legal order in Poland slowly fades,** argues Daniel Sarmiento of the Complutense University of Madrid**. A domino effect takes over**