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The Attitude of the Citizens to Pathologies in local political life by the example of the so-called Town Hall Scandal in Opole and its influence on the results of local elections 2002 and 2006

[w:] Biernacka-Ligięza Ilona (red.), *Media and democratization*, Toruń 2013, s. 267-276.

One of the undeniable fruits of the Polish transformation is local government. The institution that in the People's Republic of Poland was no more than a caricature due to the ubiquitous centralization was reborn in the Third Republic of Poland. It was possible to draft a very good act<sup>1</sup> and to encourage Polish citizens to accept, the new better order. Of course one can ponder about the issue of citizen participation in political life on the local level and draw conclusions, which can testify to the unfavorable image of local government in the eyes of ordinary people. However, is not the local level most important in every country? It is the little homelands, so close to every one of us, that decide about the proverbial pavement or the patching up of a local road. That hole which is 20 meters away from my house is more important to me than all arguments at the Wiejska Street in Warsaw. The question why such a small number of citizens take active part in elections is extremely important, but I would like it to remain on the fringes of this essay<sup>2</sup> which is about a slightly different subject.

It is an undeniable fact that pathologies can exist in the highest ranks of power anywhere. As any state, Poland is not alone with this problem<sup>3</sup>. Italy where Berlusconi has some shady links could be an interesting case study.

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<sup>1</sup> Local Government Act of 8 March 1990. Journal of Laws 1990 no. 16 pos. 95.

<sup>2</sup> The conclusion can be called into question, because for instance, the turnout in local elections is usually lower than in, e.g. parliamentary or presidential elections. For example election district: the Town of Opole): 51,95% - presidential elections 2005; 42,83% - 2005 parliamentary elections, 36,38% - 2006 local elections.

<sup>3</sup> I encourage you to read a tape-script of a debate about this, that was organized under the auspices of the Batory Foundation in Warsaw on March 17th 2005, <http://www.batory.org.pl/korupcja/seminar.htm>

However, in Poland for a long time now we have been dealing with the process of state appropriation. An undeniable influence on the state of affairs exerted the communist times, when Poland, as a common good of all citizens, was extremely perverted and even today we are witnesses to the results of those times. I would like to avoid spinning conspiracy theories and referring to the famous "bridge table", but I would also like to draw attention to the harm that the 50-years of the coarse regime caused in the citizens' brains. According research published by CBOS in 1997, 83% of respondents consider bribing immoral, but 63% explains that the present situation forces bribing behavior<sup>4</sup>. In the same research, 55% of respondents admitted that for them "a gift from someone for a favor is only a proof of respect and kindness". Until the social perception of corruption changes into explicitly deplorable, cases of power abuse for personal benefits will take place.

It cannot be expected that in the future a situation when pathologies among the highest ranking officials will be eliminated will be possible. Such an idea is far too optimistic and unreal. There will always be the proverbial 'black sheep', who will put their individual interests over the common good. The role of the media and non-governmental organizations - e.g. Transparency International<sup>5</sup> - should be to pursue a state when pathologies become marginal<sup>6</sup>. Stigmatizing such behaviors in the mass media, changes the attitude of the society as well as that of politicians, who are experiencing pressure from the public opinion more often<sup>7</sup>.

An ideal example that confirms this rule took place in Opole. In the 1990's the leftist parties ruled the city. In our discussion, we will focus on the 1998-2002 term of office, when deplorable practices took place.

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<sup>4</sup> CBOS - Opinions on bribery. *Information from research*. Publisher on: [http://www.cbos.pl/SPISKOM.POL/1999/K\\_139\\_99.PDF](http://www.cbos.pl/SPISKOM.POL/1999/K_139_99.PDF)

<sup>5</sup> More information on: <http://www.transparency.pl>

<sup>6</sup> Most of all due to an integrative function of the media in the society. Check for. T. Goban-Klas, *Media i komunikowanie masowe. Teorie i analizy prasy, radia, telewizji i Internetu*, Warszawa 2006, p. 120.

<sup>7</sup> More real approach is represented by, among others, prof. Andrzej Chodubski, who accurately analyzed the way the world of the media impacts politics in his article: A. Chodubski, *Media jako specyficzna instytucja generowania zachowań wyborczych*, w: M. Szpunar (red.), *Media a polityka*, Rzeszów 2007, p. 33-54.

Before explaining the 'Town Hall Scandal' it is worth to distinguish between a few issues. There were two very media cases in Opole. The "Town Hall Scandal" involved corruption processes and revealed relations between the town's authorities, local businessmen and institutions. However, this cannot be linked with the - not entirely lawful - insurance of Opole Power Plant. The other case was somehow more visible in the nationwide media, e.g. on TV and radio. It seems that that was the case because the people who are suspects in this case, i.e. the former Democratic Left Alliance member of parliament Aleksandra Jakubowska; former "Democratic Left Alliance Baron" in the opole region Jerzy Szteliga and others, were well known to the wider audience<sup>8</sup>.

