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Self-Governance on Trial: A Public Sphere Analysis
of News Website Forum Comments

Audiences, Journalists, and Forms of Capital in the
Online Journalistic Field

Digital Immortality vs. "The Right to be Forgotten":
A Comparison of U.S. and E.U. Laws Concerning
Social Media Privacy

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Challenges to the Public Sphere in the New Communication Landscape

J. David WOLFGANG*

Self-Governance on Trial: A Public Sphere Analysis of News Website Forum Comments

Abstract

The online public sphere offers society an opportunity to pursue self-governance through rational-critical discourse of public issues. However, testing the effectiveness of the sphere involves studying the structure of the online forum (e.g. whether the forum allows for pseudonymous comments or not) and the quality of the content in the forum. This research studied online news forums on the topics of gun control and civil unions in Colorado to see what barriers to participating in the forum might exist in the structure of the forum and then what types of content was produced in the forum. The research showed that a forum allowing commenters to use a pseudonym led to comments with more exchange and critique of reasoned normative positions and use of supporting facts. However, neither the pseudonymous forum nor the identified forum had stronger levels of commitment to constructive dialogue in the forum. Also, commenters showed no reflexivity in their comments, meaning that participants were not assessing their own positions or changing their perspectives based on the arguments of others. While this shows that reducing barriers to accessing the forum helps to produce a public sphere environment, there is still work to be done in improving the level of constructive dialogue and stimulating negotiation and consensus building.

Keywords: Anonymity, online forums, Public sphere.

The Internet has changed the way that individuals communicate and has provided new opportunities for citizens to deliberate together in the pursuit of self-governance. This idealistic approach to public discourse in democracy, as postulated prior to the age of the Internet in the theory of the public sphere (Habermas, 1962), carries many assumptions about the ability of the individual to participate in the conversation, the nature of the conversation, the intent of the individuals participating in the conversation, and the ultimate outcome of the conversation. Whether an online conversation can approach the idealistic goals of the public sphere is as yet an untested assumption, but researchers have come closer to understanding the democratic potential of the Internet by looking at the ability of the individual to access public forums, the quality of the conversation in those forums, and the ultimate ability of the participants to reach consensus on public issues (Brundidge, 2010; Dahlberg, 2001; Dahlgren, 2005; Papacharissi, 2002). The purpose of this case study is to explore how news website forums facilitate conversations on public issues as compared with the ideal of the public sphere through the textual analysis of news website forum conversations about gun control and civil unions.

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The online public forum, when linked to a news story about an important public issue, has the potential to serve as a public sphere for participants seeking self-governance. Previous research shows that online forum participants, when presented with a highly-controversial topic, were more likely to offer reasons for their opinions, reference each other's ideas, and directly respond to each other (Freelon, et al., 2008). This research looks at structural attributes of how the forum is built in order to see if structure and access factors – such as the ability to speak with a pseudonym – influence the quality of the public conversation. This is studied through the hot-button issues of gun control and civil unions because of the contentious nature of the conversations, but also because of the necessity for a public conversation about these topics.

The Habermasian Public Sphere

Jürgen Habermas first postulated the theory of the public sphere in 1962 in order to tie the argument made by previous critical scholars that discourse could emancipate society from economic and political powers with his own assumption that the public could self-govern through discourse (Habermas, 1962; Marx, 1867; Hegel, 1812-1813; Kant, 1784). Habermas also relied on the argument of Max Horkheimer and Theodor Adorno that each individual possesses the desire to pursue a rational society founded on reason (Horkheimer, 1937; Adorno, 1966). Habermas took this a step further in order to develop the public sphere concept by advocating that individuals pursuing self-governance could come together through rational-critical discourse in an attempt to liberate themselves from economic and political powers in society (Habermas, 1962).

The public sphere is advanced as an effective normative theory of deliberative democracy because, despite how ideal the values might be, it assumes three things: the presence of citizens who possess communicative competence, equal access for all potential participants, and separation from state and economic powers in the forum (Habermas, 1979; Habermas 1962; Hohendahl, 1979). The public sphere is often criticized for the same reasons – notably because it assumes that a forum can exist in which all citizens can actively access and participate equally (Hohendahl, 1979). Critics claim that the public sphere makes a broad assumption that certain minorities in society have an equal ability to access the sphere. This argument is often made in the historical case of the French Revolution, which lacked female participation, but was held out as a plausible case of the public sphere by Habermas in *The Structural Transformation of the Public Sphere* (Landes, 1988; Habermas, 1962).

Normative Journalism Theory

Journalism might play a role in developing the kind of forum for public discourse that could come close to meeting the expectations of the public sphere. Connecting the public sphere to the role of the journalist requires normative journalism theory about the expected role of the journalist, which can be broken down into four roles: monitorial, facilitative, radical, and collaborative (Christians et al., 2009). Under the Facilitative Role, it is expected that the journalist will provide the individual with an outlet through which to express oneself with

the goal of collective understanding and improving one's community through democratic pluralism (2009, p. 158-159). This is an expression of a journalist's expectation of his or her own role within the creation and maintenance of the public sphere. However, Habermas' criticism of the commercial mass media and the creation of a mass culture in society would go against the belief that a corporate entity could create a true public sphere because of the corporation's economic influence on that sphere (Habermas, 1962, p. 188-189; Carey 1995).

Criticism of online democratic dialogue

Beyond the mere creation of the public sphere in society, there is also a dispute whether the public sphere can be realized through democratic discourse online (Papacharissi, 2002). The Internet may create new opportunities for citizens to communicate with others, access new information, and create niche conversations about public issues; but there is no guarantee that all members of the public will have equal access to the conversation, that the conversation will be diverse, or that the members will be willing to participate in rational-critical discourse (Papacharissi, 2002). Researchers found that those who are educated and affluent typically dominate online forums rather than those who are less educated and less wealthy – who often lack access to the Internet. Participants in online conversations also tend to be white, employed, and male (Baek, Wojcieszak, & Delli Carpini, 2011). This undermines the legitimacy of the Internet as a forum for inclusive and egalitarian deliberation.

Operationalizing the public sphere online

The Habermasian public sphere assumes that the public can seek self-governance through the creation of an inclusive, diverse, egalitarian forum that promotes rational-critical discourse (Habermas, 1962). The concept of the public sphere can be broken down into three dimensions: structures, representation, and interaction (Dahlgren, 2005). When applied to online forums, the structural dimension is defined as how the forum is built in terms of "legal, social, economic, cultural, technical, and even Web-architectural features." The representation dimension refers to the output of the media in terms of "fairness, accuracy, completeness, pluralism of views, agenda setting, ideological tendencies, modes of address, and so forth." A weak structure can have effects on the representation within the content. Finally, the interaction dimension consists of citizen interaction with the media and with each other (Dahlgren, 2005, p. 149).

An initial assessment of the content within a possible public sphere begins by categorizing the forum based on who can access the sphere, how individuals can express themselves, and whether a responsive relationship exists between the participants (Bennett, 2004; Ferree, 2002). One can assess both the structural issues and the content issues by evaluating four features of the sphere: Does the forum allow for mediated discourse? Does the forum allow for previously excluded, or new, discussants? Are issues political in nature? And are the ideas judged on their merit rather than by the individual source (Poor, 2005)? Dahlberg took this a step further by operationalizing six key concepts that allow for a more in-depth assessment of the content: "exchange and critique of reasoned moral-practical validity claims," "reflexivity," "ideal role

taking,” “sincerity,” “discursive inclusion and equality,” and “autonomy from state and economic power” (Dahlberg, 2001, p. 623). These concepts cover the important issues of developing a reasoned argument, showing a willingness to consider the views of another, participating in a constructive dialogue, stating relevant facts to back up one’s opinion, and providing opportunities for all members of the community to participate in the forum. This test has been amended by others to allow for a textual assessment of specific instances of the absence or presence of qualities expressed by Dahlberg (el-Nawawy & Khamis, 2011).

The Online Public Sphere

Researchers have attempted to compare the quality of online discussion to that of face-to-face conversation with mixed results. Sunstein (2001; 2007) argued that “group polarization” would cause like-minded individuals to gather online in order to engage in conversation only with those whom they agree with. This phenomenon, he states, will cause individuals to pursue even more extreme viewpoints because of confidence and corroboration within the group (Sunstein, 2007, p. 66). However, other researchers have found that online political discussion and online news use contribute to a more heterogeneous political discussion than face-to-face conversation (Brundidge, 2010). Brundidge (2010) also found that some partisan discussion members were constructing barriers for conversation with social boundaries that made “exposure to political difference less likely” (p. 695). Much like in face-to-face conversations, political discussions online often happen in places that are not inherently political. Individuals who entered non-political forums online reported engaging in political discussions with individuals with whom they disagreed (Wojcieszak & Mutz, 2009).

Online deliberation participants are more likely to see their conversations as being diverse than those who have conversations face-to-face, and there are possibilities for increased inclusiveness in online conversation for those in communities with little diversity (Baek, Wojcieszak, & Delli Carpini, 2011). Researchers found that political moderates are just as likely as ideologues to participate in online deliberation – meaning that the potential for civic engagement could be high. However, participants also self-report lower levels of political engagement than those who deliberate in a face-to-face environment (Baek, Wojcieszak, & Delli Carpini, 2011). In an experiment looking at how individuals deliberate in conversations surrounding a highly controversial topic or a consensus topic, researchers found that individuals presented with a highly controversial topic were more likely to offer reasons for their opinions, reference the ideas of their peers in their own statements, directly respond to one another, and use insults (Freelon, et al., 2008). The experimental study also found no difference in the individual’s willingness to participate in online discourse depending on the individual’s stated political identity (Freelon, et al., 2008).

Structural Issues

Habermas (1962) placed great emphasis on the importance of the individual’s ability to access the public sphere in order to lend credibility to the sphere. From a historical perspective, he believed that a sphere could not exist if individuals were “*eo ipso* excluded” (Habermas, 1962,

p. 85). Dahlgren (2005) argues that access to the sphere is highly dependent on how spheres of deliberation are structured, which is a product of the democratic values of the society.

“A society where democratic tendencies are weak is not going to give rise to healthy institutional structures for the public sphere, which in turn means that the representational dimension will be inadequate.” (Dahlgren, 2005, p. 149)

Pseudonymous commenting. Many news websites allow visitors to interact with one another in a conversation related to the content by facilitating a public discussion board. These public forums have typically allowed participants to keep their identity secret to the other participants; however, many news organizations are now requiring participants to sign-in to a major social networking site (e.g. Facebook.com) in order to comment. These social network sites require users to use their real names, then pass that information on to the news website which then posts the comment with the participants’ real names. The growing trend of removing pseudonymous commenting options from news websites (e.g., *The Buffalo News* and *Voice of San Diego*) is supported under the belief that commenters will contribute higher quality content if they are required to use their real name, however, there is no research into whether using one’s real name does lead to higher-quality content (Reader, 2012; Sullivan, 2010).

Pseudonymity and the Internet. An individual’s full name gives social meaning to the others they interact with, and there are many ways in which individuals attempt to mask some part of that meaning by purposely not disclosing a certain aspect of their identity. There are multiple types of “identity knowledge” – as one can expose their legal name, their location, a pseudonym linked to their name or location, a pseudonym not linked to any identifying information, and/or a social categorization of one’s identity (Marx, 1999).

Research shows that the ability to speak anonymously or pseudonymously helps to break down power structures and, specifically, women are more likely to take advantage of reduced social cues in order to continue to not only mask their identity, but also their gender. Women were also more likely to attempt to represent themselves using traditional male social cues (Flanagin, et al., 2002). In another study, researchers found that individuals placed in an anonymous online brainstorming group were more likely to give criticism of others because there was no fear of retribution (Nunamaker, et al., 1996). Researchers found that despite allowing for a lower-threat environment, anonymity in online group communication also leads to an increase in dysfunctional behavior. However, this effect can be controlled to some extent by an active conversation facilitator who attempts to diminish the negative comments (Pinsonneault & Heppel, 1996). An analysis of online reader comments in response to a news organization’s decision to ban anonymous comments found that commenters appreciated speaking anonymously for three salient reasons: in order to allow the public to speak truth to powerful institutions, to protect individual privacy while allowing for free expression, and as a self-liberating and cathartic experience (Reader, 2012).

However, research has also shown some support for the discounting hypothesis – that anonymous speakers are perceived to be less credible and less trustworthy in online group communication. There was no significant difference in the credibility or trustworthiness of anonymous sources as compared to identified sources, however, when controlling for perceived anonymity (whether the participant perceives the individual to actually be anonymous) there was greater support for the discounting hypothesis (Rains, 2007a). This shows that when readers perceive the speaker to be anonymous and have great trouble identifying any charac-

teristics of who the speaker might be, the participant is more likely to see the speaker as being less credible and less trustworthy (Rains, 2007a). In another study by Rains (2007b), participants rated health information gathered from an anonymous source to be just as credible and influential as information gathered from an identified source. The researcher believed that this result may have occurred because participants may have believed that sources had no motivation to post false and harmful information, so the information presented – whether from an anonymous or identified source – must have been well-intentioned (Rains, 2007b).

Online disinhibition. Because of the physical and emotional distance that exists between individuals communicating online, there is a belief that individuals will feel less of a need to conform to social norms out of fear of disapproval and that there will be a perception of the absence of any authority figures. This perception leads to online disinhibition, in which individuals are more likely to openly express themselves, even when those expressions include hostilities or deviant statements. The online disinhibition effect is expected to be strongest when individuals perceive themselves to be anonymous to others (Suler, 2004). When researchers looked at discursive anonymity, which was defined as the non-disclosure of personal information which might identify the speaker, younger participants and women were more likely to disclose information when their actual identity was masked – which supports the online disinhibition effect (Hollenbaugh, 2013).

The structure of the news website public forum plays an integral part in the initial establishment of the public sphere. A researcher cannot determine whether a public forum is an instance of the public sphere by studying the quality of the content alone. The researcher must also look at the structural aspects of the forum – whether the forum is inclusive and egalitarian and whether the forum is free from political and economic elites that dictate the conversation. In order to study all these aspects of the forum, the researcher compared and contrasted the forums with the ideal of the public sphere while also identifying specific content characteristics that are representative of a conversation in the public sphere.

RQ1: How do the characteristics of the structure of news website public forums align with the values of the Habermasian public sphere?

RQ2a: How do conversations about gun control and civil unions on a news website public forum align with the values of the Habermasian public sphere?

RQ2b: How does the content of the public forum exhibit reasoned critique and exchange of normative positions on gun control and civil unions?

RQ2c: How do public forum participants use reflexivity and ideal role taking to adjust and advance their normative positions on gun control and civil unions?

Study design

This analysis is based on a case study of two daily newspaper websites and their public forums in order to explore the characteristics of news public forums that most align with the public sphere. A case study allows the researcher to study a contemporary phenomenon using real-world context and multiple sources of data to test a theoretical proposition through an in-depth, holistic analysis of selected cases (Yin, 2003). The researcher also conducted an analysis of the structure of the news forums and a textual analysis of the comments left in the forums.

The newspaper websites were chosen based on their status on a key structural component of the public sphere: access to the forum. Using the forum as a unit of analysis and gauging the websites on this one component allows the researcher to determine if there exists a best method for allowing effective access to a public forum. This is defined as “effective access” because no individuals are being denied access *ipso facto*, but social facts surrounding access may chill free expression. Access to the forum is determined by the website’s policy on whether members of the public can speak with a pseudonym or not. The following news websites were chosen for the study based on their anonymity policy:

- *The Denver Post* (participants may comment using a pseudonym)
- *The Colorado Springs Gazette* (participants must provide their full name)

The two websites are both daily newspapers in Colorado that frequently cover public policy issues in the state. By choosing two cases that are homogeneous on general location, publication type, and story type, the case study researcher can better explore the criterion that varies between the two cases.

For this study, the researcher defined pseudonymity as the individual’s ability to express himself without using his real name. Those websites that require an individual to use his real name did so by requiring the users to comment by using the identity linked to their Facebook account. The researcher’s role was to collect the data and interpret the comments using a previously established six-part test of the quality of a public sphere (Dahlberg, 2001).

The sample for the textual analysis is the textual data from the comments sections from the two news websites on any stories related to firearm regulation and civil unions. From each website, the researcher collected textual data from the comments section for March 3-9, 2013 on stories related to the proposed and existing regulation of firearms. This research does not include stories about gun culture or gun violence. The researcher also collected data from the comments section for January 22 – March 24, 2013 on stories related to civil unions. Gun control and civil unions were chosen as topics because they were expected to generate a large number of comments as the Colorado legislature was debating a number of related bills during the data collection period. Both original reporting and wire service stories were collected, but no duplicate stories were among those analyzed. Based on the number of comments, four to five stories were chosen to be studied from each website for each topic and among the seventeen stories there were 1,004 comments. A textual analysis was conducted using both the conversation and the individual comments as units of analysis. The two analyses were intended to give the researcher a better understanding of how pseudonymity might have an effect on the quality of a plausible public sphere.

The researcher used textual analysis in order to assess the compare the content and conversation with the public sphere because the characteristics of the public sphere can be exhibited both through the specific comments, and through the conversation taken as a whole. Because both the holistic conversation and the individual pieces of content were assessed, it was necessary to use textual analysis rather than content analysis. A textual analysis involves a thorough dissection of the text for salient themes, theoretically relevant concepts, and emergent patterns (Creswell, 1998). For this specific project, the researcher conducted multiple readings of the stories using a six-part public sphere analysis that looked at “exchange and critique of reasoned moral-practical validity claims,” “reflexivity,” “ideal role taking,” “sincerity,” “discursive inclusion and equality,” and “autonomy from state and economic power” (Dahlberg, 2001, p. 623). “Exchange and critique of reasoned moral-practical validity claims” is defined as participants expressing normative positions that are expressed using reason (ex-

planations and justifications) rather than assertion (claims and allegations.) “Reflexivity” is defined as an instance in which a participant re-evaluates their cultural norms and/or the values of the society at large. This requires the individual to rethink their positions “when confronted with strong critique and powerful alternate positions (Dahlberg, 2001, p. 625). “Ideal role taking” is defined as the individual making a committed effort to a constructive dialogue through the expression of differences of opinions that are respectfully considered. This includes fostering empathy through respectful listening and a willingness to be exposed to different opinions. “Sincerity” is defined as the intent of the individual to make a sincere effort to provide relevant information about the issues being discussed. Dahlberg (2001) argues that in order to meet the needs of sincerity, participants should disclose their full name; however, for this research, sincerity will only focus on the participants’ willingness to disclose as much accurate information of pertinence to topic in the discussion. “Discursive inclusion and equality” is defined as the ability of each individual to be equally entitled to introduce and question assertions made in the forum. Finally, “autonomy from state and economic power” is defined as the requirement that the forum be driven by the concerns of the public rather than the concerns of the politically or economically powerful (Dahlberg, 2001). Because a public sphere analysis establishes an idealistic view of public discourse, any content that does not meet the idealistic goals does not serve the interest of the research. This could include ad hominem attacks, normative statements that lack reason or justification, and insincere remarks that attempt to change the subject of the conversation.

In order to assess the comments and the conversation for these statements, the researcher first went through the text using open coding in order to assess the conversation from a holistic approach noting the types of exchange that were taking place between participants and whether the conversation was inspired by the interests and concerns of the participants and not those of an economic or political power. Then axial coding was used to take a more thorough look at the specific comments for instances of reflexivity, ideal role taking, and sincerity.

The factors of discursive inclusion and equality and autonomy from state and economic power are more important issues from a structure perspective than a content perspective. For instance, the fact that a website requires individuals to use their real name could have an effect on the inclusiveness of the public forum or if a website chooses to use a paywall to limit access only to those able to pay a monthly fee, then the inclusiveness could decrease and the ability of elite individuals able to afford access to the forum could dominate the conversation. By studying forums that both do and do not allow pseudonyms, the researcher can come closer to understanding those qualities of a public forum that may stimulate rational-critical discourse and the pursuit of self-governance and those qualities that might inhibit deliberation and the pursuit of common goals in discourse.

Findings

For this research, two Colorado news websites were studied to see how public forum conversations about proposed and existing gun control regulations and civil unions matched up with the ideal speech situation of the public sphere. In order to study for the presence of the public sphere online, the researcher first had to contrast the qualities of the structure of the public forum with those of the traditional norms of the public sphere.

Comments were culled from public forums from *The Denver Post* and the Colorado Springs *Gazette* related to the topics of gun control and civil unions in January–March 2013. The Colorado legislature debated bills related to both issues and passed new laws in both cases. The gun control stories related to the legitimacy of background checks, whether gun control legislation worked to prevent gun crime, and whether those convicted of domestic violence should be allowed to possess guns. The civil union stories were related to whether Colorado should pass a law extending the right to enter into a civil union to same-sex couples. On both websites, the same commenters dominated the conversation by posting numerous statements on each story.

Contrary to the argument that a forum allowing pseudonymous identities would decrease the quality of the conversation, *The Denver Post* forum included a larger prevalence of original arguments from commenters, had a higher rate of exchange and critique of reasoned normative positions, and included far more arguments backed up with facts and other relevant information than did the Colorado Springs *Gazette*. The forum that required commenters to use their actual name included higher rates of criticism and retort rather than original arguments based on reasoned normative positions (See Table 1).

Table 1. Examples of comments.

Types of discourse			
	Original Argument	Challenging Commenters	Supporting Commenters
Exchange & Critique	“Lawmakers need to ensure enforcement of laws already on the books instead of creating new laws which only effect law abiding citizens for the feel good feeling they desire from their (for some) meaningless jobs.”	“You bring up some good points, but you clearly allow your own bias to dictate your scrutiny. It is indeed difficult to remain completely objective and unbiased.”	“I agree with you on this point. A responsible gun owner would have no problem obtaining a liability insurance policy on the weapon.”
Ideal Role Taking	“If you are a responsible gun owner, then you wouldn’t have to worry, right?”	“Calling the sponsor names is hardly a convincing argument except when preaching to the already converted.”	“I concur. While I think many of the gun control bills are mainly feel good items which will have little effect on gun crime, this is a narrowly tailored bill directed at a population that has a demonstrably higher risk of danger to others.”
Sincerity	“Mark Kelly and Gabby Giffords are both gun owners and supporters of the second amendment. They also want stricter and more sane gun laws.”	“We want sane gun laws too. Making it harder for law-abiding citizens to defend themselves is not sanity.”	“Good post John. FBI Uniform Crime Report had firearms related murders at about 8500 in 2011. It’s even a lot less than organizations such as the Brady Bunch

The second research question focused on how the conversations about gun control and civil unions in the public forums compared and contrasted with the values of the public sphere.

The ideal situation for the public sphere was where a commenter expressed a reasoned normative position, with supporting facts for his position, while committing himself to construc-

tive dialogue. This combination happened in only about one-fifth of the comments. Overall, the commenters were more willing to use reasoned normative arguments supported by additional information than they were to commit themselves to constructive dialogue. This missing commitment to constructive dialogue often led to vitriol and excessive criticism, meaning that commenters were coming very close to meeting the requirements of the public sphere, but falling short because they demonstrated a lack of respect for others in the forum. The expressions that demonstrated disrespect typically took an absolutist position that was not conducive to compromise, and the comment was often dismissive and/or belittling of other commenters.

For example, a *Gazette* commenter, in addressing whether background checks on gun purchases will reduce crime, resorted to name-calling by saying: “Exposing yourself as a complete fool does not accomplish anything either. We have background check in Colorado, these additional measures are unenforceable nonsense. And yes they are unconstitutional.” (Reginald H., 2013)

One *Denver Post* commenter made a rational argument supported by additional information, but also used absolutist language to dismiss the position of the opposition: “There is nothing any legislative body can do to prevent a person from obtaining a firearms and committing violence. You simply cannot legislate human behavior. Democrats – Again, stuck on stupid.” (rehafner, 2013)

While there were instances of well-reasoned arguments and the use of supporting facts, many of the commenters still resorted to using vitriolic language and attacks. This lack of respect for fellow commenters creates distance between the actual content of the forum and the ideal of the public sphere.

The third research question asked how the content of the public forum exhibited reasoned critique and exchange of normative positions. It is a critical assumption of the public sphere that individuals will express rational-critical discourse. This type of discourse is exemplified through the assessment of exchange and critique of reasoned normative positions in the comments.

More than one-third of all the comments included exchange and critique and almost one-third of those comments included original arguments beyond what was presented in the story. Other exchange and critique comments included critical comments about other commenters and the media and a small minority of commenters supported other commenters by building off of their original arguments.

One *Post* commenter challenged the proposed legislation in the story as redundant: “It states specifically that it would take guns away from people that are not allowed to have them under federal law... If they aren’t following the federal law, why would they follow the state law? Why have 2 of the same law?” (USMC2002, 2013)

One *Gazette* commenter challenged another’s support for “sane gun control laws”: “There are no such things as sane gun control laws. Could you provide information on any gun control law that would have prevent the incident that (Rep. Gabrielle Giffords) was wounded in?” (Reginald H., 2013)

Most of the exchange and critique was reasoned criticism, which met the standards of rational discourse for which Habermas advocated. Very few commenters built off of the arguments of other commenters in the forum and even fewer made criticisms of the media directly.

The final research question looked at how participants in the public forum used reflexivity and ideal role taking to adjust and advance their normative positions on gun control and civil unions. A large number of commenters used polite criticism to show that they were willing

to engage in dialogue, but believed the other individual was wrong. One *Post* commenter attacked what he saw as faulty logic from a liberal commenter. “I have come to the realization, that this is not a serious subject with you and you really have no interest in a *solution*. Just getting ‘your way’. Your problem is with the GOP, not guns but people.” (max-parrish, 2013)

There was a core group of commenters who showed a commitment to constructive dialogue, and about one-third of these commenters expressed their commitment through an interest in continuing a dialogue and even inviting others to comment on their statements. In one example from the *Gazette*, a commenter looked for clarification from a gun rights supporter as to how the proposed legislation would affect responsible gun owners: “Do these regulation infringe on any right of legal gun owners?” (Patrick F., 2013)

Even though many of the commenters expressed themselves numerous times, there was no reflexivity in the comments. Instead, the commenters chose to stick to their polarized positions. The lack of reflexivity means that commenters appear unwilling to consider changing their opinions on the issue – making it impossible to negotiate or achieve compromise.

Discussion

This research adds new information about how public forum access and the level of commenter anonymity plays a part in the development of a public sphere in online public discourse. Testing the quality of the public forum conversation with the ideal of the public sphere is important to this research because it allows the researcher to come closer to understanding those qualities of a forum that might inhibit the development of a public sphere, or that might help it develop. Understanding what qualities help the development of a public sphere helps us develop forums that are more conducive for public discussions of important issues with the goal of reaching self-governance.

