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College of Communication
and Public Relations

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Marketing Communication

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Social World*

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College of Communication and Public Relations – NSPSPA

6 Povernei St., Sector 1, Bucharest

Tel.: 201 318 0889; Fax: 021 318 0882

elena.negrea@comunicare.ro; www.journalofcommunication.ro; www.comunicare.ro

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Studies and articles

Eszter BAKOS*

Co-regulation Regarding the Audiovisual Media Service Providers in Order to Ensure Minors' Protection**

Abstract: The audiovisual media services are changing significantly and quickly nowadays due to the technological development. New forms of advertising are appearing that make possible to get information about products and services more easily. Furthermore beyond traditional television broadcasting there are developing on-demand services providing access to wide range of programmes whenever viewers have leisure time and wishes to sit down in front of the screen. Nowadays children pass their major part of their free time watching television full of media productions and ads of different quality. Although the audiovisual media services are governed by the Audiovisual Media Service Directive (AVMSD, furthermore: Directive) within European Union, in my opinion legal frameworks do not seem to be enough to protect children from harmful media contents. In this way states and media service providers should consider to employ alternative approaches such as co-regulation in order to consumer protection as the Directive suggests it in its Preamble 44. Using this method of regulation public actors with the audiovisual media sector could provide flexible rules based on high experience and expertise that would be enforced by the state in case of not-performance or not appropriate performance. Taking into consideration of benefits of co-regulation in my paper I tend to present a system that could contribute to higher minors' protection against audiovisual media services.

Keywords: AVMSD, minors' protection, co-regulation, linear and non-linear audiovisual media services, media literacy

1. Scope of the audiovisual media services and their regulation by the European Union

The audiovisual media service is an umbrella term that includes the television broadcasting (linear), the on-demand (non-linear) audiovisual media service and the audiovisual commercial communications that latter are also a collective term covering particularly the television advertising and teleshopping, the sponsorship and the product placement. The Directive declares the general criteria for services that are to be met for considering them as audiovisual media service. These conditions are the followings

1. service as defined by Articles 56 and 57 of the Treaty on the Functioning of the European Union
2. which is under the editorial responsibility of a media service provider and
3. its principal purpose is the provision of programmes, in order to inform, entertain or educate, to the general public

* University of Szeged, Faculty of Law, Department of Private and Private Procedural Law, esztus023@citromail.hu.

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4. by electronic communications networks within the meaning of point (a) of Article 2 of Directive 2002/21/EC. (Article 1)

The European Parliament and the Council tried to define flexible and liberalized Community rules on all audiovisual media services that constitute minimum rules. Articles 12 and 27 in the Directive include the rules on linear audiovisual media services and on non-linear media services in order to protect minors. Difference between them that the first types of services are provided by a media service provider on the basis of a programme schedule and the second ones are provided by a media service provider for the viewing at the moment chosen by the user and at his individual request on the basis of a catalogue of programmes selected by the media service provider (Article 1). Regulation of traditional and modern audiovisual services could be summerized according to the following.

Table 1. Rules in order to protection of minors o non-demand audiovisual media services and television broadcasting¹.

	TELEVISION BROADCASTING	ON-DEMAND AUDIOVISUAL MEDIA SERVICES
contents that might <i>seriously</i> impair the physical, mental or moral development of minors	<i>FULL PROHIBITION</i> : do not include them in any programmes	to be only made <i>AVAILABLE IN SUCH A WAY</i> as to ensure that minors will not normally hear or see such on-demand audiovisual media services.
programmes which are <i>likely</i> to impair the physical, mental or moral development of minors	<i>ENCODING SELECTING TIME OF BROADCASTING TECHNICAL MEASURE</i>	NO LIMITATION

The Directive declares minimum rules on audiovisual commercial communications too that services are images with or without sound which are designed to promote, directly or indirectly, the goods, services or image of a natural or legal entity pursuing an economic activity. Such images accompany or are included in a programme in return for payment or for similar consideration or for self-promotional purposes (Article 1). So taking into consideration nature of advertising, the Directive seeks to provide competitive legal environment for media service providers and advertisers, and at the same time, to ensure minors' protection against certain forms of advertising technics and promotions of certain products. Detailed requirements on commercial communications are included in Articles 9, 10 and 11. Some of them were defined specifically in order to protect children from advertising of alcoholic beverages and to avoid physical or mental detriment of minors. Beyond the overall requirements against all forms of commercial communication, the Directive lays down further binding and optional rules on sponsorship, product placement, television advertising and teleshopping. For example, sponsored programmes must be identified as it is defined by the Directive but the sponsor's logo may be excluded from children programmes (Article 10).