The political awareness of the citizens of Opole is heavily influence by the press or rather one local newspaper "Nowa Trybuna Opolska" [New Opole Tribune]<sup>9</sup>. The Opole citizens can also search for information about their town and region in a supplement to Gazeta Wyborcza daily and other sources. It has to be mentioned that in autumn 2002 internet sources (web pages of independent newspapers, associations, etc.) were not as important as they are today. Therefore, when on the 11th of October 2002 in Nowa Trybuna Opolska an article entitled "Those were not good houses<sup>10</sup>" was published, a huge bomb exploded. A few weeks before the elections<sup>11</sup> journalists disclosed the involvement of prominent members of SLD, which at the time governed the town, in the construction of the Colorful Housing Estate by the Dobre Domy partnership [Good houses]. The town entered into the partnership land and after the construction was finished, more than ten apartments were to be handed over to the town as way of settlement. Due to numerous irregularities, the contractor was changed a couple of times. The deadline of the handover was delaying.

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<sup>8</sup> Thorough articles on the subject were published in nationwide press. For instance, in a „Newsweek Polska" issue 51/04, there is an article that I recommend to all those interested in the insurance of the Opole Power Plant.

<sup>9</sup> On can say that in thaht time „Nowa Trybuna Opolska" was the only local medium, that performer the informative and control functions because - as R. Kowalczyk rightly notices - the usefullness of information is expressed in its utilization in the process of individual and collective decision making, and exactly this happened in this case. R. Kowa- czyk, *Media lokalne w Polsce*, Poznań 2009, p. 76.

<sup>10</sup> K. Zyzik, E. Kosowska-Kornika, *Nie byty to Dobre Domy*, „Nowa Trybuna Opolska", no.237/2002, p. 2-5.

<sup>11</sup> Local elections took place on the 27th October 2002.

The establishment of the partnership with the town was agreed on by the Town Council in June 1998, the motion was put forward by SLD. As it later turned out, the „partnership”, the private company DDF SA, proved to be insolvent. The construction was halted in November 2000 because the invoices were not paid and the main contractor - EkoBud - filed for the bankruptcy of the Dobre Domy partnership. Then, the city signed a settlement and agreed EkoBud to become one of the main shareholders. The construction was re-commenced but still there was not enough financial resources to finish it. The project was salvaged with a 2 million PLN loan from the town budget what increased the sum paid by the town for this construction to 4 million PLN<sup>12</sup>! At the same time the information was disclosed that town officials took high commissions for "making things easier" while signing construction contracts. Of course, this was all detrimental to the municipality and the future tenants<sup>13</sup>.

The Dobre Domy scandal ended in court<sup>14</sup>, but it is worth to discuss the influence the affair had on election results. Just to remind - only sixteen days passed between the publication of the article and the day the Opole citizens elected new authorities.

In his period, the scandal did not leave the front pages. On the streets people would debate about the conduct of the authorities and town officials. Political competition added fuel to the fire. Tadeusz Jarmuziewicz. MP of Platforma Obywatelska [Civic Platform] commented on the scandal:

*It is neither grey nor complicated nor blurry as some would wish. I suspect that there is a gang of officials in Opole that has its loyal members among some of the SLD politicians in Opole, a few private companies and some officials from state offices. The whole case should be immediately taken over by suitable authorities<sup>15</sup>.*

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<sup>12</sup> Sum of the valuation of the plot and the 2-million loan.

<sup>13</sup> Those interested about the details of the scandal should refer to the article of the Editor in Chief of "Nowa Trybuna Opolska" – K. Zyzik, *To nie były dobre domy, czyli gazeta regionalna w wojnie ze skorumpowaną władzą*, (w:) W. Piątkowska-Stepaniak, B. Nierenberg (ed.), *Wojna w mediach*, Opole 2007, p. 103-109.

<sup>14</sup> The members of the then government of the town were given a final and binding sentence by the Court on the 27<sup>th</sup> of February 2008. Leszek Pogan was sentenced to five years, Stanisław Dolata to three years. The time spent in the detention center was subtracted from the sentence.

<sup>15</sup> K. Zyzik, *To było bagno*, „Nowa Trybuna Opolska", no. 238/2002, p. 3.

Jerzy Czerwiński, MP of Liga Polskich Rodzin [League of Polish Families] of the time adds:

*If this is true, then we did not have this kind of scandal in Opole since almost 20 years<sup>16</sup>.*

Interestingly enough, Sojusz Lewicy Demokratycznej commented on the issues through the mouth of its "baron<sup>17</sup>" from Opole and took action. A motion was put forward to remove Stanisław Dolata from the party and to call to party account all other people involved with the Dobre Domy partnership. Stanisław Dolata, the chairman of the Town Council between 1998 and 2002 was the supposed originator of the creation of the Dobre Domy partnership and the main "player" in the scandal.

As the time went by, new threads about the activities of town officials were discovered. Charges against the former vice-resident of Opole and then the marshal of the opolskie voivodship were brought, she was accused of abusing her office to facilitate her daughter's purchase of a shop in a shopping arcade<sup>18</sup>. Finally, Leszek Pogan - the former president of Opole, Ewa Olszewska and Stanisław Dolata were held under temporary arrest. The former vice-president left jail after admitting to all charges. Pogan and Dolata spent almost a year and a half in a detention center before the judge released them on bail....