The website that allowed pseudonymous comments appeared to develop a higher quality conversation from a public sphere perspective – fostering more exchange and critique of reasoned normative positions. However both public forums had a low amount of ideal role taking and reflexivity, making it difficult for the forums to meet the public sphere’s ideal position of fostering respect and consensus. And even the forum that did include a higher rate of exchange and critique of reasoned normative positions still only included that factor in only about one-half of the comments. While there might be promising possibilities for the development of exchange and critique in public forums, the dearth of reflexivity and the low levels of ideal role taking show that the public sphere is not present in the forums.

In order to compare online forums to the ideal of the public sphere, the researcher studied the structure of the news forums, the level of ideal role taking present from the participants, the type of exchange and critique of reasoned normative positions that took place, and whether participants were reflexive about their positions within the dialogue.

Structure

Prohibiting anonymous and pseudonymous comments might be thought of as a way to improve the quality of the comments, but it also chills the speech of individuals who might have something valuable to add to public discourse. By excluding individuals from the conversa-

tion, the forum does not meet the “inclusion and equality” requirements of the public sphere as stated by Dahlberg (2001). The pseudonymous forum also included more quality conversation with more exchange and critique of reasoned normative positions and an equal amount of ideal role taking as compared to the conversation with identified commenters. The researcher did not discover any issues with the autonomy of the conversation as employees of the news organization never entered the conversation and there was no visible way to tell if comments had been excluded from the conversation. The type of comments that were allowed to be posted – which were sometimes critical of the news organization – gave the researcher the impression that autonomy was quite high. Overall, structure of the public forum might be a critical factor in determining the quality of the overall conversation from a public sphere perspective because individuals might feel less secure in stating their opinions or arguing with strangers when their identity is made known.

Despite the differences structure might make in the creation of a public sphere, both forums had a lack of participants willing to commit themselves to constructive dialogue, which makes it difficult for either type of forum to reach the level of a public sphere.

Lack of ideal role taking

The public sphere requires that participants be committed to constructive dialogue and reflexive about their normative positions in order for the participants to find common ground and pursue solutions to public issues. Ideal role taking assesses the level of commitment the individual has to constructive dialogue in the forum (Dahlberg, 2001). This includes individuals making a positive attempt to invite further discussion or give polite criticism. There was a notable absence of these qualities in the conversation in either the *Post* or the *Gazette*. However, there was a high amount of absolutist positions and arguments dismissive of the positions of others. This was true in both the pseudonymous and the identified cases, making it more plausible that the development of a commitment to constructive dialogue might be more dependent on the content in the conversation than the structure of the forum. Dahlberg also found that online forums “fail to achieve a reasonable level of respectful listening or commitment to working with difference,” supporting the findings of this article (2001, p. 623).

A need for more exchange and critique

Even though exchange and critique of reasoned normative positions appeared to be more prevalent on the *Post* website, which allowed for pseudonymous comments, it still only made up about one-half of the comments on that site. That means that half of the comments lacked a reasoned argument. From a public sphere perspective, this is a troubling trend because it is difficult to develop a consensus when individuals are not even advancing a reasoned argument, but instead are relying on unfounded assertions and criticisms. It may be that commenters find it easier to craft an argument based on assertions because these arguments do not require locating facts to support one’s opinion or developing a logical argument. News organizations might look for ways to encourage reasoned arguments and discourage assertions in order to improve the quality of the conversation.

A need for more reflexivity

The absolute lack of reflexivity on both websites showed that the public sphere ideal is far from being met. If individuals are either unwilling or unable to free themselves from their set positions, then there can be no consensus. It is expected that there would be more reflexivity on the issue of civil unions, since polls have shown a recent trend of public opinion shifting on that issue in the U.S. (C.B.S., 2013). However, the issue of gun control tends to highlight a significant philosophical difference in society that is not apt to change (Pew research Center, 2013). Not only did participants refrain from expressing a changed opinion on the issues, they did not even express a changed perspective on the values of society at large. This type of absolutist positionality makes the public sphere incredibly difficult. One would expect that increased exchange and critique of reasoned normative positions might lead to an increase in reflexivity as participants are exposed to beliefs and values that are different from their own, but this does not appear to be happening. This might mean that participants choose to engage in public debate in order to express their polarized position without the intent to be persuaded. There should be great concern for the legitimacy of the public sphere if individuals enter the public forum without the willingness to participate in reasoned debate. This finding supports Dahlberg's conclusion that "reflexivity is often a very minimal part" of on-line discourse (2001, p. 623).

Sunstein (2001; 2007) argued that online discourse would cause group polarization and that individuals would coalesce around others with similar views for public discourse. This research found much more criticism than agreement, despite the fact that many of the commenters held similar beliefs and should have been able to agree with each other. It appears that the commenters were more concerned with challenging the views of those they disagree with than building upon the arguments of those with whom they might agree. This research might differ from the expectations of Sunstein because individuals participate in forums on *The Denver Post* and the *Colorado Springs Gazette* because they have a shared interest in the issues of their community, not because the individuals necessarily share a political ideology. This research also could offer support for the online disinhibition effect, that individuals will be more likely to disclose personal information online because there is a physical and emotional distance between themselves and the other individuals they are engaging with online. However, because this study looked at the types of reasoned arguments made online and not the type of personal information disclosed, this research can only state that pseudonymous individuals are only slightly more likely to make reasoned normative arguments and enter discussions of controversial topics with strangers online.

This research appears to confirm the findings of Freelon, et al (2008) that when individuals participate in a public discussion of a controversial topic, participants are more likely to offer reasons for their opinions, reference the ideas of others in their own statements, directly respond to one another, and use insults. The strange combination of reasoned normative arguments and insults appears to be a common trend that should be studied in further research.

Insight for the Public Sphere

Overall, the higher quality conversation came in the forum that allowed pseudonymous commenters to participate. This meets the public sphere's need for an egalitarian forum that includes rational-critical discourse. However, there was no consensus building in the pursuit

of self-governance. There is also a vexing issue as to how to increase the amount of reflexivity in the conversation in order to improve the participants' ability to self-govern through discourse, however, without instances of reflexivity in the set of comments examined, it is difficult to offer solutions as to how to accomplish this task with the current research.

From the perspective of the news organization, based on the data presented here, building a public forum that allows for the highest quality conversation requires allowing anonymous and/or pseudonymous comments. In order to improve online conversations, some news organizations have disallowed commenting on certain types of stories or have allowed journalists to actively moderate conversations as a journalist-participant. While these attempts might improve the quality of the conversation, they also have an effect on the autonomy of the public to control the conversation.

Limitations and Future Research

This research looked at just two news organizations covering two public issues over a short time period. This offers a cursory glance at the state of the public discourse that could be taking place on controversial public issues at one point in time. Despite having only two case studies, the researcher made many observations across numerous public forums in order to increase the total of observations. King, Keohane, and Verba (1994) argue that increasing the number of observations can offer valuable findings in small-*n* studies. The differences that existed in this small time frame give the researcher a reason to believe that there are real contrasts that exist based on the structure of the forum and whether the story is related to a narrow policy issue. The researcher also was limited in studying the motives of the commenters and assessing whether the forum was absent of state and economic powers driving the conversation.

Future studies could look at a longer period of time for multiple news sources in order to corroborate the stated findings. Because public discourse can differ based on the social norms of the public involved in the conversation, future studies could look at online comments in another area of the United States or in another country.

Another study could also look more closely at the differences in discourse that might exist between broad stories as compared to detailed policy stories. This research appeared to show differences in the quality of the conversation based on whether the article was written from a broad perspective or whether it focused on a detailed policy issue. A cursory glance at the conversations showed a much more quality conversation emerging from detailed policy stories as compared to those stories written about a broad topic – such as gun control or same-sex civil unions in general. Because the research question is concerned with the development of arguments in public discourse and not necessarily with the content of the arguments or the political viewpoints presented, a future study could also look at multiple public issues over a longer period of time.

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Edson C. TANDOC JR.*

Audiences, Journalists, and Forms of Capital in the Online Journalistic Field

Abstract

This study found divergence in how online journalists and student-audiences rated articles with varying popularity, as measured by audience metrics, and quality, as operationalized by winning a journalistic award. The findings revealed that while metrics and awards did not matter for young online news audiences, they were important for online journalists. But even among journalists, the importance of metrics and awards varied depending on whether the journalists were evaluating stories or their peers. For online journalists, popular stories were more newsworthy than those that were not. Awards did not influence their judgment of newsworthiness. But when evaluating the authors of the articles, online journalists rated authors of articles that won awards more favorably than authors of articles without awards. The popularity of stories did not matter in their evaluation of the authors.

Keywords: audience, journalists, online news, web analytics, web metrics

Introduction

The internet has changed not only how audiences access information from journalists but also how journalists access information about their audiences (Napoli, 2011; Sullivan, 2013). Through web analytics, journalists get to know which stories are getting more traffic, which websites direct traffic to their news site, how much time readers spend on each story, and many others (Tandoc, 2014a). On one hand, this allows journalists to be more responsive to what audiences want. On the other, catering to what the audience wants is a form of intrusion on editorial autonomy. For the longest time journalists ignored, if not rejected, audience feedback (Gans, 1979; Schlesinger, 1978). A convenient excuse before the onset of web analytics is that journalists did not really know exactly what the audience wanted, because at most readership surveys and television ratings were considered mere approximations of what really the audience wanted. But with the detailed metrics that journalists can now access about their news websites, knowing what the audience is clicking on is also only a few clicks away.

Newsrooms use web metrics not only to measure traffic but also to increase traffic. A straightforward example is how a list of most viewed articles has become a staple of news sites. These lists are usually automatically generated based on number of views an article gets. These function as shortcuts for other readers to decide what to read based on which articles other readers have already read (Tenore, 2011; Thorson, 2008). It becomes cyclical:

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popular stories tend to stay on the most read list because they are on the list to begin with (Lee, Lewis, & Powers, 2012; Thorson, 2008). What is interesting is that the most popular stories are usually not what journalists deem to be the most important (Boczkowski, 2010; Boczkowski, Mitchelstein, & Walter, 2011). While journalists tend to prioritize public affairs stories, audiences click on non-public affairs pieces (Boczkowski et al., 2011; Thorson, 2008).

This study is interested in further exploring this divergence between journalists and their audiences particularly in the online news context (Boczkowski, 2010; Boczkowski et al., 2011). Studies have empirically demonstrated this divergence of news preferences through content analyses of news sites that compared journalists' preferences based on story placement with audiences' preferences based on lists of most popular stories (e.g. Boczkowski et al., 2011; Lee et al., 2012; Thorson, 2008). A missing piece, however, is an explanation to account for this divergence. This current study turns to field theory to explore the concept of perceived capital as a mechanism to explain why journalist and audience preferences diverge.

Literature Review

Field Theory

Originally used in the physical sciences, specifically in electromagnetism (Martin, 2003), the concept of *field* as adapted in the social sciences, particularly by French scholar Pierre Bourdieu, refers to “the local social world in which actors are embedded and toward which they orient their actions” (Sallaz & Zavisca, 2007, p. 24). These social actors, called *agents*, participate in the struggle to either conserve or transform the field (Bourdieu, 1998, 2005). An important assumption in field theory is the pursuit of autonomy, and the theory argues that the social world is generally caught between the opposing poles of economic and cultural power (Benson, 2006). The cultural power represents an autonomous pole, consisting of resources that differentiate a social space from other fields; on the other hand economic power is considered a heteronomous pole, consisting of external forces (Neveu, 2007). The concept of a *field* has been used in numerous studies, conceptualizing as fields concepts such as, among others, politics, the arts (Bourdieu, 2005), organizations (Emirbayer & Johnson, 2008), sports (Stempel, 2005), and journalism (Benson, 2006; Bourdieu, 1998, 2005; Handley & Rutigliano, 2012). Field theory is particularly applicable to understanding the journalistic field, situated as it is between its own professional norms that privilege autonomy and its business model that makes it vulnerable to the market. For example, Champagne (2005, p. 50) observed: “The history of journalism could well be in large part the story of an impossible autonomy – or, to put it in the least pessimistic way, the unending story of an autonomy that must be re-won because it is always threatened.”

The field is considered a meso-level concept (Sallaz & Zavisca, 2007) with its focus on both the field in relation to other fields, and the agents in relation to one another and to the field. For example, Bourdieu (1998) argued that the journalistic field, particularly television, had amassed enough meta-capital (see Couldry, 2003) to exert influences on other fields, such as the political field and even the field of the arts, thereby transforming the struggles within these fields. In the same vein, the journalistic field also finds itself situated between the economic and cultural poles, being influenced by other fields in the process. Within the journal-

istic field, agents engage in the struggle for either transformation or preservation by amassing different forms of *capital*, another central concept in Bourdieu's work.

The concept of *capital* refers to "the specific forms of agency and prestige within a given field" (Sterne, 2003, p. 375). They enable agents to participate in the struggle (Handley & Rutigliano, 2012), differentiating one agent from the other in terms of relative power. Thus, capital is also something that agents seek. Forms of capital are both "weapons" and "stakes" within a field (Emirbayer & Johnson, 2008, p. 11). Field theory refers to two main forms of capital: economic capital refers to money or assets transformable into money (Benson, 2006) while cultural capital refers to possession of competence in a socially valued area (Sallaz & Zavisca, 2007). Within the journalistic field, economic capital has been operationalized in terms of metrics such as circulation rates, advertising revenues, or audience ratings while cultural capital has been operationalized as possession of journalistic excellence or quality as conferred by professional or academic groups, such as the Pulitzer Prize in the US (Benson, 2006; Benson & Neveu, 2005). I am adapting the same operationalization in this study.

Web Analytics

Most newsrooms in the US now use web analytics to monitor audience metrics (Anderson, 2011a, 2011b; Dick, 2011; Lee et al., 2012; Lowrey & Woo, 2010; MacGregor, 2007; McKenzie, Lowrey, Hays, Chung, & Woo, 2011; Tandoc, 2014b; Usher, 2013). An examination of most news sites will reveal some form of most viewed or most popular stories list (Lee et al., 2012; Thorson, 2008) while a survey three years ago found that 62.1% of editors track web analytics daily (Lowrey & Woo, 2010). Web metrics is traditionally defined as "any quantitative measure of passive viewing or consumption of content by internet users" (Krall, 2009, p. 387), although "passive viewing" might not be the theoretically appropriate description of an audience who can be engaged in conscious selection of content amid an oversupply of online information. Through web analytics, journalists get to know what stories are getting the most views, what search words or sites lead audiences to the news site, how much time audiences spend on each story or page, and many others (Kaushik, 2010; Napoli, 2011).

Of course, journalists have been getting information about their audiences long before web analytics. Newspapers turned to readership surveys and circulation figures while broadcast had rating systems. Audience feedback also came in the form of letters to the editor and even phone calls to the newsroom. These mechanisms, at best, could only provide approximations of what the actual audience did with news content. In the case of surveys, letters, and phone calls, audience feedback had to be volunteered (Schlesinger, 1978). Compared with these forms of audience monitoring systems, web metrics are usually automatically collected in real-time, and are therefore considered more accurate (Weischedel, Matear, & Deans, 2005). But aside from providing information about audience preferences to journalists, web analytics is also now being used to provide information about audience preferences to other audiences, a function served by lists of most viewed stories. This particular function, of web analytics serving as a heuristic for other audiences to decide which content to click on, merits more discussion, especially within the context of journalistic capital. Bourdieu is never extensively cited for any specific comments on technology, but as Sterne (2003) argued, Bourdieu conceptualized technology as "socially shaped," necessitating a focus beyond just the technology but on social meanings, functions and uses ascribed to the technology.

So how do we understand web analytics and its role within the journalistic field through this framework? On one hand, from the perspective of journalists, knowing more about audience preferences equips them with a better understanding of the community they serve, and this form of knowledge can be considered as a form of cultural capital (see for example Salaz & Zavisca, 2007 for more discussion of cultural capital). On the other hand, quantifying the audience has been considered a form of economic capital. This is consistent with conceptualizing the audience as a product that can be monetized and sold to advertisers (Baker, 2002; Ettema & Whitney, 1994). Thus, associating web metrics to stories is a form of attaching some sort of economic capital to an institutional product. A story that attracts a lot of traffic is considered doing well, for it drives traffic to the site, traffic that can be sold to advertisers. This is an example of how one form of capital can be converted into another. Indeed: "Organizations who dominate the field are those successful in converting one form of capital into the other" (Benson & Neveu, 2005, p. 4).

In the journalistic field, forms of capital serve as both currencies and goals. News organizations seek to increase their cultural and economic capital. But putting together excellent stories that increase an organization's cultural capital, such as investigative pieces that require months of legwork, requires resources in the form of some economic capital, such as salaries, transportation costs, and document costs, among others. In most instances, economic capital is used to further increase economic capital. This is a plausible theoretical explanation for the popularity of most viewed lists. News sites provide lists of most popular stories, which studies have found often do not include what journalists thought are the most important stories of the day (Boczkowski, 2010; Thorson, 2008), in the hopes that other audiences will be drawn to these already popular stories and keep them within the news site, maintaining traffic. This usage pattern, therefore, treats audience metrics as a form of economic capital.

However, journalists still tend to reject audience feedback even in the era of web analytics (MacGregor, 2007; Singer, 2011; Usher, 2013). This is a continuation of the pattern observed in newsrooms long before the onset of online news: journalists had ignored, if not rejected, audience feedback (Gans, 1979; Schlesinger, 1978). The reason remains the same: MacGregor (2007) found that journalists were protective of journalism's fragile autonomy, one that is constantly challenged in the field of fields (Champagne, 2005). Journalists did not want audience metrics to influence their news selection, which is supposed to be based on news values (MacGregor, 2007), a reasoning reminiscent of what Beam (1995) found among newspaper journalists who were wary of readership survey results eroding editorial autonomy and journalistic quality. They already know a lot about audience preferences, but "journalists resist reshaping their news values in response to user content choices" (Singer, 2011, p. 636). This is strikingly consistent with what Gans (1979, p. 233) had said decades ago: "The conflict between researchers and journalists is over the priority of commercial versus professional considerations in story selection."

In summary, how journalists resist the influence of audience metrics is consistent with the assumption that the journalistic field will try to gravitate toward the autonomous cultural pole instead of the heteronomous economic pole. Thus, journalists are assumed to normatively prioritize their cultural capital over their economic capital, although of course theoretical work and empirical studies have shown the enormous influence of the economic pole on the journalistic field (Tandoc, 2014a, 2014b). That is, while journalists are cognizant about stories that attract traffic, they still prefer stories that represent the journalistic values they embrace.

But how about their audiences?

Divergent Preferences

The differences between the news preferences of journalists and their audiences have long been documented in numerous empirical studies. For example, a survey of television journalists and 250 of their viewers found that while the former were interested in consumerism, education, and economy, the latter were interested in crime, sex, and violence (Wulfemeyer, 1984). Another comparison of survey responses of news editors and audiences found that what audiences thought were the top events of the previous year were not related to actual media coverage of that year (Tai & Chang, 2002). A study of how journalists and audiences across 10 countries perceived newsworthiness also found that “people disagree with their newspapers about what should be covered most prominently” (Shoemaker & Cohen, 2006, p. 337).

This pattern of divergence in audience and journalistic preferences persists even with the onset of online news which allows a more accurate monitoring of audience metrics. In general, while journalists usually put more importance on public affairs stories, online audiences are usually more interested in soft news, such as entertainment and sports (Boczkowski, 2010; Boczkowski et al., 2011; Singer, 2011; Thorson, 2008). This divergence also manifests itself in how audiences regard lists of most viewed stories. Using these lists, which rank stories based on popularity, is to some extent equating newsworthiness based on number of clicks. From the perspective of journalists confronted with audience metrics, a high number of clicks represents a form of economic capital. However, this is not as straightforward as it seems especially for audiences. It is possible that from the perspective of audiences, a story attracting a lot of clicks represent a form of public endorsement, a form of cultural capital. This is a conceptualization that can be teased out more thoroughly, however, in a future study. In this current study, I will examine audience metrics through the perspective of journalists and therefore I will consider audience metrics as a form of economic capital.

Hypotheses

This current study examines the opposing forces of economic and cultural capital within the journalistic field in a period when new forms of audience measurement highlight the tension of balancing journalistic standards with the increasing pressure of knowing and catering to audience preferences. From the perspective of journalists, I will operationalize economic capital as drawing heavy online traffic and cultural capital as forms of journalistic recognition. In order to further examine the divergence in the preferences of journalists and their audiences, and possibly offer the concept of capital as a mechanism to explain this divergence, I will compare how online journalists and online news audiences navigate between online traffic and journalistic recognition, between economic and cultural capital, when assessing news content. Thus:

H1. A story with high economic capital will be perceived more favorably than a story with low economic capital in terms of:

- a. newsworthiness
- b. evaluations of its author

H2. A story with high cultural capital will be perceived more favorably than a story with low cultural capital in terms of:

- a. newsworthiness
- b. evaluations of its author

H3. Online news audiences will perceive economic capital as important more than will journalists in their perception of the story's:

- a. newsworthiness
- b. author

H4. Journalists will perceive cultural capital as important more than will journalists in their perception of the story's:

- a. newsworthiness
- b. the author

Method

This study is based on a 2 (group: journalist vs. audience) x 2 (economic capital: high vs. low) x 2 (cultural capital: high vs. low) x 4 (message repetition) mixed experimental design, with the economic and cultural conditions being within-subjects factors. Online journalists were sampled from the News Media Yellow Book which includes a list of online journalists in the US while college students were recruited from a large Midwestern university to represent online news audiences. This is consistent with recent findings that young people, such as college students, primarily get their news from online sources (Beaujon, 2012; Sonderman, 2012).

Procedure

The participants were divided into two groups: 40 journalists ($M = 44.27$ years, $SD = 10.84$) of which 88.5% were males; and 47 students ($M = 19.77$ years, $SD = .67$) of which 68.1% were females. The participants were provided a link to a web-based questionnaire. They were exposed to all four conditions: high economic, high cultural; high economic, low cultural; low economic, high cultural; and low economic and low cultural. The participants saw the order of the conditions in random. They each read the first two paragraphs of four news articles. A third paragraph, a short blurb, provided the manipulation (see below). These paragraphs were taken from actual news stories published in an English newspaper in Asia so that the stimuli would read like how an online news story should read. This also ensured that the participants were unfamiliar with any of the personalities and events described in the stories as such familiarity might bias their responses. The participants also had to answer several questions, arranged randomly, after each of the conditions. Finally, they reported their demographic information. The entire process of reading stories and answering questions lasted for about 10-12 minutes.

Manipulations

Economic capital. This was operationalized by adding a short blurb referring to audience metrics, consistent with the examples of economic capital as discussed in the literature (Benson, 2006; Benson & Neveu, 2005). For example, in the high condition, a story was described as having attracted "more than 5,500 unique page views on the first day of publication, a record-high for the website." In the low condition, the blurb did not refer to any report of web metrics.

Cultural capital. This was operationalized by adding a short blurb referring to the article having received a professional award, again consistent with the examples of cultural capital found in the literature of field theory (Benson, 2006; Benson & Neveu, 2005). For example, in the high condition, a story was described to have “won a regional award for ‘Best Online Feature’ last year.” In the low condition, the blurb did not refer to any report of any award.

Dependent Variables

Newsworthiness. I adapted the items from the “publishability” scale that an earlier experiment involving health journalists used and found to be reliable (Hinnant et al. 2011). I selected only five items that were also applicable to news audiences gauging the newsworthiness of a story. Thus, I used the following items rated on a 6-point Likert scale: readers would care about this story; this story is important to cover; this story would have an impact; this story is newsworthy; I think this story ought to be published. The scale is indeed reliable when I tested it using my sample, *Cronbach's alpha* = .92.

Assessment of the Journalist. This scale was measured using two items rated in a 6-point Likert scale that describe the author of the article that the participants read. The participants rated their agreement with each of the following description of the journalist: the author is productive; and the author is news savvy. The scale is reliable, as the two items are strongly correlated, $r(70) = .70, p < .001$.

Results

I ran repeated measures ANOVA, with group (journalist vs. student) as between-subjects factor, to test each of the four hypotheses. Since the journalist group and the student group significantly differed in terms of age and gender, I also controlled for these variables in the analysis.

H1 predicted a main effect of economic capital on the a) perceived newsworthiness of a story and b) the evaluations of its author. H1a is not supported, $F(1, 69) = 1.45, p > .10$. H1b is also not supported, $F(1, 69) = 1.65, p > .10$.

H2 predicted a main effect of cultural capital on the a) perceived newsworthiness of a story and b) the evaluations of its author. H2a is not supported, $F(1, 69) = .246, p > .10$. Likewise, H2b is also not supported, $F(1, 69) = .372, p > .10$.

H3 predicted an interaction effect between group and economic capital, so that students will perceive economical capital as more important in evaluating the a) story's newsworthiness and b) its author than will journalists. H3a is rejected. There was an interaction effect between group and economic capital on perceived story newsworthiness, $F(1, 69) = 3.17, p = .08, r = .21$. However, while newsworthiness in the high economic ($\chi = 4.60$ years, $SD = .84$) and low economic ($\chi = 4.44$ years, $SD = .77$) conditions did not vary for students, it mattered for journalists who rated stories with high economic capital ($\chi = 4.65$ years, $SD = .68$) more newsworthy than stories with low economic capital ($\chi = 4.24$ years, $SD = .96$). H3b, however, is not supported, $F(1, 69) = 2.111, p > .10$.

H4 predicted an interaction effect between group and cultural capital, so that journalists will perceive cultural capital as more important in evaluating the a) story's newsworthiness and b) its author than will students. H4a is not supported, $F(1, 69) = .385, p > .10$. Howev-

er, H4b is supported, $F(1, 69) = 6.149$, $p < .05$, $r = .29$. Students' evaluations of the author did not vary between the high ($\chi = 4.59$ years, $SD = .77$) and low ($\chi = 4.55$ years, $SD = .75$) cultural capital conditions. In contrast, cultural capital mattered a lot for journalists who rated an author more favorably when cultural capital was high ($\chi = 4.32$ years, $SD = .52$) than when it was low ($\chi = 4.11$ years, $SD = .62$).

Discussion

This study was interested in examining the divergence in the news preferences of journalists and their audiences as established by previous studies (Boczkowski, 2010; Boczkowski et al., 2011; Lee et al., 2012; Thorson, 2008). A missing piece in this growing body of work is an explanation for this divergence. In this current study I also found divergence in how online journalists and student-audiences rated articles with varying popularity (as measured by audience metrics) and quality (as operationalized by winning a journalistic award). In summary, the findings revealed that while metrics and awards did not matter for young online news audiences, they were important for online journalists. But even among journalists, the importance of metrics and awards varied depending on whether the journalists were evaluating stories or their peers. For online journalists, popular stories were more newsworthy than those that were not. Awards did not influence their judgment of newsworthiness. But when evaluating the authors of the articles, online journalists rated authors of articles that won awards more favorably than authors of articles without awards. The popularity of stories did not matter in their evaluation of the authors.