In my opinion this possibility should be chosen because "by using sponsorship logo in children programmes it could be identified later easy and it could seriously affect children's 'purchasing habits'"(Gellén, 2010, p. 46). Furthermore, product placement is only usable in permitted programmes or without any payment. Children programmes are not included in permitted ones but only in the first case and the Directive allows this type of audiovisual commercial communications in the second case, namely without paying (Article 10). I consider

this facility a huge contradiction of the Directive, because products presented in children programmes have equal effects on minors' consuming habits regardless of paying. This is another point beyond sponsorship that requires stricter rules to be adopted. As regards television advertising and teleshopping, children's programmes may be interrupted by them once for each scheduled period of at least 30 minutes, provided that the scheduled duration of the programme is greater than 30 minutes (Article 20). Furthermore, television advertising and teleshopping for alcoholic beverages may not be aimed specifically at minors or, in particular, depict minors consuming these beverages (Article 22).

Above mentioned binding rules have to be implemented in laws but their detailed and possible stricter contents, furthermore, frameworks of their application in practise can be worked out by alternative regulatory approaches. Beyond these normative rules the Directive defines two proposals in order to higher level of minors' protection and safe media using. The first one refers to "inappropriate audiovisual commercial communications, accompanying or included in children's programmes, of foods and beverages containing nutrients and substances with a nutritional or physiological effect, in particular those such as fat, trans-fatty acids, salt/sodium and sugars, excessive intakes of which in the overall diet are not recommended". In this field, the media service providers should be encouraged to develop conduct codes by Member states and of course by the European Commission (Article 9). Second one is connected with media literacy that should be safeguarded and enhanced by audiovisual regulatory policy (Communication from the Commission, 2003). These issues not being ruled by the Directive must be dealt within co- or self-regulation taking into consideration children's right to healthy physical, mental and moral development.

2. Co-regulation

2.1. About co-regulatory schemes in general

Beyond above presented obligatory rules member states and concerned sectors such as audiovisual media service providers or advertisers are allowed to adopt more detailed and stricter ones within co- or self-regulation, for example in field of minor consumers protection. Taking into consideration children media consuming habits, their vulnerability and needs for safe, the Directive encourages this possibility in order to ensure higher level of protection that as a public interest objective could be achieved more easily with support of the service providers themselves (Preamble 44). In my opinion in field of minors' protection co-regulatory schemes should be used. What is co-regulation and why is it beneficial?

Legal instruments could not be effective in all sectors to be regulated because they are inflexible, difficult to change and they are not supported by the most experienced and competent professionals. Furthermore, state regulation does not provide effective balance of competing rights and public goals because of rigidity of traditional legislation, contrast between national enforcement and global nature of new information and communication networks and the very limited involvement of the concerned players (Lievens, 2007). The audiovisual media sector is also such a field that are developing continually and new services are emerging. In this way at the same time two aspects, opposite interests have to be taken into consideration. Namely service providers shall be provided competitive environment while consumers have the right to proper protection against harmfuls of these services. The latter justifies the need for legal, minimum binding provisions but the mentioned shortcomings make important to involve the

audiovisual media sector to adopt updated, flexible, easy to modify rules in order to balance the interests among consumers and service providers. Thus, implementing the Community rules Member States have to keep in mind the possibility of co-regulation that is in fact *legal link between the self-regulation and the national legislator* as the Directive defines it in its Preamble 44. So, co-regulation – despite of simply self-regulation – allows the public authority to intervene if its aims are not or are not properly performed. This aspect makes this form of alternative regulations beneficial, mainly in field of children's protection because "state intervention is particularly justified in order to minors" (Gellén, 2010, p. 47). Issue of children's protection is connected with fundamental right, so public guarantees must be retained, but the detailed rules may be worked out by the industry itself.