The „Town Hall" scandal is multi-layered. For the purpose of this paper only its small fragment was elaborated on - the one that had a direct influence over election results in October 2002.

Kazimierz Szczygielski, a politician from Unia Wolności [Freedom Union] - an activist who rendered great service during the 'defense of Opole' in 1998, commented on the results:

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<sup>16</sup> Ibid.

<sup>17</sup> Baron - in jargon of political newspeak, the name of a chairman of the Voivodship Council of SLD.

<sup>18</sup> E. Kosowska-Korniak, *Wiele zależało od Olszewskiej*, „Nowa Trybuna Opolska no. 23/2004 r. p. 4-5.

*I believe that after the Dobre Domy affair, the people decided to give a chance to those with clean hands. For eight years people who disappointed the inhabitants with their performance governed the town. The scandal was just a nail in the coffin and a clear proof that without strong opposition and its control, every system goes down. What surprised me about the election results was the catastrophic defeat of Synowiec and in truth of the entire SLD party. It shows that they are no longer so strong and uniform<sup>19</sup>.*

The scandal did not leave the front pages until the elections and I believe this is the reason behind SLS's defeat in the 2002 elections. In this way the Opole locality answered to pathology that was presented in the media. This is another scandal whose social impact is far more important than the sentence issued by the court. The examples of such scandals like the so-called Rywin or Orlen affairs are here very in place<sup>20</sup>.

The society of Opole somehow sentenced the authorities themselves. The comparison of the situation in 1998 and 2002 reveals the defeat of SLD and the increase of support to parties that expressed very negative opinions about the local authorities in the last moments of the campaign. One also has to pay attention to the fact that in 2002 the right-wing parties started in the election united under the Election Committee of Ryszard Zembaczyński Voters, who, in the first round of presidential elections out-classed his opponent from SLD. Therefore, those elections can be considered a specific opinion poll where people voter more 'for' or 'against' SLD and not for specific parties or politicians. This situation caused the breakup of the Ryszard Zembaczyński Committee into two camps - PiS and PO. In consequence, politicians whose job was to cooperate were never able to do that.

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<sup>19</sup> *Komentują posłowie*, „Gazeta Wyborcza”, no. 253/2002, p. 4.

<sup>20</sup> Among others. S. Czapnik, *Media a afera Rywina: perspektywa ekonomii politycznej komunikowania*, (w:) P. Żuk (ed.), *Media i władza*, Warszawa 2006, p. 114.

It is also worth to take a few minutes to think about the choice made by the citizens in 2006. The prevailing opinion in the media was that president Ryszard Zembaczyński did not fulfill all of his promises. The division in the council members' club as well as arguments in Opole region Platforma Obywatelska had a negative influence on the president's image. The biggest problem was the fact that Janusz Kowalski quit the party; he is the founder of the Stop the Corruption Association whose aim is to fight against criminal behaviors of Opole politicians<sup>21</sup>. Despite these troubles, Platforma Obywatelska achieved a great result and outclassed its competition. It can be said that the people preferred to choose politicians who had no successes after four years of government but at the same time, the voters did not have any major reservation about their problems with the law. The poor results of Lewica i Demokraci should also be commented on. It is related with inside problems of the Opole Sojusz and the lack of any idea about the future of this party in Opole.

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<sup>21</sup> More information on: <http://www.stopkorupcji.org/onas.html>

To recapitulate my discussion, I would like to draw attention to the role of press in creation of the political reality. The opinions of Opole inhabitants very often include the ideas that were presented in the media and incorporated by the citizens. Many charges described in the papers proved to be true - the defendants admitted to some of the on their own will. I would like to point attention to the fact that the media are a catalyst that contributed to changes for the better. One can guess what would happen if the article "Those were not good houses" did not appear or was published after the election, would the results be different? I believe that there are rational reasons to answer to this question "yes"...

This is why Opole is an example of a town where pathology was presented to its inhabitants and unanimously deplored - what was reflected in the elections. The media make politicians always felt the pressure of public opinion.

## Streszczenie

Autor w artykule porusza istotną kwestię wpływu negatywnych zjawisk występujących w sferze publicznej na dwa poziomy aktywności: realny udział obywateli w procesie wyborczym oraz poziom zaufania do władzy, wyrażony m.in. poprzez rozmaite sondaże. Na przykładzie tzw. Afery Ratuszowej, która miała miejsce w Opolu na początku XXI wieku, opisany został proces pozytywnej kontroli, sprawowanej przez lokalne media, nad władzą polityczną. Całość spaja idea przewodnia, w której media przedstawione zostały jako strażnik nienaruszalności zasad społecznych i dobra publicznego.

## Summary

The author deals with the important issue of negative practices in the public sphere that influence two levels of activism: the real participation of citizens in the election process and the level of trust to the authorities that is expressed through, among others, various opinion polls. The process of positive supervision performed by the local media over the authorities is described on the basis of the so-called Town Hall scandal that took place in Opole at the beginning of the 21st century. The text's main theme and aim is to present the media as guardians of the sanctity of social rules and public good.

## Keywords:

public sphere, citizens, election, opinion polls, local media.

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