These findings demonstrate the tension between how journalists balance the journalistic values they live by and the demands of a quantified audience, the eternal tension between economic and cultural capital. Online journalists remain protective of the professional norms of the journalistic field, and clearly put value on professional recognition, plausibly as a measure of journalistic quality that is closely tied to those who practice journalism. And yet the findings also demonstrate how online journalists are starting to realign their news judgment, putting value on audience metrics in their judgment of which stories are newsworthy. Indeed, impact on the audience and human interest have long been among the core elements of what makes something newsworthy (e.g. Harcup & O'Neill, 2001; Kovach & Rosenstiel, 2007), but they have been traditionally viewed as something determined by a journalist. Thus, celebrity news for example has not been considered high in impact but it is well accepted as usually oozing with human interest. But with audience metrics constantly hovering around online editors, journalists no longer have to second-guess audience preferences. Therefore, the findings also support what previous studies have found about the increasing influence of metrics on the news construction process (Lee et al., 2012; MacGregor, 2007; McKenzie et al., 2011).

But what about the online audience who, it appears based on this experiment, does not navigate between metrics and journalistic awards the same way? It is plausible that audiences do not see metrics and journalistic awards the same way that journalists do. For audiences, it is plausible that a list of popular news stories function as heuristic for them to decide what to read not because they consider metrics as a form of economic capital for the news website, but most likely because these lists serve as a form of recommendation from their fellow audiences. Hypothesized this way, the conceptualization of most viewed lists becomes a question of credibility and trust, which lends itself to a future study: In this period of a constantly

evolving journalistic field, where traditional journalists no longer hold a monopoly over the information supply, do audiences trust their fellow audiences more in deciding what matters, in deciding the media agenda?

Field theory also offers an important framework to understand the divergence between journalists and their audiences – that of the concept of *habitus*, which refers to “the relatively durable principles of judgment and practice generated by an actor’s early life experiences and modified (to a greater or a lesser degree) later in life” (Emirbayer & Johnson, 2008, p. 4). The concept of *habitus* provides a conceptual link between macro-structural contexts of a field and the actions of individual agents (Emirbayer & Johnson, 2008). Therefore, future studies can also examine the *habitus* of journalists as well as that of their audiences as a plausible explanation for the divergence in news preferences. An equally important question is how the journalistic field will continue to evolve as agents navigate tensions between forms of capital and between the demands of their otherwise static professional norms and that of their continuously evolving audiences.

This study’s findings should be examined within the context of its limitations. First, college students participated in the study as online news audiences, and while it is correct that this demographic sources its news mostly online, college students’ news consumption patterns and news preferences might be different from other online news audiences. Second, while this study was mostly interested in comparing the impact of audience metrics and journalism quality on news preferences, these are not the only main factors that affect news judgment. In maintaining internal control for experimental purposes, the study design also did not include other important contexts in understanding the news judgment of journalists and young online audiences. Finally, the framework of field theory is only partly applied in this study. In exchange of efficiency and parsimony for the focused goal of comparing news preferences of journalists and online audiences through the discourse of journalistic capital that is examined here only from the perspective of journalists, the study did not measure an equally important concept in Bourdieu’s field theory, which is the concept of *habitus* that might provide the needed context to interpret the study’s current findings. Still, despite these limitations, I hope this study has contributed to our current understanding of the divergent news preferences of journalists and their audiences and how new forms of audience measurement, such as web analytics, are highlighting this tension even more.

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Diana-Luiza DUMITRIU*

The mediated *live* experience and the spatial reconfiguration of the sport act**

Abstract

The media-sport relation of interdependency has influenced both the commodity value of sport actors and events, as well as the mere sport experience. The present study focuses on the reconfiguration process of the spectatorship experience through media, addressing two of its central dimensions: the *emotional* and *physical* one.

Along with the wide accessibility to sport events and a progressive grow of audiences, media provided a *mediated live experience* that ended up competing with the *genuine live experience*. Strongly related and dependent on the technological changes and the dynamics of the globalization process, media went beyond simply transmitting the sport event, engaging in a process of redefining it. In doing so, they generated a de-territorialized *laboratory sport experience*, “hotting-up” the spectatorship experience and minimizing the perceptual constrains. This, in turn, ended up by making this media-sport hyperreality more appealing than the genuine live experience of sport acts.

In addressing the spatial reconfiguration of the spectatorship experience, I have built up a new model in order to better respond to the primacy of connectivity over the space-dependent experience of sport acts: the *scattering model* of sport spectatorship. Moreover, I discuss the mixture of the private and public zones as a strategic way of maximizing the accessibility and customization of sport media-products, inside the wider process of sport commodification.

Keywords: mediated live experience, scattering model of spectatorship, sport commodification, the hotting-up paradox of sport spectatorship

1. Introduction

Our sport consumption and social imaginary is dominated by sport as media product, as most of our sport experiences are, *de facto*, mediated ones. Both sport events and actors gain their public visibility and consideration by firstly escalating the media agenda. Sport and media are “inextricably linked together in a symbiotic relationship” (Valgeirsson & Snyder, 1986, p. 131), sharing the market orientation and public dependency. Today, the reciprocity of this

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relationship seems to work as a taken for granted condition. But, which is the subject and which is the object of influence?

The dynamics of sport-media relationship can be narrowed down to three main stages: the short exploratory *period of "probation"*, when media turned to sport from a *witness* position, the spectacular *reformative period*, when media's social centrality was also reproduced in relation to sport, generating substantial changes inside this social field and, finally, *the overlapping period* that brings out a circular mechanism of influence between sport and media. This is how sport and media have become both subject and object for the other one's influence, making it hard to isolate a clear one-way causality relationship.

The sport-media dyad reflects not only the medium-content relation between the two, but also a more complex relation between two interdependent social fields. As the stages of the relationship between sport and media have already shown, media can take either a *witness* or a *developer* position towards sport dynamics, depending on what role they chose to favor.

The *witness* approach highlights the process of transposing the sport acts through media, focusing on their instrumental role in building up the chronological record of sport events and actors. Media become the *eyes* and *memory* of sport's social saga, as "the history of sport has been to a large extent both dominated and documented by the mass media" (Boyle, & Haynes, 2009, p.1).

In terms of media's *developer* position, what matters is not the mimetic process beyond the media product, but rather media's engagement in redefining the actual sport referent (event or actor). Thus, in gaining their centrality inside the world of sport, media have also *transformed that world* (Whannel, 1992, p.3), using television as their most powerful tool.

It must be noted that, in discussing the sport-media relationship, a television-centric perspective has been favored, due to the clear dominance of television as component of the complicated "media sport cultural complex" (Rowe, 2004). The popularity of the sport-television mix covers both *rational exigencies*, providing the maximum level of accessibility and authenticity and the minimum effort from the sport consumers' part, as well as *emotional exigencies*, creating a close copy of the genuine sport experience and recreating its spectacular aura.

This sport-media relationship will be further analyzed from a *representational perspective*, laying stress on how the interdependency between the two social fields influences the mechanisms and the content of the social imaginary attached to sport experiences, actors and settings. The *premise* that works as an anchor for the entire study is that *media exerts a structuring effect upon the social field of sport*, making it subject to a continuous reconfiguration process.

Referring to the television symbolic power in and outside the media field, Bourdieu saw "all the cultural production fields as been tied down by the compelling structural force of the media field" (Bourdieu, 1996, p.64). Sport, as field of cultural production, is thus vulnerable to this *structuring effect* of media, working as a colonization field for the symbolic imperialism of media. However, despite their centrality, media themselves cannot escape the rebound structuring effects of the social field of sport, the reciprocity of this relationship being covered throughout this study.

Globalization and technological advances provide the main triggers for change when it comes to sport and media relationship. Both *emotional* and *psychical coordinates* of sport experiences become subject to this continuous process of reconfiguration. Even though these structuring effects can be found on different levels of the sport experiences, there are two components where their impact produces radical changes and even new forms of sport experiences: the mediated *live* experience of sport events and the *spatial* reconfiguration of the

spectatorship experience. Thus, the focus of the study will be on these structuring effects that sport and media nexus has on the *spectatorship experience*.

2. Hybridization of sport live experience

If for a long period media were perceived as providing us with an alternative to actually attending a sport event, we can now approach media more like a *competitor* to that experience. Watching a game on TV or on internet is no longer a second-best way to take part in the competition, but rather a matter of *consumption choice*. Media-sport experience has become a distinct product from the real sport event attendance. Although place, time and money constrains attached to attending a sport event remain important factors, choosing the media live experience over the genuine one it is now mainly about the consumers' preference for this type of experience.

We are now facing a time when media do more than simply providing access to sport events; they actually go one step forward and *redefine* them. But what more can media *live* experience offer compared to the actual presence at a sport event? Why choosing one over the other? Do they end up influencing one another?

The first aspect that I want to insist on is the *mediated live experience* of sport events. Before the rise of this *eclectic experience* of "live", but still mediated experience of sport events, you would either go to the stadium to watch the game or wouldn't watch it at all. The presence in the arena was the only thing that defined the sport audience. Now, when the actual presence to the sport event and access to the sport event are no longer the same thing, media has moved the focus from bringing fans to sport events to bringing the sport events to fans. Nevertheless, media did not stop at being just a vehicle that provides fans all over the world with access to sport events; they used technology to provide more.

Because "technological innovation eventually enabled a naturalistic perfection that enhanced the value and appeal of televised events" (Whannel, 2009, p.206) they started gaining ground over the genuine live attendance to a sport competition. On TV you get to see the athlete's grimace, his small tattoo on the ankle or you get to understand what he is complaining about by reading his lips; all of these with a simple *close-up*. You can enjoy panoramic views over the stadium, multiple angles perspective of an action or even multiple replays of it. Slow motion or fast draft, high or low volume, suddenly your mediated live experience becomes richer than the genuine one. When actually present in the arena you seem to miss this sense of *clarity* and *focus* and may find yourself thinking that the genuine live experience is actually less accurate than the mediated one.

Media managed to create a feeling of *omnipresence* and *omniscience* when it comes to live broadcasting of sport events. The technological arsenal gives the viewer some sort of accessibility power or privilege over the viewers from the arena. The *hyperreality* built on these technological grounds alter the live experience itself, because what we are facing is more than "live". Inside this wide "live" framing, media end up creating a detailed *anatomy* of the sport event and thus, "televisual experience of live sport is, for many, superior to the experience obtained by viewing in person" (Whannel, 2009, p.205).

Going beyond our natural limits of perception, media provide us with the tools for an instant scan of every action. This is how media create a *laboratory live experience* meant to leave

no room for ambiguity or unknown. But, what lies behind this magnetism for mediated live experience?

The mediated live experience provides the viewer with a sense of *power* and *control*. Throughout media's artifices, he is encouraged and also assisted with the means to see more and better, extending his *perceptual*, but also his *cognitive engagement* in the sport event. However, all of these are done in a friendly and non-invasive way. People do nothing but watch what media provides them and, little by little, this repeated form of mediated live experience begins to generate *performative effects*, modifying expectations and consumption practices associated with live sport experiences.

Based on this process of redefining the spectatorship experience, *hybrid forms* of live experiences emerge inside the social field of sport. The mediated experience is brought into the field, as part of the genuine live show. The big screens on the stadium come to fulfill the audience need for clarity and detail, compensating for the perceptual limits of the actual presence in the arena. Moreover, they enhance the spectacularity of the sport show, making it a more appealing entertaining experience. Whatever action you have missed, you can now see it on the big flat screen that hangs above the field.

Moreover, the portability which defines this technological era provides you the means for a *multilayered live experience*: what you can see on the field, what you can see on the big screens above the field and what you can see on your own phone or PC tablet. The "spectacular mosaic experiences" (Krawczyk, 1996, p.429) provided by sport events is thus a resourceful platform for today's omni-channel consumers who are highly connected to both the real, as well as the virtual arenas. This hybridization process of mediated and genuine live experience of sport events is a product that emerged from the sport-media-technology conjugated actions and brings out emergent sport-related markets.

If mediated experience of sport events open this "*better than live*" experiences, redefining and enriching our perceptual and cognitive capacities, why do people still want to be present in the arena? What do media fail to cover throughout their opulent *hiperreality* offer?

When the biggest part of a sport event's audience is built on *distant publics* that enjoy the mediated live experience of spectatorship, the ones who choose to come to the stadium become a select minority. While mediated live experience is merely about *rational aspects* regarding accessibility, comfort or accuracy, genuine live experience is built on *emotional grounds*. It is all about the feeling that only the actual presence in the arena can provide: the authenticity and the intensity of the sport show, the tension and the thrilling evolution of the competition. Whatever you lose in terms of frame by frame course of action, you gain in terms of emotional engagement in the overall performance.

Even media uses this promise of emotional richness in their promotional campaigns, offering VIP tickets to sport events that they are going to broadcast. Therefore, media underline and contribute to maintaining this *aura of uniqueness* attached to the genuine live experience. To be present at a sport event becomes a status' indicator of either your loyalty to your favorite team/athlete or your desire to embrace the highest emotional intensity of spectatorship. Hard core fan or authentic emotion seeker, the genuine live experience is meant to stress out your *distinctiveness* when it comes to sport spectatorship. Although technology managed to alter the classic live experience on the stadium, introducing collateral mediated experiences that can easily coexist with the live performance, *de facto*, it did not diminished the emotional richness and authenticity of this genuine experience of the sport event.

A second approach upon the spectatorship experience can be built on the *hot-cool* media continuum (McLuhan, 1964). While Birrell and Loy discuss the duality of sport as content and sport as medium, they raise the question of “the coolness or diffusion of television as a medium, relative to the medium of the event itself” (Birrell & Loy, 1979, p.11). The overlapping of these two types of medium generates a different spectatorship experience in terms of informational, emotional and perspective parameters. Therefore, in trying to identify what are the effects of translating the live sport event as a cool medium into a hotter medium, Birrell and Loy conclude that television brings a higher degree of focus and information to the detriment of social integration. This comes to sustain the rationality attached to the mediated live experience that we have already mentioned in discussing the distinctiveness of mediated versus genuine live experience of sport performances.

Validating Birrell and Loy’s forecast regarding the increasingly *diffuse media experiences* offered by the media of the future (Birrell & Loy, 1979, p.11), today technology provides us with a wide set of tools that are meant to bring the mediated spectatorship experience closer to the genuine live one in terms of diffusion. The permanent mixture of panoramic views, split screen frames, close-ups, instant replay, slow motion, additional information and statistics generates a rather diffuse overall experience. Although the intension was to gain in accuracy by increasing the degree of focus upon the diffused sport world, the recurrent use and inter-spersion of such media techniques (i.e. stop action, isolated camera, instant replay, slow motion, ball trajectory) creates an overwhelming perceptual experience. The rebound effect of cumulating individual segments of focused action is that we end up with an overall *diffuse experience* of the sport event. It is the mere *fragmentation* of the mediated sport experience that amplifies its diffusion.

As for the *integration dimension*, that, according to Birrell and Loy, mediated spectatorship experience lack of, time has minimized this gap between the mediated and the genuine life experience by creating some *hybrid forms of distant participation*. People are now encouraged to send their messages to their favorite athletes, to comment the game in real time evolution and to share their opinions with other viewers through on-line posts or SMS’s. Media provides these alternative ways of interaction in order to connect the distant publics to the integrative aspects of the genuine live experience. The digital landscape provide a new and enriched fandom experience (Pegoraro, 2013), enabling a higher sport participatory consumption (Rowe, 2011).

Although there is still no technological trick that media can use to substitute the integrative sensory experience of the genuine live event, the media has overpasses the “studio sport” phase that Birrell and Loy saw as the result of the extreme high information/low interaction orientation (Birrell & Loy, 1979, p.15). The gap between the informational and the integrative dimensions of mediated sport experiences has been considerably reduces, as all media and technological conjugated efforts have been directed towards providing a *more integrative sensory experience* of the sport act and a higher connectivity between sport actors/events and spectators.

3. ‘*Hotting-up*’ the sport spectatorship experience

Another aspect that needs to be discussed when addressing the effects of translating the genuine live experience of a sport event into a mediated one is what can be called *the para-*

dox of hotting-up the spectatorship experience. Even though media try to recreate the genuine live feeling of attending to a sport event, the use of additional information and the visual laboratory of scanning every action to its finest details have a reverse effect, *hotting-up* the spectatorship experience.

The search for *accuracy* and *informational richness* have brought media to a point where sport performance can be translated in numbers, where statistic laws leave little room for surprise and improvisation. When a handball player has scored, you can instantly see his profile (height, weight, efficiency percentage, penalties number). The same goes for tennis games, during which you are provided with instant replays that highlight the ball trajectory; you can see the percentage of first service points won, the number of total aces or the total double faults made. Everything seems to be correlated with a number and a statistic history that allows you to get access to a wider image of the players' evolution. Mediated sport experiences are no longer just about that particular event or instant action during the game, but rather about a bigger picture that they have to be integrated into.

We are facing an interesting *positivist approach* of the sport act and media create and fuel this need for *measurability*. Inside the entertainment industry of sport shows, this statistic dimension of sport performance becomes a resourceful asset in terms of market value, as it brings credibility and accuracy to the media product. Hence, people are given interpretation guidelines to help them understand and analyze sport performances. With *these friendly-scientific arguments*, every viewer gains informational power in decoding the visual content of a sport event.

In line with Birrell and Loy observation regarding the fact that "when the information gained from one medium conflicts with that offered by another, the spectator relies more heavily upon the sense most attuned to hotter messages" (Birrell & Loy, 1979, p.16), media turns to statistics in order to settle the *interpretation scheme* of the sport performance. And what can be "hotter" than mathematics?

However, media keeps statistic to the simplest form so that it could be easily understood and accepted by the public, "as sport has a mass international audience, and appeals to all classes" (Gwinner & Swanson, 2003, p. 275). Moreover, it uses sportscasters to soften down the statistic discourse by integrating it into a narrative frame or even explicitly interpreting the numbers. The mediated sport experience becomes hence a mixture of entertainment and popular science, focus intensions, but diffusion effects, providing a hotter, yet richer spectatorship experience than the genuine live one.

All in all, the mediated live experience can be understood as a *dynamic collage experience*, overlapping images and numbers, real time action and statistic history, panoramic and close-up views, emotional and rational content. This *oxymoronic media construct* is meant to provide us a *better than live* experience of sport events.

In order to keep up with the endless need of the public for always be given *more* and *better* media products, media are involved in a permanent search of technological opportunities and means to overcome the perceptual and emotional constrains of mediated sport events.

Nevertheless, the increase in complexity does not implicitly increase the similarity between the mediate and the genuine live experience, but rather generates *hybrid forms of spectatorship experience*. Time and space are manipulated and fragmentized so that they mach the hiperreality construct of the mediated sport event. It is all about using the sport event as an input for the corollary media construct, because media do not limit to providing access to the sport event, but end up redefining it and building up a new type of experience. There is

hence no surprise that most sport events are actually impressive media events, acting as “high holydays of mass communication” (Dayan & Kats, 1992:1) that manage to enrich our spectatorship experience.

4. Spatial coordinates of the spectatorship experience

Along with redefining the sport events in terms of emotional experiences, media have also altered their spatial coordinates. Going beyond the spatial constraints of sport events’ accessibility, media has generated a *spatial reconfiguration* of the spectatorship experience. How can we map these new spectatorship loci? Which are the hosting spaces that provided the spectatorship expansion process?

In addressing these aspects, I will introduce the *scattering model of spectatorship* as a potential conceptual response to the spatial reconfiguration of sport accessibility and I will discuss an inherent effect of this spatial reconfiguration: the overlapping process between the *public* and the *private* space in relation to the spectatorship experience.

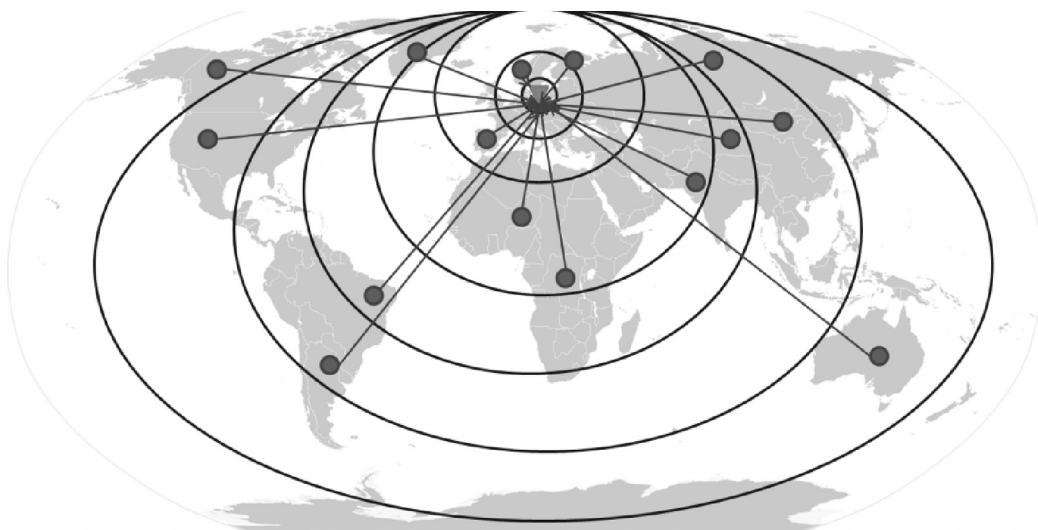
4.1. The *scattering model* of spectatorship

When broadcasting offered us an alternative to going to the stadium in order to take part in a sport event, it did not only change the emotional experience of spectatorship, but it also redefined the spatial dimension of this experience. Spectatorship and sport in general are no longer *space-dependent* as “fan experiences became defined by patterns of de-territorialized consumption that altered the polarity of longstanding [...] place/identity relations.” (Ruddock, Hutchins & Rowe, 2010, p. 328). You can now watch your favorite game miles away, from another town, country or continent, at home or in a bar, on TV or on your phone.

Media provides a wide set of *alternative spectatorship loci*, connected by the sport event itself as a referent. From the static perspective upon the sport event as one-place gathering, media brought *mobility* and “multiplication of place” (Ruddock, Hutchins & Rowe, 2010, p. 328). To say that sport events bring people together in the same place is nowadays a clear understatement, because the *concentration model* of the stadium crowd spectatorship has been replaced by the *scattering model* of the network spectatorship. Sport has aligned itself to the overall dynamics of the “network society” (Castells, 2010). Place is no longer a constrain in defining spectatorship. But how does this *scattering model* of the network spectatorship work? How does it reconfigure the spatial component of sport acts?

Using solely the spatial criteria, we can redefine the spectatorship on a *concentric circles representation* (Figure 1), starting with the maximum proximity of being in the arena and placing spectators’ position on different physical distance from the sport event location. However, this is rather a mechanic perspective. In terms of *relative distance* towards the sport events, we can redefine spatiality in a *binary system*: ‘presence’ or ‘non-presence’ at the sport event. Therefore, whether you watch the game from Italy, Spain, Russia, Nigeria, Australia, Brazil or USA your distance towards it is the same, if the game is hosted somewhere in Germany for example. Broadcasting minimized and leveled down the distances towards the sport event. Besides the actual presence in the arenas, it made the mediated spectatorship experience be the same in terms of perceived distance towards the sport act.

Figure 1. Levels of spectatorship proximity towards sport events (random example).



Spectators all over the world became equal when it comes to sport event proximity and “media turned this enormous mass of people from various countries, of various convictions, different nationalities and cultures into one *world stadium*” (Milshteyn & Molchanov, 1976, p.71). Embracing the opportunities provided by media, the audiences have overcome the space-dependency constraints and, along with this spatial reconfiguration of sport event in terms of public visibility and accessibility, it redefined the spectatorship experience itself.

4.2. Mixing up public and private

Increasing sport actors’ *accessibility* and *spectacularity* meant also redefining the line between public and private on both directions on the sport actors – public axis. On one hand, sport actors’ celebrity status brought along media’s chase for unrevealing those aspects that go beyond sport performance itself. People became interested not only in sport actors’ achievements on the field, but also in their performances outside it. As any other public figure, the sport actor found himself object to the overall *tabloidization approach* embraced by media.

Little by little news about sport achievements and game evolution left room for news about sport actors’ lovers, parties, disputes, their food and music preferences or the ‘dirty’ details of their divorce. Today athletes’ wives, ex-girlfriends, drivers or hair dressers become public figure themselves and hope for gaining their own celebrity ‘free pass’ under the spotlights. Media found sport actors’ private life to be a resourceful input for adding more drama and fussiness to the sport performance on the field. This is why, in trying to bring the backstage to the forefront and to increase the proximity towards sport actors, media had to per-mute what was meant to be private into public issue, as in this celebrity-saturated world “everyone seems to be involved in either producing or consuming celebrities” (Rein, Kotler & Stoller, 1997).

In terms of media coverage and attractiveness, news regarding sport actors’ private life end up competing with those regarding their public performances on the sport field. Moreover, private issues become the input for sport *pseudo-events*, which are “made for and by

media” (Sartori, 2005, p.65). Product of this Big Brother chasing of sport actors outside the sport field, sport pseudo-events are built on converting private aspects into public debates. Athletes getting drunk, coaches’ refusing paternity tests or going for a shopping session draw as much public attention as a sport performance itself. It is not the sport actor who gets to decide where the line between his private and his public life is, but rather it is up to media to decide to what extent this private-public reconversion can go.

On the other hand, if we were to focus on the audiences, the public-private interplay is strongly related to the consumption practices and, most of all, to the *consumption location* of sport acts. By ending the place-dependent accessibility to sport events and sport actors, bringing them from the stadium to any room with a radio, TV or internet connection, media converted a public experience into a private one.

Most of us take part in the sport events from our armchair, surrounded by our own decorum and enjoying our home comfort. Media provides us with alternative ways of taking part in the sport event, from “communal viewing” (Whannel, 2009, p.206) in bars or public squares, to peer viewing, family viewing or individual viewing in your own house, which, in turn, generate the emergence of multiple *identity* and *consumption spaces*.

From public to private, from social to personal, media facilitated the emergence of these continuum of sport performance experience for the audience. However, this meant entering the private zone and bringing “the immediacy and uncertainty from the public domain to the domestic sphere” (Whannel, 2009, p.206), creating what can be called the *comfort-zone audience*. The intensity and the collective synchronizing effect of being present in the sport arena are replaced by a sense of control and relaxation, as the *comfort-zone* viewer adapts and integrates the sport events into his private space and routine. In other words, using a sport analogy, instead of being a visitor, *comfort-zone* viewer becomes the host and enjoys the home field advantage.

Although for both sport actors and audiences the borders between public and private become dynamic and blurry, the process of media mixing them up works contrariwise. While for sport actors’ private aspects of their life outside the sport field are converted into public one, for *comfort-zone* audiences what was supposed to be a public experience is converted into a private one. If media go for *disclosure* in digging up into sport actors’ private life, taking a proactive role, when it comes to bringing the sport event into our homes, media act as means of concealment, making that public event integral part of a domestic order.

5. Conclusion

The media-sport relation of interdependency has influenced not only the commodity value of sport actors and events, but also the mere sport experience, redefining its emotional and physical coordinates. Along with the wide accessibility to sport events and a progressive grow of audiences, media provided a *mediated live experience* that ended up competing with the *genuine live experience*.