Analyzing deeper co-regulation the following can be said about it. It is a cooperation between public and not public bodies in order to achieve public aims. In this way states have influence on regulatory processes determining frames which contributes to effective and agreed results. Faster decision-making, clear legal basis and division of work all are the beneficial characters of this regulatory solution. In general, operation of such a system is significantly affected by the regulatory culture of each states, their encourages towards the industry and the available public sources because in case of co-regulation the state itself empowers a not public body providing it competences that would be revoked if the involved party fails to perform effectively. At the same time, we should keep in mind that choosing co-regulation shall be properly considered by Member States because some field to be regulated is not possible to use, but in case of minors' protection and regulation of advertising, linear and non-linear services could be effective. So, if implementation of Community Law, the binding rules of Directive, remaining state intervention and general requirements of co-regulation are ensured, nothing limits admissibility of this method and within these circumstances the Directive also encourages Member States to establish co-regulatory system (Preamble 44).

Table 2. Comparision of regulatory schemes².

	<i>State regulation</i>	<i>Co-regulation</i>	<i>Self-regulation</i>
<i>Advantages</i>	subjects of control do not remove themselves from the scope of regulation, democratic and transparent control, constitutional guarantees, appropriate tools for imposing sanctions	appearance all advantages of state regulation, increasement of acceptance of rules, regulation expenses are paid by the industry and not by taxpayers	flexible, rules are agreed by subjects of commitments, increasement of willingness to respect norms
<i>Disadvantages</i>	demanding, it is not usable in practise in all case, requires lot of efforts to be agreed by concerned, not flexible, difficult to modify	complex, requires carefully legislation	it is not workable in lack of bodies adopted generally, making and enforcing norms are not transparent, actors having greater market power may abuse with it during making norms, subjects can remove themselves from norms, lack of guarantees

2.2. Proposed system of the co-regulation between states and the audiovisual media sector

During development co-regulation state authorities having competence in field of media, media regulation should be the starting point. They should make contract with all, commercial and public audiovisual media service providers and encourage them strongly to draw up a conduct code and undertake commitments in order to children's protection against harmfuls of audiovisual media services. Although, the term of conduct code refers to voluntary rules, thus to self-regulation of audiovisual service providers themselves or in corporation with other sectors, such as advertisers (European Commission), my proposed system is different. Different because states implement the minimum rules determined by the European Union, define their own legislative frameworks and public aims, but state intervention would remain as a "safety net" (Lievens, 2007, p. 323) in case of completely not or not properly performance of rules and aims defined together with the industry. In this way, state authorities would have competence to impose sanctions and enforce obligations if the audiovisual media service providers do not complete their duties undertaken in conduct codes or if rules adopted by them do not provide children's protection. So in fact public bodies would exercise continuous monitoring over the audiovisual sector. This cooperation would be beneficial as by maintaining this intervention and developing a consensually working mechanism between states and the audiovisual media service providers over-regulation by laws can be avoided. Furthermore, importance of involvement of the audiovisual sector can be supported in several ways. In fact, the service providers know their services most of all and "achieving public policy goals (such as minors' protection), in this way developing guarantees of high level in order to consumer protection is more effective if service providers support them actively" (Gellén, 2010, p. 47).

After the contact of involved parties we look at the conduct codes. They should address and lay down detailed rules and commitments on linear and non-linear media services, on commercial communications and on media literacy. As I see, the audiovisual commercial communications are a more complex issue because advertisers are also significant actors of this field who define the frames how they promote their product and services for consumers. Naturally, audiovisual media service providers may take advantage of adopting stricter rules than are determined by the Directive. For example, they may prohibit sponsorship logo or all product placement in children programmes. Or they may exclude completely the television advertising and teleshopping from children programmes, may prohibit promoting the so-called HFSS products and other specific goods such as slimming products or toys around and in children's programmes.

Since the literature also justifies the effectiveness of co-regulation as it remedies most of weaknesses of the state legislation and self-regulation (Lievens 2007), I try to outline what and how the audiovisaul media service providers should regulate more detailed in a conduct code beyond state provisions laying down in laws implementing the Community requirements. Now in my Paper I focus on linear and non-linear audiovisual media services and on media literacy.