Strongly related and dependent on the technological changes and the dynamics of the globalization process, media went beyond simply transmitting the sport event, engaging in a process of redefining it. In doing so, they generated a deterritorialized *laboratory sport experience*, minimizing the perceptual constraints and making this hyperreality more appealing than the genuine live experience *per se*. *Hotting-up the spectatorship experience* by giving it

a rather positivist orientation, media assist the distant spectator in decoding and interpreting the sport event, promoting a form of *product-instructions* model of sport experiences.

The *scattering model* of sport spectatorship was developed in order to better respond to the primacy of connectivity over the space-dependent experience of sport acts. The new spatial coordinates of the spectatorship experience bring out another dimension of this wider hybridization process that sport has been subject to: the mixture of the private and public zones, which subscribes to the same consumer oriented frame, acting towards *maximizing the accessibility* and *customization* of sport products. Besides its commercial value, spatial reconfiguration brings out new *identity spaces*, which go beyond their instrumental role as alternative consumption contexts.

All of the above aspects regarding the relationship between sport and media attest to the fact that they should be approached in terms of *unit*, rather than *juxtaposition*. The on-going hybridization process between the two social fields has been so intense, that we have reached a point when we cannot analyze sport dynamics outside this wider frame of the sport-media interdependence. The whole sport experience, for both sport actors and audiences, has been reconfigured to reflect the dynamics of this relationship and points to the centrality of media within the social field of sport. However, the rise and dynamics of the digital world challenges the incremental evolution of the media-sport relation, redefining the whole sport experience and sport event concept.

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Digital Immortality vs. “The Right to be Forgotten”: A Comparison of U.S. and E.U. Laws Concerning Social Media Privacy

Abstract

This paper examines the contrast between United States and European Union laws concerning social media users’ right to remove their online presence permanently. Currently, the United States and European Union represent two distinct approaches to the right of individuals to permanently remove personal content from social media. U.S. law favors social media companies keeping profile content within the digital sphere even when that person no longer wants it there. The European Union’s approach social media privacy gives users more rights to remove themselves entirely from social media permanently (General Data Protection Regulation, Article 17, 2012). Using Myres McDougal’s (1959) legal theory of international laws’ effect on national policy, this legal study examines the social media privacy laws of the United States and European Union concerning user control of personal content. From this analysis, future implications of this international conflict, specifically the legal delineation of public and private spheres in the 21st Century, are suggested.

Keywords: European Union, Privacy, Social Media, Media Law, International Law

1. Introduction

Unlike previous eras in which a person’s past was relegated to a few photographs, a diary, or fading memories of those left behind, today the digital sphere provides a type of immortality within the Internet. Nowhere is this digital longevity more prevalent than in social media. The creation of social media sites in the early 2000s allowed users to create their own representation of themselves online complete with pseudo-diary entries, photos, and even detailed lists of personality traits. This online-self allowed Internet providers to compile large, detailed profiles of many users, creating a rich trove of data information. These data have become a commodity and are sold to service providers, corporate marketers, and online retailers who use this information as a core part of their business model. Data is even disseminated for free by other users, most notably users of social media outlets such as Facebook who “share” information or Twitter users who “retweet” posts. This new data reality creates a new environment in which massive amounts of personal information is cycled and recycled by users and companies.

Personal information stays within the Internet in perpetuity. Even those who have reached physical mortality can live-on in the digital sphere. Because of this, no one, living or dead, can outrun their past online. News stories, social media accounts, e-mails, and online purchases

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continue to exist within the digital sphere. This makes it difficult for individuals to out-run or out-live their past deeds and actions. Rather, this information remains a permanent digital fixture. However, most individuals, at least within the American context, seem to accept this reality as a cost of living online. After all, many Americans may dismiss any concerns over digital privacy by arguing that their lives are mundane and not noteworthy. Aside from the fear of have their identity stolen (creating monetary concerns) many Americans' attitudes toward digital privacy is epitomized with the retort "who would care about what I do?"

Part of the reason for this attitude may be found in American law. Even though American legal scholars Samuel Warren and Louis Brandeis (1890) introduced the idea of legally protected privacy in their famous *Harvard Law Review* article "The Right to Privacy," American law privileges the ability to disseminate information. Part of the reason for this is the core protections of the First Amendment of the United States Constitution that protects the freedom of speech and the press. The ability to say what one wants about whatever one chooses is a fundamental concept within American constitutional law. With a few exceptions (e.g. fighting words, libel, slander, and obscenity), American jurisprudence protects speech regardless of the information. In fact, only in 1960 did famed torts scholar William Prosser flesh-out causes of action, or the ability to bring a lawsuit, for invasions of privacy; even then it took state courts decades to codify these concepts.

European concepts of privacy differ than those in the United States. European laws privilege the rights of individuals to control the dissemination of information about them. Beginning in the 1970s in Germany, and later in Austria, Sweden, France and Spain, European countries passed statutes that gave individuals the right to protect and demand removal of data about themselves online (Schwartz, 2013). Commonly referred to as the right to be forgotten or *le droit à l'oubli*, French for the "right of oblivion," these laws allow individuals to control their data dissemination online to the point that search engines can theoretically be required to remove all information of individuals in search engine results (Rosen, 2012, p. 88). This creates a logistical and costly requirement for some search engines and websites because it requires them remove not only information that a user placed online, but also information that is re-used and disseminated, such as re-tweets, Facebook sharing, and data sales.

Within the European Union the "right of oblivion" is law for all member states. Beginning in 2012, the European Union began considering the General Data Protection Regulation [GDPR], which, among other things, codifies the right to be forgotten and enforces stringent enforcement of these protections outside the European Union. This creates a privacy nightmare for search engines and social media sites which are mainly headquartered and subject to U.S. law. The GDPR represents a conflict of laws and philosophies between the United States and European Union, which have a workable, yet delicate, relationship concerning data sharing online.

This study explores this concept of privacy within E.U. and U.S. laws, specifically the European right to be forgotten. The study begins with the theoretical implications of conflicts between international and national laws and the current legal hegemony of E.U. privacy laws. Particular attention is paid to the current legal framework of E.U. privacy protection codified in the Directive 95/46/EC [Privacy Directive] and the newly recognized right to be forgotten. To illustrate the contrast between the European Union and United States, an overview of American privacy law is provided with analysis of how American law views removing private information. Finally, the May 2014 opinion by the Court of Justice of the European Union in *Google Spain v. Agencia Española de Protección de Datos*, a case examining the

right to be forgotten in context with an search engine, is explored. Implications of this decision for E.U. and U.S. data sharing, and development of E.U. data protection regulations are discussed (*Google Spain v. AEPD*, 2013; *Google Spain v. AEPD*, 2014; Article 29 Data Protection Working Party, 2014).

2. European Union Hegemony: Conflict Between International and National Laws

Data sharing is an example of the tension between cultural and national values within an international legal context. The right to be forgotten illustrates a tension in the concept of the contours of public and private space within the realm of social media, international transactions, and the new digital age. International legal scholar Myres McDougal's approach to international law has been described as "an approach that devotes itself so centrally to the use of law as an instrument for the realization of the values of human dignity" (Falk, 1965, p. 67). In fact, this idea of "human dignity" is at play within the debate over data dissemination and individualized privacy. Writing in the late 1950s, McDougal (1959) argued that international laws had a particularly large impact on creating "values" such as "human dignity" (McDougal, 1959, p. 26; Falk, 1965, p. 67). McDougal (1959) wrote:

One may observe...both that these effective decisions as a whole are affected by certain perspectives of authority or lawfulness, projected by various aspiring systems of world public order, which purport to allocate competence for decision between the general community of states and particular states, and that these perspectives of authority about appropriate allocation of competence, because of their impact upon decision, also importantly affect the whole world social process, including the production and distribution of values by and for all peoples (p. 26).

This assessment of the impact of international law within a global context can be seen in E.U. lawmaking generally. Bradford (2012) argues that the most important aspect of E.U. laws is their application and imitation by non-E.U. nation-states. This so-called "Brussels effect" is created because of the large international economic dominance of the European Union. (Bradford, 2012, p. 3). If non-E.U. countries wish to engage in an economic partnership with E.U. members or the European Union itself, it is almost a *de facto* requirement that these non-E.U. nations craft regulatory guidelines that mirror E.U. laws. This is done in part because of the extraterritoriality of E.U. regulations which oftentimes reach beyond the European Union and call for international adherence to E.U. regulatory schemes (Schwartz, 2013).

The European Union's hegemony in regulatory policy is a fear anticipated by McDougal's (1959) theory on international laws. According the McDougal (1959), individual nation states frequently resist international laws and agreements because they erode individual national autonomy. McDougal (1959) argues nations have "a double interest in such inclusive competence" which means nations wish to have a voice within the development of international laws and nations have a need to create and maintain laws that affect local issues (p. 26). This legal dichotomy between international and national legal developments is viewed in terms of "authority and control" which permits a privileging of some legal entities (McDougal, 1959, p. 87). E.U. regulation presents a particularly perverse form of control within the international context. McDougal's (1959) concern was for international laws crafted by na-

tion-states within an international organizational context, such as the European Union. However, as Bradford (2012) and Schwartz (2013) state, the European Union's legal impact does not stem from dialog with non-E.U. members in an international organization.

The European Union's impact on international legal development is found in multiple areas of regulation including privacy, product safety, trade regulation, and food quality (Bradford, 2012). Privacy laws, in particular, have been affected by the European Union with many countries (excluding the United States) within the Organization for Economic Cooperation and Development (OECD) adopting privacy laws similar to those found in the European Union. These privacy laws are extremely strict on the dissemination of privacy within the Internet and are counter to U.S. conceptualizations of privacy (Bradford, 2012). Nevertheless, many U.S. Internet companies that operate in a global marketplace must de facto adhere to these European Union privacy regulations to conduct business within Europe while other countries explicitly model their laws after E.U. directives. Part of the power of E.U. laws concerning privacy is that currently the European Union Privacy Directive forbids the sharing or dissemination of data to third party states unless those states comply with E.U. privacy laws. While the Privacy Directive provides some exceptions for third party states who do not have laws similar to that of the European Union, notably the United States, many nations opt to comply with E.U. privacy regulations to engage in trade and digital data sharing.

Bradford (2012) points out that many within the United States do not see Europe as having considerable power within the 21st Century. However, looking at global commerce and the fact that the GDP of the European Union is higher than that of the United States according to the International Monetary Fund, the European Union is a formidable power within an economic context. Because the legal traditions of the United States do not embrace those values of privacy held by the European Union and that digital commerce is driven by U.S. corporations there is a high likelihood that U.S. and E.U. privacy policies will create a potential conflict in the digital marketplace. These conflicting values of privacy represent a powerful dichotomy over the power of keeping, storing, and dissemination of information (Schwartz, 2013).

3. European Union Laws Concerning Data Protection

E.U. laws frequently take the form of requiring third-party nations to comply with E.U. regulations. Even within the structure of the European Union, member states must also codify these E.U. laws within their own national legislation. Within the structure of E.U. law-making it is important to note the European Union operates by issuing directives and regulations. Directives are pieces of legislation that require E.U. member states to pass national legislation that is in sync with the European Union directive. Regulations, however, are much more powerful than directives. E.U. Regulations are laws that are more directly binding on member-states and do not require for nations to pass legislation that directly reflects the regulations' requirements. Once a regulation is passed it is automatically law over the European Union's member states. Currently the issue within the European Union's privacy law is the creation of a new regulation that creates more power for the European Union directly in enforcement and potentially overrides the Privacy Directive that has governed E.U.-U.S. privacy interactions since 1995.

a. E.U. Directive on Privacy and Personal Data

The European Union's current laws on privacy and data processing are governed by Directive 95/46/EC commonly referred to as the Privacy Directive. The Privacy Directive protects individual privacy rights far more than current U.S. laws. The Privacy Directive Article 26 expressly forbids the dissemination of E.U. citizens' private information to third-party non-E.U. countries whose own privacy laws provide less protection than those of the European Union. The United States certainly falls into this category and has been viewed as providing less privacy protection than allowed by the European Union since the inception of the Privacy Directive in 1995. Because the United States and European Union have a close economic relationship, particularly in terms of data protection, rules developed that permit data sharing between E.U. and U.S. companies.

Schwartz (2012) argues that when the Privacy Directive was first introduced in 1995, many E.U. member-states already had national laws that reflected many of its provisions concerning privacy. He argues that within the Privacy Directive there is a type of dual purpose that balances the needs of data sharing and individual privacy. While other laws, notably those in the United States, tend to favor one value over the other (with the United States favoring data sharing) the European Union attempts to balance the two interests for optimal effect (Schwartz, 2013). Essentially the data protection provided in the Privacy Directive disallows the ability to disseminate data that is "revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade-union membership, and the processing of data concerning health or sex life" (Directive 95/46/EC, Article 8 ¶ 1). Moreover, in Article 14 of the Privacy Directive individual E.U. citizens are allowed to prevent the dissemination of their private information in cases where the controller (e.g. search engines) of the data is using the information for their own purposes or for direct marketing (Directive 95/46/EC, Article 14(a)(b)). Within these regulations there are exceptions to the blanket ban on information described in Article 8 ¶ 1. Moreover the power of the individual to control the removal of their data is restricted to certain circumstances under Article 14(a) and (b). However, the privacy limitations of this Directive are more restrictive than those privacy laws found in the United States.

The Privacy Directive Article 25 directly deals with disseminating data to non-E.U. countries that do not provide the level of privacy protection articulated in the Privacy Directive. Article 25 ¶ 1 states:

The Member States shall provide that the transfer to a third country of personal data which are undergoing processing or are intended for processing after transfer may take place only if, without prejudice to compliance with the national provisions adopted pursuant to the other provisions of this Directive, the third country in question ensures an adequate level of protection (Directive 95/46/EC, Article 25 ¶ 1).

Under this provision of the Privacy Directive, data dissemination is banned between E.U. companies and those in the United States. However, the Privacy Directive provides three caveats that allows for data dissemination between E.U. and U.S. companies. Privacy Directive Article 26 allows for data sharing in certain situations where the non-E.U. country complies with certain regulations in a narrow sense. There are three such exceptions in which U.S. corporations use to facilitate U.S.-E.U. data sharing: U.S.-E.U. Safe Harbor Agreement agreed to in 2000, contractual clauses exception in Article 26 ¶ 2, and corporate rules found in E.U.'s Article 29 of the Data Protection Working Party. These exceptions allow for limited corporate protection of E.U. data sharing without incorporating these E.U. privacy laws

into U.S. law. Each exception provides for safeguards for E.U. data while allowing U.S. corporations to operate under the auspice of U.S. law (Schwartz, 2013).

The United States-European Union Safe Harbor Agreement began in 2000 and permits for certain transfers of data between the European Union and United States if the United States-based companies comply with certain agreed upon standards that incorporate E.U. privacy protections. Specifically, the Safe Harbor Agreement requires that organizations obtaining data from the European Union use that information only within the context of the “purposes for which it has been collected” (Safe Harbor Framework, 2013, p. 13). The Safe Harbor Agreement severely restricts the dissemination or selling of personal information to other organizations. Companies or organizations wishing to operate under this Safe Harbor Agreement must apply to become certified as part of Safe Harbor. This certification requires those U.S. companies to subject themselves to privacy relations not found in U.S. law and to permit themselves to be regulated by federal agencies (Safe Harbor Framework, 2013). This agreement is regulated by the United States government, notably the Federal Trade Commission (FTC), and requires the United States bring suit against U.S. corporations that violate E.U. privacy requirements articulated in the Safe Harbor Agreement (2000).

U.S. federal enforcement of the Safe Harbor Agreement must occur for there to be good faith between the United States and European Union. Google and Facebook were cited by the Federal Trade Commission for violating Safe Harbor Agreement privacy standards (*In the Matter of Google Inc.*, 2011; *In the Matter of Facebook Inc.*, 2012). In *Google Inc.* (2011), the Federal Trade Commission cited Google for sharing users’ information within their new social media platform Google Buzz. Even if Google e-mail users decided to opt out of Google Buzz, their information was still provided and disseminated within Google Buzz causing a violation of the Safe Harbor Agreement. Similarly *Facebook Inc.* (2012) involved a violation of the Safe Harbor Agreement when Facebook introduced certain gaming platforms that disclosed personal information about account holder to facilitate joining the gaming platforms. Both of these disseminations of private information illustrate how E.U. privacy regulations can adversely affect social media sites’ business models.

Because the Safe Harbor Agreement requires organizational certification and federal oversight, many U.S. organizations opt for the other two exceptions that allow for E.U. data sharing. The first of these is found in the Privacy Directive Article 26 ¶ 2 which allows for “contractual clauses” between E.U. and U.S. organizations to provide particular data privacy protections that adhere to E.U. standards. These contractual clauses must provide recourse for those individuals whose data is misused. This assignment of liability falls to both E.U. and U.S. parties and frequently requires each party to be responsible for all of the damages caused by a privacy breach (Schwartz, 2013).

The third exception to Article 25 is what Schwartz (2013) calls “Binding Corporate Rules” (p. 1983). This is basically an agreement accepted by the European Union Article 29 Working Party that states single organizations can have internal rules that protect data when that data is shared internally within an organization. Unlike the Safe Harbor Agreement or the Article 26 ¶ 2 protections, this rule applies only to multi-national corporations who use data from E.U. citizens within their organization’s internal operations. For a company to be allowed to use this exception they must apply for permission with the European Union’s Working Party.

These exceptions to Article 25 of the Privacy Directive proved valuable in facilitating data sharing between the United States and European Union. It permits the European Union to heighten privacy laws while allowing the United States to retain its traditional concepts of

privacy. Bradford's (2012) "Brussels effect" has only slightly affected U.S. corporations, which allows them to operate most of the time in an American legal context that is pro-dissemination. However, in 2012 this complex balance between E.U. and U.S. privacy laws and data sharing was challenged by General Data Protection Regulation (GDPR). This regulation would radically depart from the more nuanced standards of the Privacy Directive and prove a challenge to future U.S. and E.U. data sharing relationships.

b. Regulation for General Data Protection Regulation

In January 2012, the European Union proposed a new approach to data protection. This regulation, known as GDPR, departs from some of the more pro-dissemination articles of the Privacy Directive (1995). This regulation included a more powerful role for E.U. administration and included more controversial, pro-privacy protections for E.U. citizens. Perhaps the most controversial provision in the GDPR is the right to be forgotten, which would allow individual users to demand removal of their information by websites, search engines, and other online users. In announcing the new GDPR, Viviane Reding, the Vice President of the European Commission, said "people must be able to easily take their data to another provider or have it deleted if they no longer want it to be used...I want to explicitly clarify that people shall have the right – and not only the 'possibility' – to withdraw their consent to the processing of the personal data they have given out themselves" (Reding, 2012, p. 5). Because of this impending legal sea-change, data sharing between E.U. and U.S. corporations could be permanently changed.

i. Impact on Current Structure of EU Privacy Laws

Part of the reason this new approach to privacy and data sharing was introduced was the changes that occurred between the Privacy Directive, first adopted in 1995, and the rise of social media in the 2000s. The European Union felt that a more structured and restrictive policy for privacy needed to be implemented to stem the tide of dissemination of private information. Within the GDPR there is an increased role for the European Union in that the European Data Protection Board, rather than individual member states, will regulate data privacy laws. Within the GDPR the European Commission, the executive branch of the European Union, has final authority to give continual guidance to the implementation of the GDPR. This centralized authority of the European Union takes away many of the informal practices of the Privacy Directive. It allows for the European Commission to play a large role in the continual evolution of the GDPR, and eliminates certain exceptions that the Privacy Directive currently allows for non-member nations.

GDPR Article 9 disallows the use of information that reveals a person's race, ethnicity, political views, religion, union membership, health, and sexual practices unless it falls into certain exceptions such as legal defense, consent of the individual, or certain public interests. Compounding this restriction is that organizations processing the data may be held liable privacy violations even if there is consent by the individual if it is decided that there is an imbalance between data processing and individual privacy rights.

Controllers, those organizations in possession of the data, have the burden of proof to show they did obtain consent if an individual brings a lawsuit (GDPR, Article 1 ¶1). Controllers must also make themselves known to individual users and must provide contact in-

formation to users (Article 14, ¶ 1). When data is collected, users must be notified by controllers if the data was transferred without the users' knowledge (Article 14, ¶ 3). Users can also contact the controllers of this data at any time to inquire if their information is being processed by the controller and for what purposes the data is being processed (Article 15, ¶ 1). If any information is determined to be inaccurate by the user, the controller can be forced by the user to remove the information immediately from the Internet (Article 16). Controllers are also under the obligation to prove their processing of data is consistent with certain narrow objectives of the organization. This eliminates certain analytical processing of large groups of data to create demographic profiles (Article 19, ¶ 1). Even within an organization, the internal policies must reflect the privacy rules dictated in the GDPR or risk sanction if these policies are not put into place (Articles 22-24). The new penalties outlined in the GDPR for violating these laws are severe. Companies can be subject to €1 million fines or up to 2 percent of "worldwide turnover," commonly referred to in the United States as gross sales, for a fiscal year (GDPR, Article 79, ¶ 6).

ii. *Droit á L'Oubli*: The Right to be Forgotten

The most controversial and perhaps most threatening to search engines is the GDPR's Article 17 which codifies the right to be forgotten. Commonly referred to in French as *droit á l'oubli*, the right to be forgotten has a long and complex history within European law (Mantelero, 2013). Originally *droit á l'oubli* began as a concept for former criminals who had served their sentences in prison and were set free. The idea was that since they have paid their proverbial debt to society, they were entitled to a fresh started unencumbered by their criminal past. Because of this, their past criminal histories were "obliterated," and they began their lives anew as productive members of society. American law, by contrast, has no such historical justification for removing a person's past, criminal or otherwise. American law has always favored the idea that free speech allowed for a person's criminal past to become part of public record because of the need to protect society. It is this clash of legal and philosophical values that underpins the right to be forgotten issue.

Article 17 ¶ 1 of the GDPR states that a user has a "right to obtain from the controller the erasure of personal data relating to them and the abstention from further dissemination of such data, especially in relation to personal data" when there is no use for the data or, more importantly, when the "data subject" decides he or she no longer wants the information public. Moreover, under Article 17 ¶ 2 the controller not only has to remove data on sites they are in control of but must also "take all reasonable steps, including technical measures...to inform third parties which are processing such data, that a data subject requests them to erase any links to, or copy or replication of that personal data."

This third party can be another search engine or web company, but it also includes other individual users, such as Facebook friends or Twitter followers. Under this regulation, retweets, sharing, comments, re-posting, or posted comments constitute dissemination of personal information. Search engines and social media outlets are required to not only inform these users of this request, but also take technical measures to remove these specific data requests about specific pieces of data. These data requests can be quite particular. Requests could include the removal of a picture, post, comment, or tag that the data subject no longer wants disseminated on the Internet. Controllers are not only required to remove information when requested, but they are also required to limit access to data when the information is no

longer used by the controller or if there is some question as to whether the data is a truthful representation of the data subject (Article 17, ¶ 4).

There are exceptions to this rule for required removal. The GDPR Article 17 ¶ 3 allows for controllers not to remove data when it involves free express or when “public interest” such as issues of health, scientific research, legal requirements, or historical significant preservation arise that requires the maintenance of data. However, these exceptions are extremely limited and subject to the review of the European Commission and European Data Protection Board. Scholars point out that required removal or limited access to data provides a logistical problem for many search engines. It first requires non-E.U. based companies to adhere to E.U. regulation in their maintenance and promotion of world-wide websites and search engines. Second, and perhaps most problematic, is that these regulations direct companies to respond immediately to the requests of individual users who at any given time may have small, complex removal requests that are difficult to track and expensive to remove.

In March 2014 the right to be forgotten in Article 17 was replaced with a more moderate right to erasure. The major difference between the right to be forgotten and right to erasure is unclear because both deal with the removal of personal information from controllers of data, such as search engines. It was against this backdrop that the Court of Justice issued its decision on the right to be forgotten in May 2014.

4. *Google Spain v. Agencia Española de Protección de Datos: Reconsidering the Right to be Forgotten*

These debates over E.U. privacy and the right to be forgotten reached an apex in May 2014 when the Court of Justice issued an opinion declaring the European Union recognized the right to be forgotten. In November 2014 European Union officials argued the right to be forgotten should extend worldwide (Scott, 2014). The application of this new law is still in its infancy. However, by recognizing the right to be forgotten the European Union has permanently changed the way E.U. citizens and businesses view online image management.

The right to be forgotten case began in Spain in 1998 when Mario Gonzáles had a newspaper article written about a state auction to raise money for back taxes he owed for Spanish social security. These articles ran twice and later were placed in an online edition of the newspaper. In 2009, Gonzáles discovered through a Google search of his name that these articles were still online. Wanting them removed, he contacted the newspaper directly asking them to remove the articles. The newspaper declined. Gonzáles then contacted Google Spain asking them to remove the links to the articles, but Google Spain also declined. Afterward, Gonzáles filed a complaint with Agencia Española de Protección de Datos [AEPD] arguing that he had a right to have the articles removed online. AEPD agreed and ordered Google Spain to remove the articles from their search results. This AEPD decision was appealed to the Audiencia Nacional, Spain’s highest appeals court, which referred the case to the Court of Justice. In this case several issues were decided, such as the power of the Court to hear a case from a foreign corporation such as Google. However, the most important aspect of this decision was whether a company like Google can be held responsible as a controller of data and whether the Privacy Directive allows for a right to be forgotten.

Before the Court of Justice ruled on the right to be forgotten, the Advocate General of the Court of Justice argued there was no right to be forgotten within E.U. law. In a nonbinding rec-

ommendation to the Court of Justice the Advocate General argued that that a search engine such as Google is not a controller of data for purposes of the Privacy Directive. He also argued that the GDPR Article 17, which codifies the right to be forgotten, does not seem to consider search engines as controllers, but rather third parties. The Advocate General argued:

In contemporary information society, the right to search information published on the internet by means of search engines is one of the most important ways to exercise that fundamental right. This right undoubtedly covers the right to seek information relating to other individuals that is, in principle protected by the right to private life such as information on the internet relating to an individual's activities as a businessman or politician. An internet user's right to information would be compromised if his search for information concerning an individual did not general search results proving a truthful reflection of the relevant web pages but a "bowdlerized" version thereof (*Google Spain v. AEPD*, 2013, p. 23).

Despite the Advocate General's influence on the Court of Justice, the court disagreed with the Advocate General in a decision in May 2014. The Court of Justice held that the right to be forgotten did exist in E.U. law. The court held that search engines were controllers of digital information as defined by Article 2 of Directive 95/45/EC and that search engines stored this information within their websites. Because of this the Court of Justice held that search engines had a responsibility to remove certain pieces of information from the web when requested. The court also held that even though search engines like Google headquartered in the United States they are subject to E.U. privacy laws because they operate in E.U. member states. The court ruling directed search engines to remove information from their search engine results when requested by individual users (*Google Spain v. AEPD*, 2014).

This ruling created a large amount of uncertainty among users and search engines. After May 2014 search engines were inundated with requests from users demanding the removal of personal information online. This prompted the Data Protection Working Party to issue a guideline detailing the contours of the right to be forgotten law. The guideline states that information that is removed is only removed from search engine results associated with individuals' names. Incidental links to source information that are generated from other search terms are not permanently removed (Article 29 Data Protection Working Party, 2014).

Even though users can contact individual website to request removal of content, right to be forgotten removal requests only affects search engines. The guideline states that once an E.U. resident or citizen requests removal of information the search engine can evaluate the claim. Individual websites do not have contact the individual websites where the original content is located to notify them certain information is being removed from search engine results. Perhaps most importantly for international communication the search engines removing information are limited to those in the European Union. United States search engine results remain the same regardless if there is a E.U. request for removal of content.

The most complex part of removal requests is determining what constitutes a valid request for removal. The new guidelines released in November of 2014 hope to remedy the confusion caused by the new law. The guideline states that the right to be forgotten does not give users a carte blanche to demand information be removed. Information that is perceived to be important to the general public's knowledge will not be removed regardless of users' requests to remove. When a search engine denies a request for information removal, the search engine must provide a reason for the denial. Users can appeal this decision to the European Data Protection Authorities. The guidelines give thirteen common criteria to evaluate a removal request. These criteria look to:

- 1) Whether the information is listed when a person's name is searched;
- 2) What is the status of the user in "public life;"
- 3) The age of the person requesting the material;
- 4) The truthfulness of the information about the person;
- 5) How much information exists online about the person;
- 6) Whether the information about the person is "sensitive" or "private" information;
- 7) Is the information about the person current;
- 8) Is the information about the person "causing prejudice"
- 9) Does the information place the person "at risk;"
- 10) Was the information purposefully placed online or was the information something a person would expect to remain private?;
- 11) Was the information placed online because of a journalist or news outlet;
- 12) Was the information placed online because it was legally required to be made public;
- 13) Is the information online regarding criminal behavior or crimes. (Article 29 Data Protection Working Party, 2014, pp. 13-20).

While these guidelines do not provide dispositive answers to what can be removed online, they do give a general sense of what the Court of Justice intended when they found a right to be forgotten law exists. More newsworthy information, such as a major criminal conviction, and information one would expect to find online, such as a professional affiliation, would likely remain online even if a user requested that information be removed. Likewise, information about a minor, personal information about health issues, or defamatory statements about an individual would likely be the type of information that would be removed if requested. These guidelines illustrate the European Union's attempt at striking a balance between newsworthy information with public interest and private information that is personal. The European Union's guidelines are a first attempt at clarifying the Court of Justice's May 2014 decision. Only time will tell how this new law will be implemented in the digital sphere (Article 29 Data Protection Working Party, 2014).

5. The Right to be Forgotten in the United States

Unlike the European legal system the United States has always valued the ability to disclose information over the ability to conceal it. Part of the reason for this is the value placed in the United States on freedom of speech and press and the underlying idea that a marketplace of ideas is necessary for the preservation of democracy. Within First Amendment U.S. Supreme Court jurisprudence, the fear that a regulation may restrict free speech to the point that people or organization may suppress their ideas is dominant. This fear, referred to as a "chilling effect," is a major reason why many regulations on speech in the United States are struck down (*Lamont v. Postmaster General*, 1965; *Wieman v. Updegraff*, 1952). However, privacy rights emerged in American legal scholarship as early as 1890 when Warren and Brandeis argued that privacy rights developed as a byproduct of legal evolution. They equated the injury done to those in traditional tort law (i.e. battery, assault) to be replicated by invasions of privacy. Because of this, Warren and Brandeis (1890) argued that there existed separate causes of action in tort for invasions of privacy. These invasions could result in damages for the person whose privacy rights were violated. Commenting that a person's privacy is a form of personal property Warren and Brandeis (1890) wrote:

The common law has always recognized a man's house as his castle, impregnable, often even to its own officers engaged in the execution of its commands. Shall the courts thus close the front entrance to constituted authority, and open wide the back door to idle or prurient curiosity? (p. 220).

In 1890, Warren and Brandeis' ideas on privacy were revolutionary in American jurisprudence. They argued certain personal information could not be disseminated without prior approval of the subject. What made these new ideas about privacy unique was their concept of privacy protected truthful information about a person. Libel and slander had been a cause of action in English common law, even cause for criminal punishment. However, dissemination of truthful information had no traditional cause of action in American or English law.

As mentioned in the introduction, Warren and Brandeis' (1890) concept of privacy laws were not codified in the United States until the 1960s. William Prosser, a noted torts professor, wrote an influential law review article in which he separated the various causes of action for privacy torts. These causes of action were: intrusion upon seclusion (or invading one's private space); public disclosure of private facts; false light (or the telling of information about a person which could create positive or negative misperceptions about them); and appropriation (using one's likeness or name without permission). These individual causes of action were later incorporated into Prosser's *Restatement of Torts* which gained popularity throughout U.S. legislatures.

What this history shows is that the ability to remove information or have a right to be forgotten is not present within American law. All of Prosser's (1960) privacy torts involve a use of an individual's privacy without their consent. All the remedies for these privacy violations are monetary and there is no argument that the information can simply be removed from society. As McNealy (2012) points out, these civil causes of action come closest to providing an American version of the right to be forgotten. However, she notes that this American notion of privacy differs from that found in E.U. law because it does not provide the erasure remedy and it only affects individuals who have not consented to the dissemination of their private information.

McNealy (2012) adds that American jurisprudence seems to favor disclosure of personal information when it has a level of newsworthiness. The United States Supreme Court held in *Cox Broadcasting v. Cohn* (1975) that the State of Georgia could not take punitive measures against a newspaper for publishing the name of a rape victim because the name was newsworthy. Other U.S. Supreme Court decisions have extended this rationale of newsworthiness as a reason to publish certain information (*Nebraska Press Association v. Stuart*, 1976; *Landmark Communications Inc. v. Communications of Virginia*, 1978). Later, the United States Supreme Court held that if the press lawfully finds out information they may print it even though there may be state prohibitions of disseminating potentially sensitive information, such as the name of a rape victim or the name of a juvenile charged with murder (*Florida Star v. B.F.J.*, 1989; *Smith v. Daily Mail Publishing*, 1979).

Federal regulations have emerged to protect data dissemination for online content. Currently there is an attempt in Congress to pass legislation to prevent online tracking of individuals (Do Not Track Me Online Act, 2011). States have also attempted to pass legislation that prevents online tracking of individuals, such as the California Senate Bill 761 introduced by Alan Lowenthal that requires corporations to disclose their privacy protection breaches and provide transparency in corporations' use of online data.

However, in 2014 there are no American laws, federal or state, that specifically deal with data regulation in a manner similar to the European Union's GDPR. From examining the his-

tory of privacy in the United States and the views of privacy law development, it is clear that American jurisprudence has an inherent skepticism of secrecy. Part of this is born out of traditions of speech and press that are codified in the United States Constitution. Another part of this is that privacy protection is viewed as something that needs to be regulated only when something goes awry. In the European Union, privacy is viewed more personally and abstractly. An individual's right to their own private information or control over their image is something that is a form of property that cannot be eroded.

6. Implications on European Union-United States Privacy Laws and Social Media Growth

This study illustrates the cultural and philosophical tensions with the increased role of globalized media, specifically the Internet. Social media and the sophistication of search engines have created challenges for cultural norms regarding privacy. Even though the world-wide-web created a more interconnected global dialog, it has highlighted the cultural differences between privacy, access, and control. The European Union-United States differences on privacy serve as just one example of the types of difficulties that stem from these new laws. Looking at this struggle over the right to privacy and the right to be forgotten, there is an obvious tension between individual and corporation, private versus public, and U.S. versus Europe.

Rosen (2012) argues that the right to be forgotten is appealing in the abstract, but when taken in context with the larger implications of search engine and website maintenance, threatens the interconnectivity of the digital age. He argues that at the most basic level the ability to remove information a person places about oneself is generally accepted by both U.S. and E.U. laws. However, once the request goes beyond this simple removal, the tasks become more complex and potentially damaging to the maintenance of a world wide web. If a person wants to remove something someone else re-posted or disseminated, such as a re-tweet, about them, the European Union model would permit such as request. Even more problematic for Rosen (2012) is the idea that under the GDPR a person could require another person or media outlet to take own original content, such as a news story. This creates a serious threat to First Amendment issues of free speech and freedom of the press that creates a chilling effect on free speech and expression.

Schwartz (2013) views these new E.U. regulations more optimistically, but does argue they have the potential to breakdown the relationship between the United States and European Union. He argues placing power in the executive levels of the European Union threatens the goal of local member-state power. These regulations also create an environment in which American laws could be threatened by Bradford's (2012) "Brussels effect" which imposes a European philosophical values on non-European countries, thus eroding sovereignty and national identity which are key for the maintenance of nation-states' values (Bradford, 2012, p. 3; McDougal, 1959).

Regardless of one's academic stance on the right to be forgotten it is evident that the European Union's new approach to digital privacy will change the Internet. As the right to be forgotten becomes more developed in the European Union and is applied to non-E.U. nations, the United States will likely face an international challenge to its traditional legal approach to privacy. This tension is only in the beginning. As technology develops in unique

ways the international dimensions of privacy and Internet regulation will be a continual discussion of legal scholarship both the in the European Union and United States.

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Social Media coverage of “Maspero”: Solidarity between Muslims and Christians post The Egyptian Uprising

Abstract

The current study examines the print and social media coverage of the “Maspero” massacre in Egypt, in which military forces attacked Coptic Christians in a predominantly Muslim country. By employing a qualitative content analysis, the authors examine the role of media in inducing a state of social cohesion. Data were collected from a state-owned newspaper, *Al-Ahram*, and an independent newspaper, *Al-Masry Al-Youm*. Data were also collected from a blog that compiles testimonies of witnesses to the “Maspero” massacre as well as three of Egypt’s best-known online activists: Alaa Abd El Fattah (@alaa), Salma Said (@salmasaid), and Rasha Azab (@RashaPress). The results reveal the themes of print and social media coverage of the events, with the suggestion that social media was much more effective in inducing social cohesion than the print media.

Keywords: Maspero, Egypt, Social Media, Social Cohesion, Community Media

Introduction

Social media can play a key role in enabling activists to organize and communicate news on the ground (Khamis & Vaughn, 2012). Studies examining the Arab 2011 uprising have supported social media’s strong role in these uprisings – or what some scholars call “Twitter revolutions” (Khiabany, 2012). Between 2004 and 2011, Egypt has witnessed the emergence of an active virtual social community, providing an opportunity for disparate oppositional groups, representing conflicting ideologies, to collaborate (Lim, 2009; 2010).

Community media scholarship indicates that media, such as newspapers and radio, nurture a community’s social cohesion (Rodriguez, 2005; Yamamoto, 2011). Social cohesion relates to a structure of “relations, bonds, and beliefs that connects different individuals to a large collective unit”, enabling people to develop a sense of being involved in a common endeavor (Yamamoto, 2011, p. 2). Rodriguez (2005) found that indigenous radio has strengthened the communal cohesion among different ethnicities that live in southeast Mexico. The purpose of this study is to examine the role of social media in creating social cohesion in the aftermath of the 2011 Egyptian uprisings.

Social communities that emerge online are defined as weak but diverse social ties that allow individuals to interact with one another over a prolonged period of time (Castells, 2001). In Egypt, social media has created virtual communities that satisfy the requirements of Castells’ (2001) definition of online social communities. Egypt is located in a region that is governed

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by authoritarian regimes and where the media is state-owned and government-controlled, which makes it a worthy of such an examination because social media offers a space *free* of government control. Since 2004, the emergence of a vibrant virtual social community in Egypt has enabled oppositional movements, such as Kefaya, to attract and mobilize groups and individuals from different ideologies (Lim, 2012).

The current study examines the role of virtual social communities in fostering social cohesion in Egyptian society. According to Simmel's (1955) external conflict/internal cohesion proposition, social cohesion increases during external conflict. After the successful ousting of Hosni Mubarak, the Maspero massacre took place in Egypt – an event in which the Egyptian army crushed peaceful Christian protesters by driving military vehicles into the crowd. The current study employs a content analysis to compare Arabic-language, traditional and social media coverage of Muslim-Christian ties in response to the “Maspero massacre”, which took place in October 2011. The traditional media examined in this study would include the state-owned newspaper, *Al-Ahram*, and the privately-owned newspaper, *Al-Masry Al-Youm* from between October to November 2011. The social media examined includes messages from 41 individuals, who contributed to the Maspero Testimonies blog as well as the Twitter accounts of the activists, such as Salma Said (@salmasaid), Rasha Azab (@RashaPress) and Alaa Abd El Fattah (@alaa).

Media and Social Cohesion

The media are important actors in developing social cohesion. For example, national newspapers are said to engage in conflict-oriented journalism, which front-page focuses on events issues or experiences that are wrong and may be controversial (Campbell, Martin & Fabos, 2011). This can be contrasted with the consensus-oriented journalism that is often found in newspapers which cover local activities that occur in schools, town government, and social organizations (Campbell, Martin & Fabos, 2011). The latter form of journalism can be found in community newspapers that are non-daily as well as in community newspapers.

Community newspapers are local newspapers that describe the “activity of local institutions such as government agencies, businesses, schools, churches and volunteer organizations, and are generally supportive of these institutions’ agendas and perspectives” (Yamamoto, 2011, p. 20). While these newspapers do not practice conflict-oriented, they do not avoid local problems (Yamamoto, 2011). Rather, these newspapers report on such conflicts in such a way that would “identify common goals and mobilize collective action to address them” (Yamamoto, 2011, p. 21). In this environment, reporting on external conflict is more acceptable because it builds solidarity among the locals. Reporting on external conflict can “bind a loosely connected group of people and increase its identification with a local community” (Yamamoto, 2011, p. 21). In this way, media such as newspapers contribute towards social cohesion.

In fact, Yamamoto (2011) found that newspaper reading was correlated with increased local social cohesion. In his analysis of secondary data set including 4,119 observations from the Northwest Area Foundation 2005 Ventures Social Indicators Survey, Yamamoto (2011) found that reading community newspapers contributed to a sense of social cohesion even when he controlled for the influence of demographic variables and variables dealing with social ties to the place of residence and community. When examining the interaction among variables, Yamamoto (2011) found that residents who lived in the community for a longer pe-

riod of time and read community newspaper were more likely to contribute to a sense of social cohesion.

While the medium of community newspapers contribute to a sense of social cohesion, it is not the only medium to do so. Rodríguez (2005) examined themes in the content of a Mexican radio station and their effect on social cohesion of indigenous people. In fact, Rodríguez (2005) called the radio a community radio because it "derives the participative nature of its programming" (p. 157). Rodríguez (2005) found that radio was most often used to relay personal message, but that it was also used "as an instrument of denunciation and defense" when indigenous people were abused (p. 163). Similar to community newspapers, a sense of solidarity can be created by emphasizing the connections between members of the community and contrasting it to external groups in community radio.

In fact, the community radio was used to convey feelings of security and confidence by members of the community in the southwestern Mexican region as well as those who had left. Some of Rodríguez's (2005) data indicated that some listeners felt that the radio is all they had, and that it kept the indigenous people together. Even indigenous people who immigrated to New York admitted that their memories and experiences with community radio profoundly influenced their lives and "ignites feelings of nostalgia for their lands of origins" (Rodríguez, 2005, p. 164). The community radio also gave intellectuals in the marginalized indigenous community an ability to emerge in the public sphere, confirmed that the indigenous culture existed despite its lack of dominance, and even extended the meaning of community to encompass individual listeners with other ethnic identities that may be listening and can relate to the broadcast content. Similar to newspapers, the radio medium can contribute to social cohesion.

Television is another medium that can contribute to a sense of social cohesion. In an analysis of television in Amsterdam, Costera Meijer (2010) found that a local broadcaster was successful in contributing to a sense of belonging to the city of Amsterdam. While Costera Meijer (2010) found this to be true for immigrants and non-immigrants, she did find that the visual nature of television was more effective in creating a sense of social cohesion among white residents than immigrants. In her analysis, Costera Meijer (2010) revealed that a journalist "found out that her stories could be made more exciting, layered and complex (for white *and* non-white viewers, Muslims *and* Christians) when she used the amazement, perspective or experience of the marginalized group as an angle" (Costera Meijer, 2010, p. 338). Therefore, local television could contribute to a sense of social cohesion – even among various religious and ethnic groups.

To summarize, the media are effective in creating a sense of social cohesion. Sociologist Noah Friedkin (2004) described a cohesive group as one that produces "positive membership attitudes and behaviors" (p. 410). He notes that this cohesive quality is as important of the group as a whole as it is of the interactions of individuals within a group. This definition comes from many decades of scholarship, which began by examining group members' decision to stay in or leave groups (Friedkin, 2004). The current study examines the role of social media in contributing to social cohesion in Egypt during the Maspero Massacre and its aftermath.

Egypt's "Maspero" Massacre

The term "Coptic" is the term that refers to Christians in Egypt that were present before the arrival of Arab Muslims in the seventh century (Dowell, 2012). While its roots are attributed to an Arabic transliteration of the Greek word for Egypt, the term today refers to Christian Egyptians regardless of their religious demonization or ethnic origin (Dowell, 2012). The Coptic Church is not only one of the "longest-standing Christian institutions in the world and the largest Christian community in the whole of the Middle East" (Dowell, 2012, p. 108), but it has also been independent of influence from the Roman Catholic papal authority (Dowell, 2012). Further, the Coptic Church supported Hosni Mubarak as he rose to power in the aftermath of socialist and Islamist leaders like Gamal Abdel Nasser and Anwar Sadat (Dowell, 2012).

After the events of the Arab spring and the resignation of Hosni Mubarak as the president of Egypt, the place of Christian minorities in Egypt was highlighted in the public sphere (Dowell, 2012). Here, it is important to note that the Supreme Council of Armed Forces (SCAF) ruled Egypt after Hosni Mubarak's resignation until May 2012 (Stork, 2012, p. 466). One event which highlighted the struggle to define the place of Christian minorities in Egyptian society occurred on October 9, 2011 when a violent demonstration occurred in front of the state-owned media headquarters in Cairo. The event, known as the "Maspero" massacre, brought together a "cocktail" of human rights issues including using state-owned media to incite violence on anti-government protesters, failure to train forces to protect religious minorities such as the Coptic Christians and their places of worship, and failure to control crowds among others (Stork, 2012, p. 474). The violent attacks ended with the death of 27 civilians, "13 by the rampaging armored vehicles and 14 by gunfire – and more than 200 wounded" (Stork, 2012, p. 475). The state-run media described the cause of the massacre as provocation by homemade weapons targeted at the forces of the Supreme Council of Armed Forces (SCAF), which released a statement after the incident, blaming "the violence on 'unknown culprits'" (Stork, 2012, p. 475). On the other hand, protesters – including Muslims as well as Christians – claimed that they were attacked by the military without any provocation (Stork, 2012). The violence "quickly degeneration into several hours of car-burning, rock-throwing and street-fighting between groups hard to identify" (Stork, 2012, p. 475).

The events of the "Maspero" massacre marked "an attempted re-inscription of the terms of the debate surrounding politics, public religion, minorities, and the alliance between religious and state authorities" (Dowell, 2012, p. 113). Not only did it bring into question the place of the Coptic Church in Egyptian society, but also questions about evangelical establishments that offer less traditional services with "up-beat soft-rock-influenced worship ballads" (Dowell, 2012, p.115-116). Further, the events of the "Maspero" massacre influenced the relationship between Muslim and Christian communities in Egypt. The protests in response to the massacre included "striking slogans of religious unity between Christians and Muslims in Egypt" (Dowell, 2012, p. 120). In fact, joint prayer on Nov. 11, 2011 (also referred to as the 11-11-11 prayer night) exemplified the "increased kindness and tolerance" that Egyptians perceived to dominate the new Egypt after Mubarak's resignation (Dowell, 2012, p. 127).

This prayer night was not a one-time event. Rather, Dowell (2012) interviewed Christian Egyptians who joined the Muslim communal prayers on Fridays in Tahrir Square, and even "invited thousands of Salafis to the church building to perform their ceremonial washing and prayer" (Dowell, 2012, p. 127). Further, the Egyptian identity being inclusive of Christians

and Muslims has existed at least since the 20th century when Egyptians fought for a secular, modern nation-state independent of colonizers (Galal, 2012).

Iskander (2012) showed that newspapers reflect the emphasis on unity between Egyptian Christians and Egyptian Muslims in the public sphere. In a content analysis of *Al-Masry Al-Youm* and *Al-Ahram* newspapers, Iskander (2012) found three ways the interaction of Christian and Muslim identities manifested themselves in the analysis. First, Iskander (2012) found that a selective collective memory remembered and forgot events depending on their support “of national unity as a natural state of relations between Muslims and Christians in Egypt” (p. 33). Second, he found that newspapers framed conflict between Christians and Muslims as foreign and due to the influence of “outsiders” (p. 33). Third, Iskander (2012) also found that newspapers identified individuals within a religious group as being either moderate or extremist, such that an ordinary Muslim citizen can be contrasted to a member of the Muslim Brotherhood and an ordinary Christian citizen can be contrasted to the Coptic diaspora. The current study includes a content analysis of *Al-Masry Al-Youm* and *Al-Ahram* newspapers as well as some social media coverage of the Maspero massacre.

Social Media and Social Cohesion in Egypt

When the Egyptian government blocked Internet access in Egypt during January 2011 due to the use of social media by anti-government protesters, social media in Egypt was discussed in association with the Arab spring events; however, the history of social media in Egypt precedes the events of the Arab spring. The Egyptian government did advance media freedoms online even before the Egyptian uprisings that took place in the end of 2010 (Al Nashmi et al., 2010). Al Nashmi et al. explain that the government did this by increasing the access to the internet in rural areas across Egypt and by making “it clear that it has no intention of controlling or censoring content over the Internet” (p. 724). Despite allowing for some articles that were censored from print to appear online, the government did “crack down on people who posted controversial material online” (Al Nashmi et al., 2010, p. 724).

Yet, the role of social media users during the Egyptian uprising which resulted in the resignation of President Hosni Mubarak cannot be ignored. Franklin (2011) reported that journalists at state-run newspapers, such as *Al-Ahram*, “held demonstrations at their offices decrying corruption in journalism and lack of professionalism” (p. 17). The result was news coverage by independent newspapers such as *Al-Masry Al-Youm* reporting on “government thugs staging lootings” (Franklin, 2011, p. 17). Franklin (2011) attributes “this newfound honesty” to those “who risked their lives openly defying the government”, including journalists as well as social media users. Social media “became electronic megaphones, delivering both practical news (what streets were safe, where medics were needed)” and mobilizing “thousands of supporters online” (Franklin, 2011, p. 17).

A content analysis of 661 Facebook posts on a page of the April 6th Youth Movement, a youth activists Facebook page, revealed that 13.5 percent of the posts dealt with the issue of national unity (Alkazemi, Bowe & Blom, 2012). While this category was defined broadly to include solidarity among Egyptians of varying socioeconomic levels and genders, the authors quote a post in which the unity between Muslim and Christian Egyptians was stressed (Alkazemi, Bowe & Blom, 2012). The post included individuals with Egyptian Christian names (such as Botros) and Egyptian Muslim names (such as Ahmed) claiming that they wanted to

protest to protect the rights of one another (Alkazemi, Bowe & Blom, 2012, p. 271). The purpose of this paper is to examine how social media contributed to social cohesion between Muslims and Copts in Egyptian society.

The current study will examine both blog posts and Twitter accounts dealing with the “Maspero” massacre posted between October 2011 and November 2011. The blog examined is a compilation of eye-witness testimonies from 41 individuals who were mainly Muslims that make up what is referred to as the “Maspero Testimonies” blog. The Twitter feeds of three Muslim Egyptian activists were also content-analyzed.

Alaa Abd El Fattah is the author of a blog that Middle East historian Mark Levine calls “what is likely the best-known blog in Egypt” (LeVine, 2008, p. 95). In fact, Alaa Abd El Fattah received awards from Reporters Without Borders and other international organizations after he was jailed for 45 days in 2006 for “protesting without a permit” (Levine, 2008, p. 95). Abd El Fattah is one of several in the Egyptian blogger community, where activists train one another “in computer technologies” and “attend demonstrations and pass out new website information” (Levine, 2008, p. 95). As a result of exposing the violations committed by the Military Police and the Central Security forces during the “Maspero” Massacre, SCAF claimed that Abdel Fatah committed acts of violence during the massacre, made him face a military trial, detained for three months, then later released him as a result of local and international pressure. The current study also includes tweets made by Egyptian activists, such as Alaa Abd El Fattah (@alaa), Salma Said (@salmasaid), and Rasha Azab (@RashaPress).

Research Questions

RQ₁: How did print media and social media cover the “Maspero” massacre differently?

RQ₂: How was social media coverage of the “Maspero” massacre related to social cohesion of Egyptian Christians and Egyptian Muslims?

Method

In this study, data was examined using qualitative content analysis. Hsieh and Shannon (2005) define qualitative content analysis as “a research method for the subjective interpretation of the content of text data through the systematic classification process of coding and identifying themes or patterns” (p. 1278). Qualitative content analysis emphasizes a text’s contextual meaning and categorizes the implicit as well as the inferred meaning of a communication (Hsieh & Shannon, 2005).

News stories relating to the “Maspero” massacre that appeared in *Al-Ahram* daily newspaper and in *Al-Masry Al-Youm* between October 9th and November 30th 2011 were analyzed. Non-random purposive sampling was utilized in order to investigate the study’s research questions. *Al-Ahram* daily newspaper was selected as it is representative of the ruling authority since it falls within the category of state-owned media. *Al-Masry Al-Youm* was selected as it is the most popular privately-owned daily newspaper. Every fifth story appearing in those two newspapers relating to “Maspero” was reviewed to create thematic categories about the data.

The sample of this study consisted of forty-one testimonies that constitute the “Maspero Testimonies” blog, which was developed by Egyptian activists between October and November 2011 in order to compile eye-witness testimonies of the “Maspero” massacre. In addition,

50 tweets of three young Egyptian activists Alaa Abdel Fatah, Rasha Azab, and Salma Said -who have been renowned for their leadership role during the 2011 January uprising- were analyzed. For each activist, every fifth tweet of that activist's Thursdays and Fridays tweets relating to “Maspero” which appeared between October 9th and November 30th 2011 were included in the study. A total of 60 news stories, thirty of which appeared in *Al-Ahram* and the remaining thirty appeared in *Al-Masry Al-Youm* between October 9th and November 30th 2011, were included in the sample.

Results

The content analysis of traditional and social media text revealed four different themes: unknown culprits, army-led violence as opposed to sectarian violence, lack of credibility of state-owned media, and solidarity with Copts.