3. To co-regulate linear and non-linear audiovisual media services

As the Table 1 presents, the Directive only defines the frames what kind of contents may involve in linear and non-linear services and how they can be displayed. These normative rules impose legislative obligation on national regulators but the Member States are given the possibility to adopt more detailed rules according to their regulatory traditions keeping in mind the importance of children's protection and changing media environment. This possibility should be used within co-regulation because this regulatory scheme provides both consumers and industry several advantages. Beyond the above mentioned, by focusing on audiovisual media services further beneficials could be shown. For example, determining seriously or likely impairing contents it should be kept in mind that all states have own cultural habits what they allow children to watch. Furthermore, harmful contents are changing from time to time as new services are developing, so their lists are needed to be open. These cultural differences and the changing media environment require a flexible scheme as the co-regulation is, so within this system updated rules could be adopted by professionals who have the most experience in field of audiovisual media services and children's protection in order to defend minors' healthy development. In my opinion, as aforementioned all justifies co-regulation in field of audiovisual media services and the followings should be dealt with conduct codes agreed by governments, audiovisual media service providers and other involved parties.

3.1. To co-regulate linear audiovisual media services

Determining rules on television broadcasting first of all it should be defined what seriously and likely impairs children's healthy development. As regards the first scope, the Directive only refers to pornography and gratuitous violence. Defining contents falling in group of seriously harmful governments and audiovisual sector may involve professionals from field of healthcare who are specialized in and deal with children's development.

According to my point of view, for example, the followings may impair *seriously* minors' health: illegal contents and which promote illegal or harmful activity, sexualised portrayals of children. As regards the *likely* impairing contents "likely" is a very broad term that allow regulators to take into consideration varying contents, harmful images, languages and effects of films, cartoons and other audiovisual programmes and the fact that minors, children refer to people having different age and development. According to the Directive, these "likely" impairing contents may involve in programmes if "minors in the area of transmission will not normally hear or see such broadcasts" (Article 27). This could be provided by selecting the time of broadcasting or technical measures. Furthermore, if these programmes are unencoded Member States shall ensure acoustic warnings before them or visual symbols throughout their duration. In this way Member States and content providers are offered several possibilities. For example, *selecting time of broadcasting* can be provided by determining "*watershed*" or using *classification of programmes*. "Watershed" is an hour before that certain programmes that may impair children's healthy development can not be broadcast in order to avoid viewing them by minors. So, using this way of selecting time, firstly, an hour should be determined after that impairing contents may involve in programmes. This watershed can be between 10. p.m. and 6. a.m. as in Spain³ or between 9. p. m. and 5.30 a.m. as defined in Broadcasting Code of Ofcom as a principal rule (Section One: Protecting the Under-Eighteens). Secondly, audiovisual service providers involving experts from field of health, education and parents shall define the scope of "likely" impairing contents with huge attention. Performing this

determination as I see following content elements should be taken into consideration and kept away from children: sexual materials, violence and aggressive behaviour, offensive language, drug, smoking and alcohol as for example the Broadcasting Code evaluates the harmful elements and prohibits them before “watershed”, unless there is editorial justification. In my opinion, “watershed” provides children’s protection if the hour that shares broadcasting time is determined enough late at noon when minors likely do not sit in front of the television screen and enough early in the morning before children get up take into consideration earlier waking up on weekdays. This approach of time selection is not beneficial for content providers because it does not taking into account minors’ different ages and different level of their development. Contrary, the classification of programmes provides greater freedom for content providers and at the same time high level of children’s protection if timelines – hours between certain programmes may be broadcast taking into consideration their harmful elements and effects – are determined properly. In this way, the audiovisual media service providers can broadcast a content earlier than if they would use “watershed” with 10. p.m. and 5. a.m.. Using classification programmes could be classified according to the same content elements that are needed to evaluate in case of “watershed” and broadcasting of audiovisual media services should be prohibited for later and later according to harmful level of these elements. We need to keep in mind that “watershed” and classification themselves alone do not satisfy the requirements of the Directive if programmes involving “likely” impairing elements are not encoded. In this case further *preceding acoustic warning* or *continous visual symbol* are needed to identify the nature of programmes. The phrase of “or” is significant that allows choice which measure provides greater protection but I do not suppose that using both of them would be necessary as these symbols together do not lead to greater level of minors’ protection and only burden the content providers. Naturally, visual symbol shown during programmes guarantees higher protection since it can be seen from the beginning to the end of classified programmes.