Violence was caused by “unknown culprits”

News stories that appeared in *Al-Ahram* consistently offered the explanation that the violence that erupted in “Maspero” was caused by unknown culprits that slipped into the protest and that attacked the security forces and Military police causing them to respond in defense. This was contradictory to the eyewitness testimonies that were included in the “Maspero Testimonies” blog and the activists' testimonies who confirmed through their tweet feeds that the security forces opened fire first. In order to give this explanation more credibility, *Al-Ahram* repeatedly mentioned that the church, and the fact-finding committee, which investigated the incident confirmed that unknown culprits opened fire at both protestors and security forces. *Al-Ahram* mentioned that these unknown culprits, who have a sense of allegiance to the former regime, wanted to create tension between the army and the people. This explanation provided by *Al-Ahram* offered the SCAF a way to avoid responsibility for what had happened.

Not sectarian violence but an army-led one

A main theme that surfaced from “Maspero Testimonies” blog and twitter feeds was that the “Maspero” massacre was not a sectarian violence against Copts but rather an army led one. Ahmed Mounir mentioned “Suddenly, without any warning, the tanks burst in and ran a lot of people over. It was a scene reminiscent of the 2011 Day of Rage. The army that began by killing protesters, mowing people down, and provoking the others into a confrontation.” In her testimony on the “Maspero Testimonies blog, Amal El-Mohandes said “Only 30-40 seconds after the march arrived the Military Police started shooting demonstrators... We were scurrying like chickens, watching people fall around us. Injuries and lots of blood.” In one of his tweets, Alaa Abdel Fatah said “God, again they will say third party ..is that what made the army kill the unarmed?” Rasha Azab mentioned in one of her tweets “bottom line: fake sectarian clashes+ announcing a state of emergency+ return of military trials+ making Egyptians believe in international intervention= welcome Supreme Council for Armed Forces,” in another tweet she adds “our role as activists is to show how SCAF is putting us all in a lot of confusion because SCAF doesn't hold any truth and survives on a bunch of lies.”

In addition to the messages and testimonies that appeared on social media, *Al-Masry Al-Youm* did not frame the massacre as being caused by sectarian tension or by unknown culprits, instead, it attempted to provide an objective account of the situation. For example, some of its news stories highlighted that Biblawy, Minister of Finance at the time, resigned to express his disappointment with the government. In addition, it equally represented the contradictory stories that were offered by both SCAF and protestors. Some news stories reported on the press conference held by SCAF which mentioned that protestors were armed as well as that held by youth coalitions which held SCAF responsible for the massacre. Other news stories reported on TV shows which hosted figures from the opposition and from youth coalitions who condemned SCAF and dismissed its press conference.

The state-owned media is inciting strife

Another main theme that resulted from the content analysis was related to the role of state-owned media in inciting strife. In his testimony on the “Maspero Testimonies blog, Ahmed Mounir mentioned “It was the despicable Egyptian state television that incited strife by broadcasting news of the death of army soldiers and reporting that the Christians were killing the army! Not only that, it even issued a call to citizens to go out and protect the army from the Christians!!! This was a clear attempt to ignite conflict between Christians and Muslims.” In another testimony, Ahmed Magdy said “I saw enough duplicity, lies and deception from that thing they call national TV.” In one of his tweets Alaa Abdel Fatah challenged TV’s allegations that Christian protestors were armed and that they initiated the violence by attacking security forces by saying “What rifles? Do you believe anything mentioned on TV?” Exposing bias on the part of ONtv - a privately owned channel- which forced its renowned presenter Yosri Foda to suspend his program *Akher Kalam*, Rasha Azab mentions “Yosri’s battle with ONtv indicates one thing: there’s no such thing as in free media so long as it is controlled by businessmen.”

Al-Masry Al-Youm reported on the negative role of state-owned media while the massacre was taking place. A number of news stories mentioned that youth coalitions and oppositional figures called for the resignation and the trying of the Minister of Communication whom they held responsible for inciting strife against Christian protestors. In addition, there were mentions of protests by the media calling for the Minister’s resignation as well as mentions of tweet feeds that ridiculed the Minister’s statements about the television presenters being emotionally confused. Several news stories mentioned that an independent fact-finding committee was charged with evaluating the performance of the media in relation to the massacre. Follow-up news stories mentioned that the media fact-finding committee found that the media was biased and lacked objectivity.

We must show solidarity with Copts

Solidarity with Copts and taking an active role in uniting Muslims and Christians was a forth theme that resulted from examining the media text. In one of his tweets, Alaa Abdel Fatah mentioned “Vivian Magdy’s fiancée Michael was crushed by army vehicles, condolences will make a difference to her,” in another he said “we either avenge them or die like them,” and in a third tweet he mentions “I went in and saw 17 corpses and Mina Daniel is one of them, how will we forgive ourselves?”

Tweeting while the massacre was taking place Rasha Azab called onto others to go to "Maspero" by saying "take to the streets now so that it does not get framed as a sectarian protest, your brothers are in the midst of a battle." In another tweet she announces an upcoming protest in solidarity with "Maspero" martyrs "thousands of posters were distributed today in Maadi calling for a protest tomorrow at 6 pm in front of the metro station," in a third tweet she mentions that one of the martyrs' sisters joined activists at the military court while Alaa Abdel Fatah was being questioned "Mina Daniel's sister is with us at the Military Court."

In solidarity with Christians, Salma Said tweeted "down with the Army there's no place for us in this country if there's no place for Christians." Tweeting from marches to commemorate Maspero martyrs she mentioned "The protest is moving from the Cathedral to Tahrir," and "Photos of a march with candles from Talaat Harb square to commemorate Maspero martyrs." Calling onto others to protest and demand justice she tweeted "this coming Friday there's a call for a huge protest from Tahrir to Maspero, be optimistic," and "If people can not see that last Sunday's massacre is a good enough reason to protest then it's a hopeless case."

The first research question asked, "How did print media and social media cover the "Maspero" massacre differently?" Social media included eyewitness testimonies by Muslims which was a credible way of challenging the story put forward by SCAF and its state-owned media. Activists shared photos and videos they took in "Maspero" and at the morgue which showed that protestors were unarmed, and that some of them were shot by live bullets while others were ran over by armored vehicles. In addition, social media included messages that aimed at mobilizing others into action such as encouraging them to join solidarity protests and marches. Unlike *Al-Ahram* and *Al-Masry Al-Youm*, social media did not mention anything about unknown culprits as possibly being responsible for initiating the violence. Instead, twitter feeds of the three activists indicated that thugs collaborated together with security forces at throwing stones and terrorizing protestors with white arms. *Al-Ahram* news stories consistently attributed the violence to the unknown culprits implying that SCAF was being unfairly framed by the old regime. *Al-Masry Al-Youm* was much more objective in covering the massacre and represented both stories the one offered by SCAF as well as that put forward by the protestors. Unlike *Al-Ahram*, *Al-Masry Al-Youm* humanized martyrs through a number of human-interest stories about them. It also represented the press conference held by youth movements along side that held by SCAF, thus exposing readers to an alternative story from the one offered by SCAF.

The second research question asked, "How was social media coverage of the "Maspero" massacre related to social cohesion of Egyptian Christians and Egyptian Muslims?" To answer this question, first it may be necessary to explain the role of *Al-Ahram* and *Al-Masry Al-Youm*. *Al-Ahram* is a state-owned newspaper that is unofficially run by SCAF at the time of the "Maspero" massacre. This could be one of the reasons that they attributed the attacks to unknown culprits who were also mentioned as being supporters of the former regime. *Al-Masry Al-Youm* is an independent newspaper, which presented several perspectives, including accounts of the army firing against protestors first and accounts of the protestors attacking the army first. Over time, they included more testimonials from eyewitnesses and human-interest pieces about the martyrs, which were humanizing to the Christian martyrs that were killed by armed forces.

Social media coverage of the events urged Muslims to attend the protests to protect Christian Egyptians. The social media was not only used to explain the events, but also to mobilize protesters. In this way, social media differed from newspaper coverage of the "Maspero" massacre.

Over time, as conflicting reports came out to explain the “Maspero” events, bloggers and social media users advocated for the creation of a fact-finding committee to evaluate the performance of traditional media in inciting hatred and violence against protesters on October 9, 2011.

When the SCAF held a press conference to deal with the evidence against the unidentified, third parties that began the violence that night, *Al-Ahram* did not cover the press conference held by the youth movements in response. However, *Al-Masry Al-Youm* did cover both the press conferences of the government and the youth movement.

Discussion

The role of social media in relation to the “Maspero” massacre went beyond merely sharing photos and videos and mobilizing protests. Twitter messages called onto everyone to come together in solidarity with Christians by providing testimonies, participating in protests and marches as well as joint Muslim-Christian prayers. By circulating tweet feeds about Mina Daniel, one of the “Maspero” martyrs, as being one of the heroes of the January 25th uprising, activists aimed to create a sense that Muslims and Christians were both involved together in the struggle against the former regime and they that they should continue working together to uncover continued violations and injustices. A photo of Daniel while being treated in a mosque in Tahrir square from an injury during the Battle of the Camel on February 2nd 2011, and another in which he was escaping from tear gas on January 28th 2011, which was known as the Day of Rage, positioned Daniel as a nationalistic hero who was no different from other Muslim youth who participated in the 2011 uprising. Rasha Azab tweeted that Mary, Mina Daniel’s sister went to the military court in solidarity with Alaa Abdel Fatah who was being accused of inciting violence during the massacre. “Maspero Testimonies” blog also highlighted that Daniel was one of the January 25th heroes and that his death was a great loss.

“Maspero Testimonies” blog and twitter feeds of activists emphasized that thugs and security forces attacked Christian protestors in the same manner they have been attacking all other protestors and peaceful sit-ins ever since the ousting of Mubarak. Tweets by Rasha Azab, Alaa Abdel Fatah, and Salma Said implied that the massacre was SCAF’s plan to divide Muslims and Christians in order to continue in power. Those activists wanted to get the message across to Muslims and Christians alike that their struggle against SCAF is a common endeavor. Due to the freedom offered by social media and the censorship that is exercised over traditional media, the former facilitated the activists’ task and enabled them to circulate graphic videos and photos of martyrs in the morgue. They were also able to circulate videos showing security forces firing at protestors and armored vehicles running over them. Without the ability to widely circulate such videos, photos and eyewitness testimonies, there would have been confusion over whether the Christian protestors were armed or the unknown culprits were the ones who initiated the violence. While Egyptian television incited strife by mentioning that Christian protestors were attacking the army and called onto people to go to “Maspero” to protect “their army” from Christian protestors, social media messages warned everyone from believing such a story.

In addition to providing an accurate account of the massacre to social media users, social media acted as a source of reference for privately owned traditional media such as *Al-Masry Al-Youm*. News stories on *Al-Masry Al-Youm* included information that originated on Twit-

ter and “Maspero Testimonies” blog. By referring to social media messages, *Al-Masry Al-Youm* was able to provide a more objective reporting about the massacre in which both the SCAF’s story and the protestors’ story were represented. As time went by, *Al-Masry Al-Youm* represented the view of the Christian protestors more predominantly, announced solidarity marches, joint prayers, and youth coalitions’ press conferences and statements. This would not have been possible without the testimonies, photos, and videos that were being widely circulated on social media.

The findings of this study suggest that social media can foster social cohesion in countries that are governed by autocratic regimes, in which state-owned media is highly controlled and censored.

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Media deliberation on intra-EU migration. A qualitative approach to framing based on rhetorical analysis¹

Abstract

In this paper we investigate how the model of deliberation proposed by Isabela and Norman Fairclough can be used for a better clarification and understanding of the framing processes in media – especially in opinion articles. We thus aim at integrating theoretical contributions from critical discourse analysis and argumentation theory with standard approaches to framing, originating in media studies. We emphasize how a rhetorical approach to framing can provide analytical insights into framing processes and complement the typical quantitative approaches with qualitative analysis based on textual reconstruction. Starting from an issue-specific approach to framing, we discuss a particular case of framing of intra-EU migration, analyzing four opinion articles selected from a larger corpus of Romanian, British and French media. We highlight, along our analysis, various methodological options and analytical difficulties inherent to such an approach.

Keywords: framing, intra-EU migration, rhetorical approach to framing, deliberation

Background

Migration of Romanian and Bulgarian professionals/unskilled workers/“gens de voyage” has long been a staple item on media in both the sending and receiving countries. For the purpose of this article, we have selected ‘the incident’ of president Traian Băsescu’s declaration regarding the migration of doctors on August, 4, 2010: “Let us not make a drama out of the fact that we are going abroad. Romania’s grand objective was the liberalization of work force market. Our right to leave where we are better off. Where our work is correctly paid. At this moment, the Romanian state cannot pay its doctors, teachers, their worth, it cannot, that is reality.” In Romanian media, editorialists and bloggers tended to use the problem of professional migration as a sub-theme in a broader debate about the challenges and missed opportunities in Romanian society development. The media debates in France were intensified by other events in the same month: the decision to expel Roma migrants from Romania and Bulgaria and pay them to return home; in Great Britain, articles focused on the impact of migration on the welfare system. Throughout our study, we have looked at over 400 articles in several dailies in Romanian, French and British media (129 articles in Romanian press: *Evenimentul Zilei*, *Adevărul*, *Jurnalul Național*, *Gândul*, *România Liberă*; 207 articles in French press: *Le Figaro*, *Le Monde*, *Libération*; 70 articles in British press: *The Independent*, *Daily Mail*, *The Telegraph*, *The Express*, *The Sun*). The corpus has been deliberately select-

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ed to include various journalistic practices and genres and thus to allow an insight into the complexity of the problem articulation in the public arena (Hilgartner & Bosk, 1988).

For this article, we have selected four texts which pose various methodology problems: Lucian Avramescu, Trăim într-o țară second hand? *Jurnalul Național*, 10 august 2010; Andrei Crăciun, Generația care pleacă, *Adevărul*, 24 august 2010; Immigration is more than an economic issue, Telegraph View, *The Telegraph*, 26 august 2010; Jean-Marc Leclerc, Roms: un fichier pour éviter la fraude de l'aide au retour, *Le Figaro*, 17.08.2010.

Deliberation as media practice vs. deliberation as argumentative genre

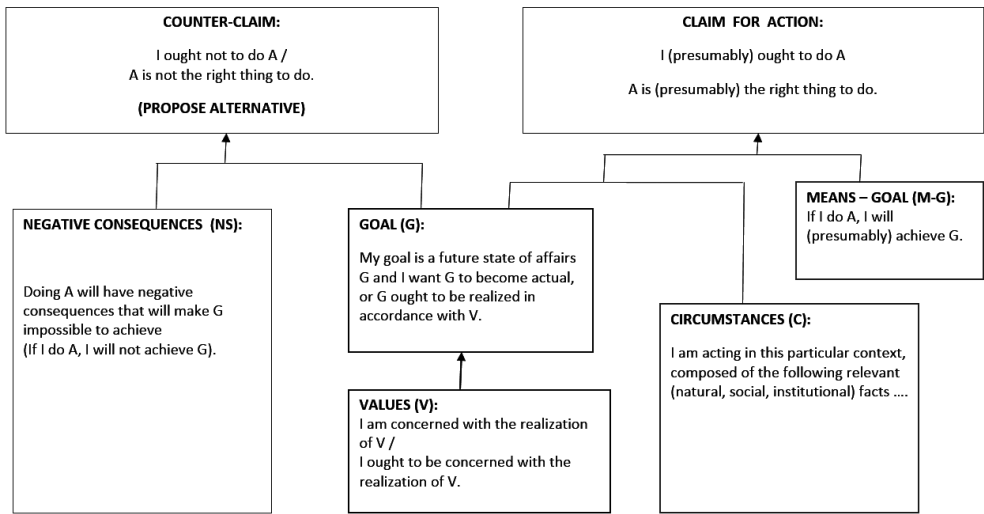
The deliberative function of the media has been the object of significant research tradition, much of it stemming from the discussions initiated by Habermas' work on the public sphere (Habermas, 1991). The public exchange of arguments through various media genres (news, commentaries, televised debates, talk-shows) has been treated as a form of deliberation (see for instance Dahlgren, 2009; Beciu, 2011; Coleman 2012). Such analyses employ a broad and descriptive concept of deliberation, whose scope covers the journalists' stance through various media genres, ideological positioning, manners of representing participants in debate, inclusion and exclusion and the potential for the emergence of new points of view and new social actors in the public debate. One of the main foci of such analyses and a starting point for critical inquiry is the epistemic outcome of deliberation – what type of public knowledge do such deliberations produce? What kind of citizenship do they foster? Can an informed consensus over public issues emerge from media debates? A second, stricter concept of deliberation comes from contemporary argumentation theories, but has its roots in Aristotle's typology of rhetorical genres and in his ethical theory. Conceived either as a specific type of dialogue (Walton, 2010), or as an "argumentative *genre* in which practical argumentation is the dominant mode of argumentation" (Fairclough & Fairclough, 2012, p.13), deliberation is an argumentative exchange that advances as standpoint a normative proposition: a call for action – something that needs to be done – or, in Aristotle's description of the deliberative genre, an expedient choice (Kennedy, 1991). For instance, in relation with migrants, policies dealing with controlling migration can be object of political but also media deliberation: should migration be restricted? Should the social security system be adjusted to accommodate migrants? In the framework proposed by Isabela Fairclough and Norman Fairclough (the analysis of deliberation as debate which employs practical arguments), deliberation is analyzed as an argumentative genre instantiated by activity types such as parliamentary debates, which are farther articulated through specific speech events. In our case, individual media texts (belonging to various media genres: editorials, opinion articles, pieces of news) are the speech events that draw upon activity types (media debates), which can further implement the argumentative genre of deliberation: "[f]or a debate to instantiate the genre of deliberation (...) a minimum requirement is that it should focus on a normative proposition that can (but does not have to) ground a collective decision for action and (...) that it should weigh reasons in favour of an action against reasons that may count against it, such as the consequences of doing the action" (Fairclough & Fairclough, 2012, p. 201). The two concepts of deliberation share a close relation with political models of deliberative democracy, the rational exchange of arguments in the public sphere and the epistemic value of deliberation, but differ in significant ways, of which relevant for us are their domain (the former describing any type of debate, while the latter focusing on specific

standpoints and argumentation patterns), analytical categories (media genres such as editorials can be conceived rather as activity types, not as genres as such) and focus (descriptive-oriented rather than normative-oriented, but both being able to accommodate a critical dimension).

We will adopt as an analytical instrument the model of deliberation proposed by Isabela Fairclough and Norman Fairclough. As we have seen, in this model deliberation consists mainly of practical reasoning supporting a *claim for action*. On the one hand, the claim for action is justified by certain *goals*, and the goal is itself justified by certain *values* or *concerns* of the agents advancing argumentation. On the other hand, the action claimed is assumed to be instrumental – *a means* – for the achievement of the goal, and this constitutes a factual premise in the structure of the argument. A second factual premise in this model deals with the agent’s *circumstances*, consisting of natural, social and institutional facts that define the initial state or situation – the problem which requires the call for action. So, two dimensions are involved in this type of practical reasoning: a moral dimension, comprising goals and values, and a cognitive dimension comprising circumstances and the means-goal relation. In the context of the debate, the call for action might be contested by participants, either by refuting the claim – usually through pointing negative consequences of the action requested, or by proposing alternative courses of actions. Moreover, participants can dispute the acceptability of premises used in various manners: for instance they can propose different values or value hierarchies, supporting different goals; they can challenge the instrumentality of the action (means–goal relation) or propose alternative description of the circumstances. See a visual representation of the model in *Figure 1*.

The structure presented so far describes the elements involved in practical reasoning. The step from practical reasoning to deliberation relies exactly in “the balancing in favour of one proposal for action against considerations that supports various alternatives. Deliberation involves therefore considering *alternative practical arguments*, supporting different *claims*, and examining and weighing considerations that support these alternative claims.” (Fairclough & Fairclough, 2012, p. 50). Such consideration of alternative claims and the possibility to challenge the goals invoked lead to the idea that *goals, not only means, can become object of deliberation* (Fairclough & Fairclough, 2012, p. 50).

Figure 1. Deliberation: argument & counter-argument (Fairclough & Fairclough 2012, p. 51).



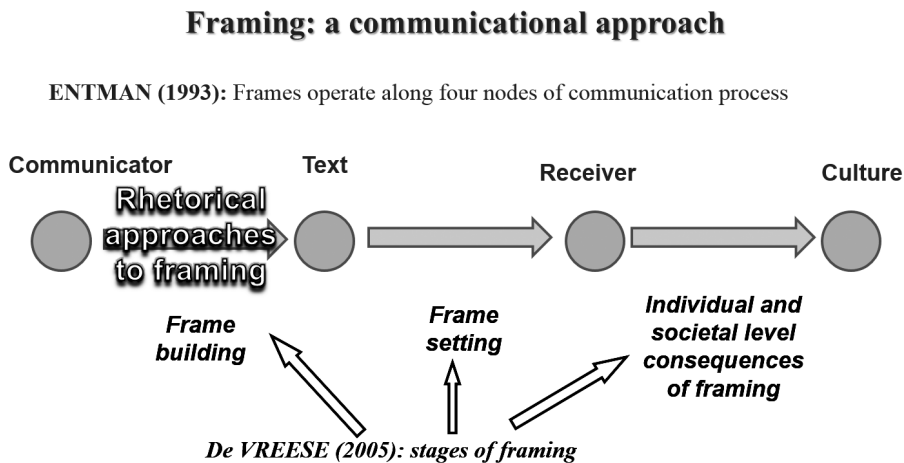
The merit of such a model consists in serving as a heuristic tool for systematic reconstruction, analysis and evaluation of deliberation. While evaluation of deliberation features an important role in Fairclough & Fairclough's approach – hence their emphasis on the normativity of the model and on critical questions as instruments for critical appraisal of deliberation – we are interested in this paper rather in the explanatory virtues of this model, in relation to framing. This means that agents are expected to adopt the most convenient lines of argumentation in order to be effective. Their choices in describing the circumstances, the goals and the values in argument depend not only on their knowledge of the facts, but also “on their evaluative (including ideological) orientation towards this context and their particular interest in changing it” (Fairclough & Fairclough, 2012, p. 93). The concept of *framing* is particularly relevant in this context, since “People's claims for action follow from their own description of the context and may not follow from the ways in which their opponents define the situation. Re-describing or re-framing reality in a rhetorically convenient way is part of a strategy of action” (Fairclough & Fairclough, 2012, p. 93). Consequently, we will show, in the following section, how framing operates in a rhetorical perspective, by selective representation of circumstances, strategic usage of evaluative terms and persuasive definitions of goals and values.

Framing – from media studies to rhetorical approaches

The literature on frames and framing has boomed in the last twenty years, mainly in relation with discussions on media effects and, more specifically, on agenda setting, although the concept of *frame*, as employed initially by Goffman (1974), refers to the definitions of a social situation that are built up in accordance with principles of organization which govern social events and the agents' subjective involvement in them. Frame analysis then refers to the examination of frames in terms of the organization of experience. In relation with media studies, a standard approach is that of Entman (1993), who defines framing as a process involving the choice of certain components of a perceived reality and then their salience, in the message communication, with the goal of advancing a specific interpretation of the particular situation under discussion (p. 52). For Entman, frames are not limited specifically to the domain of the text producer; he starts from the assumption that frames operate along four nodes of the communication process: the communicator, the text, the receiver, and the culture. According to Wiesman (2011), Entman's approach can be better grasped within the integrated process model of framing proposed by de Vreese (2005), stipulating three stages of framing: frame building, frame setting, and consequences of framing at individual and societal level. “The model suggests the overlapping of the four locations posed by Entman (...) in the process of framing. Frame-building is the determination of the frame by the communication source and its subsequent creation in the text. *Frame-setting* refers to the interaction between media frames and individuals' prior knowledge and predispositions, both of which are determined by cultural norms as well as personal experience (...). Consequences, the final stage in the model, are the effects of these frames on individual attitudes and broader social processes” (Wiesman, 2011, p. 133). The relation between Entman's and de Vreese approaches is illustrated in *Figure 2*, and is useful in delineating the methodological site of rhetorical approaches to framing: they would focus on frame building, without denying its constitutive link with the node of culture, since “rhetorically, a frame promotes its preferred

perception by linking information to corresponding “culturally familiar symbols” present in the audience’s knowledge structure that guide individuals’ processing of information.” (Wiesman, 2011, p. 133) Consequently, rhetoric can provide an analytic framework to account for the discursive construction of framing in relation to situational exigencies such as genre, audience, and symbolic resources available for producing meaning in a certain context. Epistemologically, such approaches tend to adopt various constructivist paradigms (Carter, 2013, Van Gorp, 2010; Van Gorp & Vercruysse, 2012) while disciplinarily, several tracks can be identified for their development: rhetorical criticism (Kuypers, 2010), cognitive semantics (Lakoff & Johnson, 1997; Lakoff, 2004), hermeneutics (Carter, 2013), cultural studies (Van Gorp 2007; Van Gorp & Vercruysse, 2012), discourse analysis (Pan & Kosicki, 1993), argumentation theory (Van Eemeren, 2010; Greco Morasso, 2012).

Figure 2. Situating rhetorical approaches to framing in the broader context of theoretical perspectives on frames and framing.



Two important theoretical questions with relevant methodological consequences need to be addressed prior to undertaking an analysis of the frames: where to look for analytical categories in the analysis of framing and how to justify them in relation with both the aims of the research and the categories analyzed. Usually, in framing theories, two main types of analytic categories are invoked: generic frames and issue-specific frames (de Vreese, 2005). The first type comprises categories which are defined and operationalised prior to the investigation, involving consequently a rather *deductive* approach, and an *etic* position of the researcher. Common examples of such categories are *episodic vs. thematic frame*, or the ubiquitous *conflict frame*; quantitative content analysis is usually used in research. The second type comprises categories that are specific to a particular problem under discussion and are defined and operationalised by analyzing the discursive material investigated. It involves usually an *inductive* approach and an *emic* position of the researcher. For instance, a specific issue – migration – can be framed as a barbarian invasion, an economic benefit for the receiving community, or a moral obligation toward migrants who do not have the same standard of living in their sending countries. The analyst should look at *framing devices*, i.e. textual occurrences that constitute the symbolic resources of the frame, such as metaphors, exemplars, catch-phrases, depictions, and visual images (Gamson & Modigliani, quoted in de Vreese 2005, p. 54). Method-

ologically, analyses of this type require qualitative content analyses (without excluding ulterior quantification), but they can also appeal to discourse analysis or rhetorical analysis, depending on corpus and unit of analysis (Cooper, Kuypers & Althous, 2008).

Mixed types are possible, as is the case for the category proposed by Baldwin van Gorp: *culturally embedded frames* (Van Gorp, 2010; Van Gorp & Vercruysse, 2012). These types share a certain *genericity* with the first category, in the sense that frames are considered issue-specific (for instance the archetype of the villain can be used in electoral campaigns as well as in discussions about migration or social movements), yet they are inductively generated from a large corpus and are part of a cultural repertoire. Accounting for them requires a qualitative methodology, designed to reconstruct frame packages along the following analytical categories: cultural theme involved, definition of the problem, causation of problem, consequences, moral values involved, possible solutions/actions, metaphors, and choice of vocabulary (Van Gorp & Vercruysse, 2012, 1277-1278). It is easily noticeable that these analytical categories have significant similarities with the model of deliberation proposed by Isabela Fairclough & Norman Fairclough: some of them (metaphor, choice of vocabulary) are instrumental in framing the circumstances, while others are constitutive for the moral dimension of the deliberation (values, cultural theme), for the cognitive dimension (causation, consequences) and even overlapping with the claim for action. A theoretical consequence stemming from this observation would be that framing does not operate, as Fairclough & Fairclough assume, only at the level of circumstances, but across all types of premises and all procedural steps of deliberation. Nevertheless, one is expected to find a rhetorically convenient consistency between the framing of circumstances, the moral dimension of the deliberation and the claim for action proposed by a certain agent.

Another possible mixed type, which is particularly relevant for our research, combines a deductive approach (i.e. categories of analysis defined independently, previous to the analysis of the corpus) with an issue-specific conception of frames. Ecaterina Balabanova and Alex Balch, in their study on the ethical framing of intra EU migration, argue that “attention needs to be paid to the deeper, ontological, framing which operates to inform or legitimize the ways in which ‘the other’ is subsequently portrayed” (Balabanova & Balch, p. 383). According to them, “media treatment of immigrants/immigration is contingent upon and symptomatic of deeper (and often submerged) values and ideational structures related to the ethical basis for immigration controls themselves” (Balabanova & Balch, p. 384). Consequently, linking media framing in a more systematic way with normative political theory, Balabanova & Balch identify their categories in political philosophy (what type of arguments can be advanced to for or against controlling migration) and then analyze which of them are present in media debates, which are most prominent and to what effects (see discussion below).

To conclude, what is specific to rhetorical approaches to framing? According to Jim Kuypers, one the most representative scholars for this approach, “framing is the process whereby communicators act – consciously or not – to construct a particular point of view that encourages the facts of a given situation to be viewed in a particular manner, with some facts made more or less noticeable (even ignored) than others. When highlighting some aspect of reality over other aspects, frames act to define problems, diagnose causes, make moral judgments, and suggest remedies.” (Kuypers, 2009, p. 182) If this is the case, then a rhetorical approach to framing amounts to an analytical endeavour aiming at: a. identifying the frames, be them generic or issue-specific; b. identifying the shared cultural premises which particular frames mobilize and which the audience allegedly shares (*endoxon*); c. revealing how par-

ticular frames guide the debate in particular directions, create social facts and foster particular types of citizenship, in relation to the type of engagement required from the audience; d. suggesting alternative framing and ways of counteracting pervasive frames. Consequently, a rhetorical approach to framing serves both a comprehension-oriented and a critical agenda. Methodologically, such an approach relies on qualitative methodologies that focus on textual analysis requiring a reconstruction of the discourse along analytical categories which are defined either in an etic or in an emic manner. The basic assumptions of such an approach are that a.) framing is possible whenever rhetorical choice is present, and b.) agents design their speeches in a “communicatively and internationally functional way” (Eemeren, 2010, p. 119) through expedient choices. Consequently, viewed rhetorically, framing “amounts to creating a context by verbal means in which what is put forward makes sense to the audience in a way that is in agreement with the speaker’s or writer’s intention.” (Eemeren, 2010, p. 126)

Framework of analysis: combining the typology of framing intra EU migration with the model of deliberation

The typology of arguments that we follow in the articles we analyze draws on the work of Balabanova and Balch (2010), who propose a normative approach to media debates on migration. The analysts argue that a discussion of frames employed by the media must reveal the underlying ethical arguments that can justify various positions. These ethical arguments are reconstructed deductively, two main positions being identified in debate in the first stage: communitarian and cosmopolitan. For each position specific arguments for the topic of migration are identified and are formulated in relation to recognized positioning in political theory and philosophy. Communitarian arguments will describe the problem of general and professional migration as catastrophic for the community, because it lessens community strength and its development potential. A frequently occurring subtype of the communitarian argument is the “domestic social justice” argument, employing considerations on “the best social and welfare conditions for citizens” (Balabanova & Balch, 2010, p. 384). The cultural protectionist argument draws on the imperative of preserving national culture, the public security argument reflects fear for social insecurity potential, the liberal constitutionalist argument reflects the ideal of democratic society, the ‘priority for compatriots’, a particular (historic) understanding of good governance. Cosmopolitan arguments will invoke the right of migrants to be treated fairly from the perspective of the rights and privileges derived from the European citizenship. Within this category, universalist arguments will appeal to human rights imagery to discuss the individuals’ right to free movement; the instrumental cosmopolitan arguments regard migration as “a means to maximize total welfare” (Balabanova & Balch, 2010, p. 384). Banal cosmopolitanism reflects “personal cultural programming” (cf. Lull, 2000), which allows multiple cultural allegiances and identities. A complete overview of the types of arguments and framing produced through them is presented in *Table 1*.

Table 1. Ethical frames for understanding immigration controls. Adapted from Balabanova & Balch 2010, Balch & Balabanova 2013.

Position in the debate	Type of frame	Argument structuring the frame	Examples
Communitarian (arguing for restrictions on migration)	Domestic social justice	Immigration should be controlled to deliver the best possible economic, social and welfare conditions for citizens	<i>Immigration has increased unemployment ... Schools, hospitals and GPs also come under pressure' (Daily Mail, 2 May 2006)</i>
	Cultural protectionist	Ethno-national arguments for controls to maintain a 'national culture'	<i>Immigration threatened 'the very essence of our society' (Dnevnik, 15 August 2006)</i>
	Public security	Uncontrolled immigration poses a threat to public order and social stability	<i>'immigrants who can't get jobs will survive on the streets by begging and stealing' (Sun, 31 July 2006)</i>
	Liberal constitutionalist	Restrictions needed to maintain democratic functioning of the state	<i>'migrant workers are exploited in a number of sectors. Unions need to step up their recruitment and government must do more to enforce legal standards' (The Independent, 1 May 2006)</i>
	Priority for compatriots	Special ties or obligations related to the nation-state, e.g. civic practices or historical (national) conflicts/struggles	<i>Uncontrolled immigration 'is putting Britons out of work' (Daily Telegraph, 18 August 2006)</i>
Cosmopolitan (arguing for migration)	Universalist cosmopolitanism (ecstatic)	Freedom of movement as part of universalist conceptions of human rights	<i>'If you want to achieve a united Europe, to build social conditions and standards, you cannot impose restrictions...' (Dnevnik 13 September 2006)</i>
	Consequentialism (instrumental)	Immigration as a means to maximize total welfare	Positive: <i>'mutual interest dictates our welcome' (the Independent (21 August 2006); Negative:</i> <i>'the consequences are not only negative for the British people but also for the immigrants themselves who leave themselves open to exploitation' (Daily Mail 14 November 2006)</i>
	Quotidian cosmopolitanism (banal)	Linkages between immigration and post-national forms of identity formation	<i>'Polish delis are sprouting up across the country' (The Independent 11 June 2006)</i>

The terms “communitarian” and “cosmopolitan”, as used in this typology, might seem to reflect an implicit ideological polarization, while in fact some categories overlap. For instance, instrumental cosmopolitanism (consequentialism) can be analyzed as the reverse of the domestic social justice subtype of communitarian argument: if migration is instrumental or the welfare of a community, then it should be accepted; if, in fact, it is detrimental, then

restrictions on migration should be enforced. This would suggest that arguments supporting migration can be advanced in a communitarian framework. Yet, such a debate on migration amounts to a cost-benefit analysis and is divorced from any underlying ethical considerations. A further commentary needs to be made regarding the possibility to distinguish clearly between various frames, as is the case with the frames “priority for compatriots”, and “public security”, which can work as particular instances of the “domestic social justice” frame. A clearer definition of these frames can be based on the model of deliberation presented above, which considers the values and commitments characterizing each position (communitarian / cosmopolitan) as distinct analytical categories. Our article is an attempt to integrate the two approaches.

The interplay among these arguments is quite complex. For instance, a cosmopolitan framing of Roma migration will appeal to human rights imagery to feed a discourse whose claim will be the non-exclusion of Roma. The goal reflecting these cosmopolitan values will be to build a post-national EU citizenship, and the debate will likely select circumstances such as: EU citizenship, democracy, EU regulations. On the other hand, a communitarian framing of professional migration will refer to citizens’ welfare, public order and social stability to justify the goal, which will be the maintenance of social/economic stability. Circumstances are expected to detail the workings of the health/welfare system, and the action claimed will be the tackling of professional migration.

Integrating the ethical framing of migration in the deliberation model: four case studies

Integrating the ethical framing of migration in the deliberation model proposed by Fairclough and Fairclough poses several methodological and analytical problems. The first question is how a particular article contributes to the general debate on migration: it could be new ideas, it could be new claims for action or counterclaims, or a different means-goal representation. When looking at a text, the analyst will focus on: who is speaking (Which are the voices in the text? Who do they represent? What position does the journalist assume?), which are the arguments (How are they built/distributed/reconstructed? Are counterarguments addressed?). However, when trying to understand how a particular text echoes the general debate on the topic, the analyst reconstructs the context of the debate in accordance with theoretically motivated guidelines. For instance, one relevant problem is: What is present in / missing from a particular text in relation to other texts that constitute the debate? Which texts should be taken into account and how should they be selected? A selective representation of circumstances means that the analyst needs to highlight what other circumstances are present in the debate, but are ignored in the text. Again, if we take circumstances to include both elements in the general debate on migration (interdiscursive context) and situational context elements (meso-context), what is the relationship between them? One answer would be to take previous elements expressed in the text as the arguer’s commitments and thus treat them as institutional facts. Another important problem is to establish the object of the persuasive definitions and track down evaluative terms. A heuristic principle in the reconstruction and the analysis of the text is that of the *rhetorical convergence* of the various elements (circumstances, values, goals) in the overall argument. Framing, in an argumentative text, is tantamount to strategic maneuvering seen from the perspective of presentational devices (Eemeren,

2010). Through topical selection, adaptation to audience demands and presentational devices, the arguer aims not only at dialectical reasonableness, but also at rhetorical efficacy. The three aspects of strategic maneuvering can be only analytically distinguished, since at textual level a rhetorical choice would at the same time constitute a form of adaptation to the audience's demand and a selection of a particular argument through particular presentational possibilities. Consequently, "putting a certain event into one or the other contextual box (frame) significantly changes its interpretation, even when the reconstruction of the events is seemingly neutral" (Greco Morasso, 2012, p. 198). Accounting for strategic maneuvering amounts to revealing the convergences of particular strategies and resources used in various stages of the deliberation. Consequently, the rhetorical convergence of the symbolic resources used in each element of the deliberative model can work both as a heuristic principle in the reconstruction and the analysis of the text and as an indicator of framing.

The first text selected (Lucian Avramescu, *Trăim într-o țară second hand? Jurnalul Național*, 10 august 2010) takes arguments from Băsescu's speech, which it oversimplifies in order to challenge the President's claim that people are leaving Romania because they can do better abroad: "Through the voice of the father of the nation, the first and foremost thinker ... we find that we are a second-hand country. A country very much like a pawn shop, a second hand shop around the corner. We are used, dirt-cheap clothes on the market. It is good we are leaving the country, we salute doctors who are treating other patients (ours will soon die, anyway), it is a good thing teachers become dishwashers in Germany's restaurants ... Congratulations to those who are leaving and no longer ask anything from parents back home, the last guardians of poverty. Before dying, the last will turn off the light". The claim of the text seems to be that Băsescu is right in thinking that those who choose to stay behind in this second hand country are stupid. The text builds reasons around this claim by emphasizing the fact that as long as people do not punish politicians, they are indeed stupid. People's choice not to take a stand against politicians is a confirmation of the president's claim. However, this argument is restructured at the end of the article ("Băsescu's policy is based on the conviction that we are stupid. What if, as I once wrote, the president is right? Might he not be right now, when he says that we are a second hand country? Isn't the very detail that we are bearing with him as President more than enough confirmation?"). The relationship between the rhetorical question in the heading and the argument in the last paragraph changes the meaning of the whole text.

How does the text contribute to the general debate on migration? The underlying claim is that (professional) migration should be stopped. The circumstances which have been selected by the journalist to build his frame are: massive migration, political non-elites, people's tolerance of corruption. The goal (good governance) is reached by negative description (this is a country that is not well governed). The values which feed the goal are: general welfare, justice, elites' recognition, justice, democracy and order.

How does the text solve the problems we have mentioned above? The journalist echoes both documented facts (such as the phenomenon of doctors' migration) and themes on the permanent agenda of the press (politicians' corruption and incompetence). Relevant absences are: free movement as a fundamental right, the burden on the social security system in case professionals choose not to leave (arguments invoked by the President). Evaluative terms (*anarchy, foolishness*) converge with values and goals, but also with a certain audience. The underlying values and goals build a communitarian (public security) frame, in answer to the President's framing, which employs both cosmopolitan elements (ecstatic: freedom of move-

ment is a right we have gained), and communitarian (domestic social justice: leavers alleviate the burden on social welfare system).

The second text (Andrei Crăciun, *Generația care pleacă, Adevărul*, 24 august 2010) poses a different methodological problem. There is no textual indicator for an argumentative text. There are few evaluative assertions in this text, which seeks to define a ‘we’ (the 70s-80s generations, too young to have experienced communism as adults: “We, the dictatorship’s last children, were never sentenced ... We never had to choose between Hitler and Stalin, we had to choose between Pepsi and Coca-Cola”). Rather than being argumentative, the text tacitly advances a point of view, that migration has a negative impact (“All the sadder and more normal is our fleeing from the world and into the world. The best of us have left and are yet to leave. This generation was supposed to succeed here and will succeed there”). Redefinition of a sense of belonging through presentational devices (antithesis “A new generation is tearing apart from an old country”) is more pervasive in the text than arguments (the only instance we could find was: “Romania is losing its most important resource – its educated youth” as an implicit call for policies).

The problem that the text raises is how to discuss a text which contributes to the general debate without clearly fitting the deliberative model adopted. The arguments highlight the claim that migration should not be encouraged (a counter-claim to the president’s declaration). The goals of the text are implicit, not stated (a certain continuity with previous generations, a feeling of community, personal integrity in relation with belonging), and values are used to describe the generation, rather than advancing an argument. The circumstances which were selected (migration and post-communism; the migration is the choice of a whole generation, not of individuals) add something significant in the general debate: how you define a generation is essential for the problem of migration. It is difficult to decide on the convergence between circumstances, values and goals in the absence of a claim.

With articles in receiving countries, circumstances, values and goals converge to create arguments for migration control which fall into the category of communitarian framing. Generally, we have found that Romanian media discuss general migration, skilled (professional) migration and Roma migration as separate categories, evolving into different genres, positionings and types of arguments (see Ciocea & Cârlan, 2012). In French media, references to general migration are scarce, with prominent interest in ‘gens de voyage’. This focus on a minority leads to frequent use of communitarian (cultural protectionist) arguments (for instance: “Or le problème n’est pas de savoir si les «Roms et Gens du Voyage» sont avant tout victimes de l’appareil d’État et du racisme populaire ou, s’«ils» sont, au contraire, coupables de leur «marginalité»” – *Le Monde*, 10.08). The reverse is, unsurprisingly, the use of cosmopolitan (ecstatic) arguments: “la France, pays symbole de la démocratie (...) contribue à la stigmatisation” des Roms. (*Le Monde*, 18.08); “Les discours sécuritaires qui peuvent laisser entendre qu’il y a des populations inférieures sont inacceptables” (*Le Figaro*, 22.08).

In British media, on the other hand, the focus falls on general and skilled migration; the Roma migration is hinted at only when the expulsion measures against the Roma in France are discussed. Communitarian arguments tend to refer to the sphere of domestic social justice (“It is possible, although not yet proven, that immigration adversely affects the employment opportunities of young people who are competing with young immigrants from the A8 countries (lower-income Eastern European countries in the European Union” – *Daily Mail*, 19.08.) Sometimes communitarian arguments make use of cosmopolitan imagery, like in this example, where liberal constitutionalist arguments fall back on banal (clichéd) cosmopoli-

tanism: “The Left’s theory of patriotism is that it’s all false consciousness invented by the powers-that-be to get gormless proles to work and die for the system. But actually, it’s a two-way system that also demands a sense of responsibility by the ruling class towards their working-class compatriots. That’s all gone now and the English class system has basically ended in divorce, with the new elite running off with the equivalent of a Thai bride, who cooks, cleans and doesn’t complain, largely because she can’t even speak English.” (The Telegraph, 12.08).

Consequently a methodological problem in dealing with French and British texts is to see how the selective representation of circumstances and the persuasive definitions of goals and values through evaluative terms converge to create arguments not only in the local (national) debate on migration, but also in the international debate. British media discuss the events in France from a cosmopolitan perspective; when the topic is migration to the UK, however, communitarian arguments pervade, and cosmopolitan stances are built as rather ideal (ecstatic) circumstances. For instance, in our Telegraph article (*Immigration is more than an economic issue*, Telegraph View, 26 august 2010), the claim is that migration must be debated not only in economic terms, but socially and culturally (“To a great extent, however, the focus on economic migration misses the real target, which is the number settling here through family reunion and marriage ... This raises difficult social and cultural questions that politicians are reluctant to engage with – hence their concentration on economic migration. But the political classes are lagging far behind the general public: it took the intervention of Gillian Duffy, ‘that bigoted woman’, to shoe-horn immigration into the last general election campaign. Such political timidity does the country a disservice. Immigration raises serious and potentially divisive problems that must be addressed. We ignore them at our peril.”). The goal is a free debate on migration (which implies that both communitarian and cosmopolitan arguments will be used). See, for example: “The public pressure for more rigorous immigration controls is far less to do with xenophobia or racism (we remain one of the most tolerant countries in Europe) and far more to do with the intolerable pressures imposed on our public services and infrastructure, and therefore on our quality of life.”. The values invoked are: the quality of life, multiculturalism, freedom of expression; the circumstances that triggered the response in the article: the political discourse does not reflect the public’s interests, opinions and knowledge (“These figures simply confirm what people see with their own eyes – that after more than a decade of virtually unfettered immigration under a Labour government that saw electoral benefit in such a policy, our country is desperately overcrowded.”).

The same negotiation of communitarian and cosmopolitan stances is characteristic of French media, as well. Ecstatic cosmopolitanism is not missing from the texts, but, rather than being built through arguments, it is a distant/ideal ethical framing, which does not coincide with the text as such, but is somehow expectant in the broader debate on migration. For instance, in our French article (Jean-Marc Leclerc, *Roms: un fichier pour éviter la fraude de l’aide au retour*, Le Figaro, 17.08.2010), cosmopolitan arguments belong to one of the voices in the article, not to the journalist himself: “Mardi, le ministère de l’Intérieur pointait plus de cinquante campements illicites de Roms déjà démantelés en France depuis le début du mois. Au moins 700 personnes en situation irrégulière seront reconduites à Bucarest «par des vols réguliers», a tenu à préciser Éric Besson. Le ministre l’a reconnu également, s’agissant des Roumains, membres de l’Union européenne: «Ils pourront revenir en France, puisque c’est la loi, mais ils ne pourront pas y stationner en situation irrégulière et a fortiori recevoir une aide au retour volontaire.»” The claim (migration needs to be controlled), the goal (to render migration control instruments efficient), the values (good governance, institutional effi-

ciency) converge to build a communitarian (social security) argument: “à compter du 1^{er} septembre prochain, tout change. L'étranger membre de la communauté des gens du voyage contrôlé par la police, lors de l'occupation illicite d'un camp par exemple, verra ses empreintes digitales insérées dans le fichier, à côté du nom.” (see the implicit politically incorrect assumption that the police will apply this measure against a minority they will be able to identify with the naked eye).

Conclusions

The exploratory analysis of the selected texts shows how accounting for a rhetorical construction of framing in deliberative media texts has to take into account the convergence of the values, goals and circumstances as they are discursively constructed. For articulating the frames, one has to take into account values and goals, which amounts to using the model of deliberation as an instrument of textual reconstruction capable of revealing how frames are constructed. Yet, while values and goals can be conceived as categories to identify and label the frames, as is the case with the typology articulated by Balabanova and Balch, it is most frequently through rhetorical presentation of circumstances (by means of evaluative terms, persuasive definitions and presentational devices) that a particular understanding of the problem and the possible solutions is produced. A frequently employed strategy involves negative presentation of circumstances, in opposition with convergent goals and values that are allegedly shared with the audience, in order to justify a change in the status quo. The convergence of values, goals and circumstances can be understood as a particular case of strategic maneuvering, involving topical choice, adaptation to audience demands and presentational devices. Thus, although framing cannot be reduced to circumstances, as Fairclough and Fairclough seem to assume, but operates across all elements and stages of deliberation, it is by rhetorical construction of circumstances that framing is produced. This confirms the Greco-Morasso's position that the presence of contextual frames can turn apparently non-argumentative texts into significant input in the deliberative process.

Such an approach can prove insightful for the analysis of media deliberation on migration because it can reveal not only how various ethical framings structure the media debate, but also allow for a clearer articulation of the role of values in the definition of the frames, an identification of media engagement with the audiences, and a broadening of the scope of framing theories. The next step in our research is to advance a fully articulated model of rhetorical framing in media debates, able to cope with a large corpus of articles in order to identify how various frames (communitarian, cosmopolitan) are constructed, and what are the rhetorical peculiarities of such framing in sending and receiving countries.

Note

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Golden reputation wanted for a gold producer. The case of the *Rosia Montana Gold Corporation*

Abstract

Inappropriate stakeholder communication often generates risks or even dangers to the organizations which are not aware of the importance of a proper flow of information to/from its publics.

“Rosia Montana Gold Corporation”, a Canada-based company specialized in gold extraction, has initiated since 1996 a project to extract gold from the perimeter Rosia Montana (Western Carpathians, county of Alba, Romania). Although the technical documentation has been submitted back in 2004 to the authorities to be endorsed and approved, the approval is still pending due to a great amount of negative public perceptions often turned to hostile behaviors. In order to diminish this hostility, the company has started a huge communication campaign founded on factuality in its attempt to extract gold in Romania. However, the results are still unsatisfactory, even if the amount of negative perceptions has been lowered in a certain measure. In our paper we would like to analyze, based on the Situational Crisis Communication Theory (SCCT) and quantitative analysis methods, several influences produced by the organizational communication done so far over the organization itself, as well as over stakeholders such as the local community in Rosia Montana, public institutions, and non-governmental organizations.

Keywords: crisis management, crisis prevention, crisis communication, stakeholder perceptions, SCCT.

Introduction

Organizational reputation, regarded as one of the strategic intangible resources of any organization, is also the most sensitive to the threats concerning the functions of the organization, whether those threats come from inside or outside the organization. Any affect of organizational reputation may entail significant negative consequences on the other resources (material, financial, human, technological, etc.), and these consequences are often manifested on medium and long term.

Therefore, preserving, strengthening and defending organizational reputation must be a key concern of the management. Managers must be aware of both the importance of reputation and the role of communication actions in the effective management of reputation: the perceptions of organizational stakeholders – be they from outside or inside – perceptions which ultimately generates organizational reputation, can be properly managed especially through communication actions, and hence the role of communication in the protection of reputation.

In this idea, a trend has been noticed in the last decade: organizations tend to involve more their stakeholders in their actions and decisions, to listen more intensely their opinions as

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well as to engage themselves in solving social issues of the communities within which they operate, because managers have realized how much stakeholders can influence the smooth running of any business. At the same time, the concern of organizations to manage stakeholder reactions has become obvious. The management of stakeholder reactions during certain events with negative consequences includes, according to the vision of Timothy Coombs, communication efforts to influence how stakeholders perceive the situation, the organization in need, and the organization's response during this situation (Coombs & Holladay, 2010). The importance showed in organizations to the good management of stakeholder reactions comes from the fact that the way stakeholders perceive the organization has become a crucial factor in the consolidation of its reputation. Moreover, stakeholders have a number of expectations from a company: they want it to continuously provide relevant and honest information about its actions, they desire to take part in some decisions concerning the organization, but, the most important, they need a powerful organization that they can trust and whose voice is listened in their community. Anthony Davis points out, in this respect, to a number of reasons for which organizations should constantly communicate with their stakeholders. One of the main reasons consists in the public confidence, which "provides companies a warranty over their functionality, in other words, stakeholders must be on their side to optimize organizational performance" (Davis, 2008, p.174).

The relationship between an organization and its stakeholders is one of interdependence, therefore, the organization can affect stakeholders, and these in turn may jeopardize the subsistence of an organization. This relationship depends on the importance of each of the stakeholders for the organization. The more important and valuable the involvement of a stakeholder in the organizational life, the more the stakeholder will have a strong influence on organization. Based on the level of stakeholder influence, Timothy Coombs separates them in primary and secondary. Primary stakeholders are "those people or groups that can be both harmful and beneficial to the organization" (Coombs & Holladay, 2010, p. 20). The author mentions that, if organizations do not maintain effective communication with their primary stakeholders, this can lead to organizational failure or even to bankruptcy. Organization's primary stakeholders may stop its activity and initiate a crisis. Secondary stakeholders, seen by Coombs as influencers, can influence or be influenced by the company, but they "cannot stop the organization from its functioning, but can cause damage to the organization" (Coombs & Holladay, 2010, p 20).

We can thus conclude that stakeholders can harm the organization, but they can also bring benefits, especially in difficult times, when the organizational image and reputation are in deadlock. In this respect, Kathleen Fearn-Banks (2007, p. 8) asserts that "favorable stakeholder relationships of an organization are beneficial during crisis management". Although the establishment of good stakeholder relations will not help the organization to prevent any unwanted situation, managing their reactions may have a crucial role in how the organization will address this situation and manage its credibility and reputation in the public arena.

The development of the online environment, particularly of the social networks, has resulted in the expansion of the list of stakeholders of a company and of the ways in which they can influence organizational reputation. Companies should be aware that, in the online environment, publics may come up to support and promote their work but, at the same time, these publics can seriously affect organizational credibility and reputation. Therefore, "the identification of both real-world and online stakeholders" (Cismaru, 2009, p. 85) is required as a prerequisite for the effective management of the company's reputation, as well as to systematically maintain good stakeholder relationships.

Of course, the management of special situations, like the crises organizations may face, requires special approaches of the communication strategies, generally known as crisis communication. Both theorists and practitioners suggest a large number of approaches to this relationship between organizational reputation and crisis communication. For our case study, we will particularly make use of the Situational Crisis Communication Theory (SCCT) proposed by W. Timothy Coombs in 1995 and further developed by both the author and other researchers (see, for example, the collaboration between Coombs and Sherry Holladay; An-Sofie Claeys, Patrick Vyncke & Verolien Cauberghe (2010); Sora Kim & Liu Brooke Fisher (2012); Hilary Fussell Sisco (2012); Skye Cooley & Amy Jones (2013) and others).

Literature review

If one accepts the idea of the consequences of stakeholder perceptions, attitudes and actions on the organizational reputation, then one must also accept that reputation management is an important component of the company's top management. The way stakeholders perceive events which the organization faces may produce major influences over its image and reputation. Information about the organization that reaches its stakeholders will influence the way how they perceive the events and their relationship with the organization. The foundation of effective stakeholder relationships, as an important way of achieving and maintaining organizational reputation, is built in time, before the onset of any difficulties and negative events. If this is not done, stakeholders may lengthen these events, may increase the difficulties and can aggravate their consequences. However, effective communication with them, through thoughtful communication strategies and actions, can turn the stakeholders into real advocates of the organization, offering support and resources to reduce the negative effects of events at both the physical (human losses, property damage, loss of markets, boycotts of products and services and so on) and the symbolic level (outcomes affecting image and reputation).

The complex environment in which organizations operate today requires a comprehensive approach of their image and reputation. Thus, a growing interest from various social instances, more and more diverse and active, comes out and progressively evolves, regarding the malfunctions that may appear during the activities of a company; moreover, these instances investigate their causes, how they have occurred, their manifestations and consequences. This pattern fits to all contingencies (crises included) affecting through their development and consequences both stakeholder perception and image and reputation of organizations.

Approaching the organizational image and reputation requires an internal logic and the observance of certain epistemological compliance regarding their coherence and consistency. Thus, from a chronological point of view, a company must have the gain of awareness (notoriety) among its primary goals. Awareness is key to the organization's image. Creating and consolidating awareness is the first step in the image building process (Chiciudean & David, 2011). Therefore, the organization must "be present in the public mind as quickly as possible" (Libaert, 2009, p. 116) in order to benefit this way from a good image. Bernard Dagenais also points out the importance of awareness while building the image of an organization: "It sometimes happens that the company believes it has a positive image to its public, although it actually does not even have notoriety and therefore much less image. Before making itself loved, a company must be known, so it must have acquired a certain notoriety" (Dagenais, 1998, p. 123). Once the image created, based on a consistent notoriety, organiza-

tional reputation arises as well. The concept of reputation implies a gradual evolution over time, evolving as long as the social actors involved acquire and share among them a stable image of the organization; this image reflects, in large part, the company's capability to confirm their expectations and even exceed them. All these actions are part of a complex process involving substantial efforts of professional reputation management (Coman, 2009).

Reputation consists in an aggregate of beliefs or judgments about a particular company, existing among the public. One can state that a company is reputable when actors involved have information about the quality of its management, its substantial financial income, innovation, marketing, products and services, activities, corporate social responsibility campaigns (Coman, 2009). Reputation components become visible over time, in conjunction with the attitudes, beliefs and positive opinions of stakeholders on the company. The various audiences, ranging from shareholders and employees to consumers, investors and the media, follow certain functionality and organizational behavior variables before investing their trust in the company (O'Connor, 2005). Starting from the idea that reputation is a general assessment made by stakeholders following criteria and factors that come up over time and know a certain dynamic, depending on their needs, interests, aspirations and expectations as well as on the context, *Fortune* magazine, who has created and imposed "Fortune corporate reputation index", has ranked the most reputable companies in the U.S., based on eight indicators: effective management, high standard products and services, financial stability, vision on employing and keeping capable people, use of corporate assets, the mission of creating values and investing in them, innovation, corporate social responsibility (Oliver, 2009, p 52).

The elements of corporate reputation rating, as a result of the evolution of stakeholder expectation horizons, of the social, economic and scientific-technical context, can overlap on and/or can be contaminated by traditional elements, which can lead to a bad, diffuse and contradictory reputation. Therefore, the concerns of experts to set up clear and rigorous criteria to assess reputation are useful. In this respect, there is a certain consensus on a package of seven indicators that should be looked up in a company and signal a high reputation: the ability to use financial resources, the conduct towards employees, the social responsibility, the commitment to customers, quality products and services, performant management, good communication (Lee, 2004). Hence the fact that the reputation of the organization depends on its ability to communicate, to speak out everything relevant and of interest to stakeholders, so that reputation could play the role of a *recorded tape* about the company, playing inside the minds of the receivers (Cameron & Wilcox, 2007). The stakeholder collective mind is this way the holder and the evaluator of the corporate reputation, therefore a good reputation may be built or destroyed by everything the organization does: from how they treat their employees to how they manage their conflicts with the external environment (Haines, 2008).

Reputation cannot be solely seen as the result of the organization's success in the market. It is built over time and is strongly influenced by how companies cope with various crises. The attribution theory and the situational crisis communication theory reveal the consequences over organizational reputation produced by certain crisis intensifiers: *consistency* (history of crises in the organization, the probability that the organization may have been faced such crises in its past) and *distinctiveness* (the relationship between history and previous reputation, how well or badly the organization treated its organizational actors in similar situations) (Coombs, 2007). If the organization had dealt with similar events in its past and had behaved inappropriately towards stakeholders throughout its history, its reputation would be damaged, because the organizational actors can leave their relationship with the organization and may

generate negative discourses (Coombs, 2007). In this situation, sometimes extremely critical for the organization, the management must prevent, through communication strategies and an appropriate content of crisis communication, these two effects proved to be potentially negative for the organization's reputation.

The crisis analysis from the perspective of its intensifiers reveals that each type of crisis generates specific amounts of organizational responsibility for the crisis event. It highlights three specific situations with different consequences over the reputation, depending on the amount of responsibility that is assigned to the organization for each type of crisis: the "victim" category is weak in terms of assigning organizational responsibility for the crisis (natural disasters, workplace violence, poor products, rumors), and the organization is seen as a victim of events; the "accidental" category involves a minor allocation of responsibility for the crisis (accidents due to technical errors, harmful products due to technical errors), and the event is considered random and uncontrollable by the organization; the "intentional" category involves large allocations in terms of crisis responsibility (accidents caused by human error, human errors or harmful products due to organizational errors) and the event is considered as intended (Coombs, 2007). By identifying the amount of responsibility assigned for the crisis, organizations can early determine and describe the consequences of the crisis over their own reputation. Therefore, these intensifiers substantially influence the process of building crisis response strategies, which vary depending on the acceptance / non-acceptance by the organization of a certain responsibility for the crisis. The approach suggested by Coombs approach for such situations is as follows: "as long as threats to reputation and negative effects grow up, crisis managers should use the crisis response strategies fitted to the level of responsibility showed by the crisis. In other words, crisis managers should accept higher degrees of responsibility as reputational threats intensify" (Coombs, 2007, p.138).

Media stands out as an active factor in the process of building organizational reputation. More and more often media change the order of the organizational priorities forcing managers and communication specialists to grant them strategic importance. Moreover, the media impose certain standards on the behavior of an organization (Chiciudean & David, 2011). These standards, imposed by the media in the communication sphere, are acquired and used by the actors of this sphere, becoming evaluation criteria of the overall organizational behavior, with important consequences on perceptions about organizations, on their image and reputation. Serious deviations from these standards, especially in crisis situations, will not only be publicly disapproved, but they will also be penalized by journalists, who will blame the organization, will get involved in investigations of any adverse situations, will increase the perceived danger of facts, and will require drastic punishment to the organization. Reputational consequences are obvious. That is why, the organizational behavior should reflect accountability, openness and transparency.

Mass media have an important asset. They have control over how the organization's stakeholders will perceive negative events, as they are the public opinion influential and the most credible source of information. The way the media perceive the crisis faced up by an organization is crucial because they establish, in most cases, the direction and the meaning of the events, thus directing public perceptions, because "in a mass society, the first impression of a reporter is already reality" (Chiciudean & Țoneș, 2010, p 128). Often, managers running the crisis resolution are busy trying to assess the situation and taking emergency measures, not giving due attention to journalists, so that those will seek information elsewhere or will position themselves against the steps taken by the organization. Ignoring journalists during

crisis management “proves to be a catastrophic thinking error [...] that organizations facing a difficult situation often make and that can become disastrous” (Regester & Larkin, 2003, p.157). Disastrous, of course, from the perspective of public perception, of the allocation of crisis responsibility, of the threats and negative consequences over organizational reputation.

Mass media are a public memory enhancer. They use databases allowing to accurately determine whether organizations have been dealing with similar events in their past, whether there have been errors in their behavior and attitude to the victims, to the press and other actors involved in the event. Media can affect this way the organizational reputation not only by a hostile attitude and the way they cover ongoing events, but also by reminding past events and actions with negative meanings in the public mind. In the circumstances of the use of new technologies, that can store huge amounts of information and can generate interactions “from an end of the world to the other” (Wolton, 2012, p. 22), these issues may increase and worsen. Therefore, managers need to rethink how they intend to address the events that may affect the reputation of their organizations. This rethinking “can lead to methods very different from *classical* procedures recommended by the followers of traditional solutions” (Chiciudean & David, 2011, p 183).

Case study

Brief history. In the broader context of political, social and economic change in Romania after 1990, some strategic decisions were taken regarding the suspension or even the end of exploitation of mineral resources by the state; those who have had a substantial impact on Romanian public opinion concerned mining coal and gold. Such a particular decision has resulted in the closure of the gold mines in the perimeter Rosia Montana, a gold zone located in the Apuseni Mountains of western Romania, where gold mining tradition is documented since 131 A.D., and the area is still dependent on gold mining.

In 1996, Gabriel Resources, a company headquartered in Toronto (Canada), has showed its interest in resuming mining in the area. As a result, in 1997, the company Eurogold Resources SA has been established, renamed later, in 2000, Rosia Montana Gold Corporation (RMGC), with the object of extracting gold and other minerals in the mentioned area and whose shareholders have been Gabriel Resources (80.46%) and the Romanian state, through the company Minvest Deva (19.31%). Between 1997 and 2002, while conducting specific legal procedures, RMGC performed geological explorations to determine the quantities of existing ore; these explorations showed that the Rosia Montana gold deposit was practically the largest in Europe, hence resulting the special interest towards this project.

In December 2004, RMGC submitted to the Environmental Protection Agency of the Alba County a request for the environmental permit to start the operation. The request was then step-by-step forwarded up to the highest hierarchical level of the state administration, i.e. the Romanian Government. Because of the importance of the deposit in Rosia Montana, this economic issue has quickly turned into a political one; public perception – either Romanian or international – regarding the environmental danger of gold mining by using potassium cyanide has also substantially contributed to this transformation: the danger suggested by this substance has generated a strong wave of public adversity since the very beginning of the project. Given the effervescence of the Romanian political scene and the hostility of a part of public opinion, the approval of commencement of mining has become a “hot potato” for all policy-makers

since 2004 to present, no matter if they were in power or in opposition, so this decision was avoided for nine years.

In terms of organizational communication, between 2004 and 2007, along with steps taken to start the operation, RMGC performed a communication campaign having the local community as the main target, because the major interest of the company at that time consisted in purchasing the land within the gold perimeter, project which implied two other projects as well: the relocation and resettlement of residents who had agreed to sell their land. The efforts to counter the hostile messages of various social actors (media outlets, NGOs, public institutions, academic bodies, representatives of civil society, actors of the political scene, opinion makers, etc.) were not very evident in this period of time; as a result, the attacks on RMGC's reputation have been favored by good conditions as far as the organizational response has been concerned and therefore pushed the company into a crisis that is still ongoing.

Between 2007 and 2009, RMGC tried to diminish the effects of this attack by a consistent set of functional messages, consisting of facts meant to speak by themselves about the company and about the mining project. Consequently, extensive and costly actions have been undertaken to demonstrate the compliance to all claims made by institutions involved in approving the project, with the hope that a solid, documented plan, based on tangible resources, etc. would speak by itself about the company's positive attitude and behavior in approaching this project. However, the results of this behavior have not been those expected by the company, so that the crisis has taken a new dimension in its depth.

Realizing finally the role of communication in managing this situation, as well as of the strategic approach to communication, RMGC has been developing since 2009 a communication campaign intended to change public perceptions in favor of the project and reduce the hostility of the attitude of organizational stakeholders. Based on the information we have got so far, we consider it the most extensive and expensive communication campaign carried out so far by any organization performing in the Romanian business environment. The result of this approach is beginning to produce results: part of media reports and, consequently, public perceptions on this project have changed in favor of RMGC; thus, for example, according to a survey published in February 2012 (IRES, 2012, p. 28-35), which refers to two simultaneous events of 28 January 2012 – one against the project, organized in Bucharest and one in favor of it, held in Rosia Montana – pros and cons are balanced, but slightly favorable to the mining project: in the circumstances that respondents found out in quite equal proportions about the two events (28% and respectively 27%), 57% of them agreed to the support meeting in Rosia Montana, while 43% agreed to the opposition demonstration in Bucharest.

This empirical observation has also been confirmed by other information. Thus,

“according to data provided by the company, [...] there have been measured partial outcomes such as:

- since 2008 to 2010 the total number of media reports on the Roșia Montană project has grown up to 4 times, thus showing the media awareness on this topic; the media awareness has grown up primarily as a results of publicity campaigns (with an informational component instead of advertising), which acted like a ‘trigger’ for editorial columns;

- the percentage of positive media reports has doubled, that of negative ones has halved, and the percentage of neutral reports has grown up with 40%;

- according to monthly and annual studies made by IMAS (a Romanian opinion polling institute) between 2008 and 2011, approximately one third of the public opinion is in favor

of the project, another third is against, and the remaining others still do not have a clear attitude. That means there is no dominant opinion at the level of general public;

– more than 100,000 ‘RMGC friends’ on Twitter in August, 2011” (David & Chiciudean, 2011).

Moreover, there are indications that now, due to a governmental attitude favoring the exploitation of natural resources, RMGC has reduced the reactive approach to its communication campaign in favor of a more proactive one, designed to build positive attitudes, not only to change the negative ones.

Research questions. In our opinion, the above-described situation is an obvious case of organizational crisis, because

“being unable to start the project after nine years from the submission of the request to start operation has produced extremely important consequences for the organization:

– the company has had economic losses. According to the most recent fiscal audit submitted to the Ministry of Finance – that for the year 2011 – they exceed RON 160 million (about EUR 37 million). Comparable amounts were reported in the previous years: approximately RON 163 million loss in 2009, about RON 165 million loss in 2010;

– the communication flows with certain stakeholders (State institutions, media outlets, think tanks, opinion leaders, non-governmental organizations, national public opinion) have been blocked or altered;

– the Romanian political scene still shows controversial positions with regard to the project: while President Băsescu strongly supports the project, the Prime Minister Victor Ponta, as well as Rovana Plumb, the current minister of Environment, showed in the recent past their open opposition to it, opposition somewhat softened after the government takeover;

– although hostile attitude towards the project has somewhat diminished its intensity in the last 4 years, there are still stakeholders whose negative feelings about this project affect the RMGC corporate image, producing influences on public perceptions. Among them: the Romanian Academy, the Soros Foundation, Alburnus Maior, the weekly *Formula As*;

– some vocal environmental organizations, such as Greenpeace, have involved themselves as opponents of the project, thus putting into question the reputation of RMGC” (David, 2013).

An important consequence of these developments consists in *the negative effects over RMGC’s reputation* to such an extent that, in a certain period of time (2007-2009), the mining project was regarded as impossible and, therefore, the purpose of the organization was completely compromised. At that time, the management has decided to initiate the above-mentioned communication campaign in order to preserve and restore organizational reputation, which, being badly affected, was producing negative effects on the other types of organizational resources.

In order to understand to what extent reputation influences the proper development of the organizational functions, we must specify first that reputation is built and developed mainly due to the change of messages between an organization and its stakeholders as well as between the latter ones. Essentially, there are two types of messages: *functional*, consisting in the actual facts of the organization (productivity, product quality, etc.) or resulting from such acts (turnover, profit, equity etc.); *deliberate*, consisting in what the organization intentionally says about itself and its actions, as well as what others say about it. The credibility of functional messages is great because those who perceive directly the organization also perceive “by their own senses” what it does; unfortunately, audiences that receive and interpret such messages are limited, because there are few people getting direct contact with the organization and with

deeds. Therefore, the organization must also design and deliver deliberate messages, meant to show to much larger audiences, most often through media, its achievements.

To verify the truth of the above statement, we have devised the following empirical research questions:

Q1: While managing an organizational crisis, are the functional messages (organization’s deeds) enough to ensure the preservation of reputation?

Q2: To what extent the functional messages of an organization facing a crisis can generate stakeholder attitudes and behaviors regarding the organization?

Q3: Which is the role of the deliberate messages (organization’s statements) in the effective management of an organizational crisis?

Data and methods. In order to get answers to the above-formulated research questions, we issued an online survey on an unstructured sample; it was available to respondents between February 11 and May 11, 2013 and 149 valid responses have been recorded. The demographic structure of the sample is described in the Tables 1-2 below:

Table 1. Sample structure by age.

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	18-25 years	79	53.0	53.7	53.7
	26-35 years	34	22.8	23.1	76.9
	36-45 years	24	16.1	16.3	93.2
	46-55 years	4	2.7	2.7	95.9
	56-65 years	5	3.4	3.4	99.3
	Over 65 years	1	.7	.7	100.0
	Total	147	98.7	100.0	
Missing	System	2	1.3		
Total		149	100.0		

Table 2. Sample structure by education.

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid		2	1.3	1.3	1.3
	High school student / graduate	9	6.0	6.0	38.9
	College student	32	21.5	21.5	60.4
	Undergraduate	17	11.4	11.4	24.2
	Master student	54	36.2	36.2	96.6
	Graduate	17	11.4	11.4	12.8
	Doctoral studies	5	3.4	3.4	100.0
	Doctor	13	8.7	8.7	32.9
	Total	149	100.0	100.0	

No significant correlations have been found between these demographic indicators and respondent perceptions on the functional messages delivered by the company.

Table 3 describes the measure in which respondents have appropriate knowledge about the mining project.

Table 3. Sample structure by the self-estimated degree of familiarity with the situation investigated.

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Totally unfamiliar	10	6.7	7.0	7.0
	Familiar to a small extent	57	38.3	39.9	46.9
	Neither familiar, nor unfamiliar	44	29.5	30.8	77.6
	Familiar to a great extent	24	16.1	16.8	94.4
	Very familiar	8	5.4	5.6	100.0
	Total	143	96.0	100.0	
Missing	System	6	4.0		
Total		149	100.0		

In order to get answers to Q1, we have considered several facts, either ongoing or already done by RMGC, as functional messages delivered by the company:

- the job offer;
- the support of the local sustainable development;
- the resettlement / relocation plan;
- the compliance with environmental regulations.

When it comes to the first functional message considered – the job offer – the mining project would create a significant number of jobs in an area where the unemployment rate is above the national average and where local people depend on gold mining for almost 2,000 years. According to the company (RMGC1), the project would generate a total number of 3,600 jobs. Asked about the role of this project in lowering the unemployment rate in the area, the respondents gave answers as follows (Table 4):

Table 4. The perception on the impact of the RMGC's job offer over the local unemployment rate.

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Not at all	8	5.4	5.5	5.5
	In a small measure	47	31.5	32.4	37.9
	Neither in a small, nor in a great measure	26	17.4	17.9	55.9
	In a great measure	62	41.6	42.8	98.6
	It will eliminate the local unemployment	2	1.3	1.4	100.0
	Total	145	97.3	100.0	
Missing	System	4	2.7		
Total		149	100.0		

As one can see, the balance between skeptical and optimistic opinions is slightly favorable to the last ones: a total of 55 respondents believe that the project will not reduce the unemployment at all or just in a small measure, while 64 believe that it will reduce or even eliminate the local unemployment.

The second functional message refers to the potential support offered through this project to the local sustainable development. The answers are described in the Table 5 below:

Table 5. The perception on the support offered by the mining project to the local sustainable development.

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Not at all	31	20.8	21.4	21.4
	To a small extent	50	33.6	34.5	55.9
	Neither to a great, nor to a small extent	23	15.4	15.9	71.7
	To a great extent	34	22.8	23.4	95.2
	Definitely yes	7	4.7	4.8	100.0
	Total	145	97.3	100.0	
Missing	System	4	2.7		
Total		149	100.0		

In this case, the respondents expressed more clearly their hesitation as to the sustainable consequences of the project, 81 of them showing themselves reluctant, while 41 gave credit to it.

The third functional message considered for this study regards the resettlement / relocation effort made by the company. Up to date, 125 families accepted the resettlement plan of the company, moving to a brand new neighborhood built by RMGC in the town Alba Iulia (RMGC2); for those who have chosen to relocate, the company has offered support and counseling. The perception of this functional message is illustrated in the Table 6 below:

Table 6. The perception on the RMGC's resettlement / relocation plan.

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Very bad offer	17	11.4	11.6	11.6
	Offer rather bad	18	12.1	12.3	24.0
	Offer neither good or bad	20	13.4	13.7	37.7
	Offer rather good	86	57.7	58.9	96.6
	Very good offer	5	3.4	3.4	100.0
	Total	146	98.0	100.0	
Missing	System	3	2.0		
Total		149	100.0		

With 91 answers favoring the resettlement / relocation plan and 35 against it, we can conclude that there is a clearer perception of the functional message delivered by the company.

For the fourth functional message considered, in spite of the assurances given by the company as far as the project environmental safety is concerned (RMGC3), the perception on the potential environmental risks of the project has been measured, the results being as follows (Table 7):

Table 7. The perception on the environmental risk of the mining project (1 = no risk, 10 = the highest risk).

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	1	4	2.7	2.8	2.8
	2	4	2.7	2.8	5.5
	3	9	6.0	6.2	11.7
	4	2	1.3	1.4	13.1
	5	14	9.4	9.7	22.8
	6	9	6.0	6.2	29.0
	7	17	11.4	11.7	40.7
	8	26	17.4	17.9	58.6
	9	21	14.1	14.5	73.1
	10	39	26.2	26.9	100.0
	Total	145	97.3	100.0	
Missing	System	4	2.7		
Total		149	100.0		

As to the responsibility attributed to different entities involved in the project, the answers are as follows (Table 8):

Table 8. The perception of the responsibility for the environmental risks of the mining project.

		Rosia Montana City Hall	Ministry of Environment	RMGC	Natural conditions	Local community	Romanian Government	Local Environment Protection Agency
N	Valid	120	124	140	119	118	127	125
	Missing	29	25	9	30	31	22	24
Valid percent	No responsibility at all	10.8	4.0	2.9	44.5	41.5	4.7	3.2
	Responsible to a small degree	25.0	1.6	1.4	19.3	16.9	5.5	4.0
	Responsible neither to a small, nor to a high degree	32.5	21.8	6.4	25.2	33.9	21.3	20.8
	Responsible to a high degree	23.3	38.7	32.9	10.1	4.2	38.6	36.0
	Totally responsible	8.3	33.9	56.4	.8	3.4	29.9	36.0

In this context, we must detail that a high degree of responsibility is attributed to RMGC (Table 9) – the entity perceived as the most accountable among those above-mentioned:

Table 9. The perception on RMGC's responsibility in case of an environmental accident.

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	No responsibility at all	4	2,7	2,9	2,9
	Responsible to a small degree	2	1,3	1,4	4,3
	Responsible neither to a small, nor to a high degree	9	6,0	6,4	10,7
	Responsible to a high degree	46	30,9	32,9	43,6
	Totally responsible	79	53,0	56,4	100,0
	Total	140	94,0	100,0	
Missing	System	9	6,0		
Total		149	100,0		

However, no significant correlation has been found between the perception of risk and the organizational responsibility.

A correlation has been found between the job offer of RMGC (seen as reducing the unemployment rate in the area) and the company's resettlement / relocation project: Spearman's $\rho = 0.295$, $a < 0.01$. In our interpretation, this correlation must be understood as follows: the higher the credibility of the job offer, the more the trust in the resettlement / relocation program.

To get answers to Q2, the respondents have been questioned about their potential to do something in favor or against the mining project: to take part in a public meeting or a protest march, to participate in a flashmob, etc.). the frequencies of the answers are as follows (Tables 10 and 11):

Table 10. The potential to take part in a support meeting.

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Not at all	25	16.8	17.1	17.1
	In a small measure	27	18.1	18.5	35.6
	Neither in a small, nor in a great measure	54	36.2	37.0	72.6
	In a great measure	18	12.1	12.3	84.9
	Definitely yes	22	14.8	15.1	100.0
	Total	146	98.0	100.0	
Missing	System	3	2.0		
Total		149	100.0		

Table 11. The potential to take part in a protest meeting.

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Not at all	6	4.0	4.1	4.1
	In a small measure	16	10.7	11.0	15.1
	Neither in a small, nor in a great measure	42	28.2	28.8	43.8
	In a great measure	37	24.8	25.3	69.2
	Definitely yes	45	30.2	30.8	100.0
	Total	146	98.0	100.0	
Missing	System	3	2.0		
Total		149	100.0		

Although there is no significant correlation between the two potential behaviors (pro or against), one can see that the intention to protest against the project is higher than that to sustain it. Moreover, the respondents are more passive as far as the support is concerned (52 would rather not participate, compared to 40 who would participate) and more willing to act in the case of a protest (22 rather not, compared to 82 who would agree). Indeed, a significant correlation has been found between the perception on the company's responsibility in case of an environmental accident and the availability to protest: Spearman's $\rho = 0.341$, $a < 0.01$.

When it comes to the answer to Q3, we would like to remind the company's statements about the outcomes of its communication campaign, made in 2011 and already cited above; thus, while the percentage of the positive media reports doubled, one third of the Romanian general public became favorable to the project.

Conclusion

Reputation is an organizational asset that requires a proper management and much attention; otherwise reputational losses may generate additional damage to an organization. Therefore reputation should be one of the crucial concerns of managers as they deal with crisis situations, because such situations produce high risks to this organizational resource.

The main threat addressed to reputation consists in stakeholder perceptions which can be affected by concern, worry, anger, fear. Or, one can manage perceptions especially through adequate communication strategies.

Delivering functional messages (doing things to be seen by stakeholders) is not enough, although their credibility is strong. As we have tried to demonstrate, RMGC's functional messages, such as creating jobs, supporting local sustainable development, resettling / relocation efforts, environmental care produced less result in the first phase of the project, when the organization hoped that "facts would speak for it". Once accompanied by deliberate messages (speaking out about the things done), the consequences of functional messages at the level of stakeholder perception have become more favorable to the company.

Another conclusion as far as organizational reputation is concerned is that reputation should be perceived and managed in the larger social context including the organization facing a crisis. As already shown in the Table 8, the responsibility attributed to RMGC, although high, has been somehow shared among the entities considered for the study. This is an important consequence that must be kept into account while planning crisis response strategies aimed to defend organizational reputation.

Finally, another conclusion regards the stakeholder availability to behave in a certain way in the relationship with an organization perceived as accountable in a crisis. Thus, stakeholders are more open to participate in protests against such an organization than to support it.

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