Another possibility for audiovisual media service providers to prevent minors from watching “likely” impairing programmes is the use of *technical measures*. In my opinion choosing this method in order to protect children would be advantageous in case of social familiarity and acceptance. It can provide encoding programmes and in this way prevents children from access to unsuitable contents for them at the same time. Encoding media services means encrypting programmes. In this way content providers shall ensure a system – for example a PIN Code system within subscribers over eighteens get numbers in order to access to “adult materials” – which provides decryption of encryption.

3.2. To co-regulate non-linear audiovisual media services

Directive gives lighter rules on on-demand services and only requires that seriously impairing contents “are only made available in such a way as to ensure that minors will not normally hear or see” (Article 12). Difference between regulation of linear and non-linear services can be explained by the nature of latter. Although they are similar to television broadcasting because as the Directive says they compete for the same audience as television broadcast (Preamble 24), the choice and control that users can exercise and the impact which these services have on society make different them (Case C-89/04 *Mediakabel BV v Commissariaat voor de Media* [2005] ECR I-4891.). Thus, “the dilemma for regulators therefore, is how to balance the need for an enforceable minimum level of protection with the idea of user control which is at the heart of the new media” (Geach, 2008). So security measures should be

employed carefully taking into consideration children's right to protection and content providers' freedom of expression as laid down in Charter of Fundamental Rights of European Union. Furthermore, more attention for different interests is required because field of on-demand audiovisual services is forming nowadays and its own aspects are not still clear and developed (Gellén, 2009). Taking into account the aforementioned co-regulatory system could provide a flexible regulatory environment where rules ensuring high level of children's protection could be agreed and these rules could be modified if it is needed or beneficial because of technological development.

Regarding the requirement of the Directive it only defines that Member States ensure to prevent children from seriously harmful contents in on-demand services. "*Seriously*" impairing content elements should be the same with in case of television broadcasting with opened list. To avoid that children see or watch them non-linear audiovisual media service providers shall find the best practise. The Recommendation on the protection of minors and human dignity and on the right of reply includes several possible measures for benefit of minors, such as filtering systems, labelling. In my opinion, the most beneficial way of protecting vulnerable viewers would be a Content Access Control System proposed by the Association for Television On Demand too (Rules & Guidance, 2010) which system verifies that the user is eighteen or over at the subscription for or access to on-demand audiovisual media services or the System requires a PIN Code or password when users want to start watching a non-linear programme. These requirements of verifying adult age would be reliable and do not give any possibility to fraud by a child. Contrary, for example a question "Are You eighteen or over?" seems inadequate in preventing children from unsuitable contents (Essential Research, 2009, p. 50) and this question rather calls attention for something interesting and probably harmful. So, the significance of systems that on-demand audiovisual service providers should ensure would be in fact the restricted access to programmes that could be watched by only adults if these programmes may be seriously impairing for children's development.

In my opinion the audiovisual content providers should undertake commitments in order to prevent children from "likely" impairing on-demand programmes to ensure children's healthy physical, mental and moral development. Although, the significance of non-linear services is that viewers can decide watching time but children are vulnerable consumers "not necessarily having the maturity to be emotionally prepared for what they might unearth" (Essential Research, 2009, p. 52). They can not choose suitable audiovisual media services for them in all cases because of lack of life experience and level of their development. Taking into consideration this fact I propose that the on-demand audiovisual media service providers should offer the possibility that on-demand services having "likely" impairing effects would not be accessed automatically, only by parental permission. Thus, subscribers should be given the possibility to require a PIN Code or password that allows access to these contents and in this way parents could decide to permit or not their children watching the individual on-demand media service taking into account families own views on minors' education.

4. Commitments in order to media literacy within co-regulation

I believe that understanding the whole media operation, taking advantage of its all benefits, avoiding its harmfuls and the huge number of audiovisual media services of different quality, all justify the promotion of media literacy. As a Paper explains Community require-

ments “legislative obligation does not arise since the Directive only declares that media literacy should be promoted in all sections of the society and its progress should be followed closely” (Simon, 2008, p. 21). Member States have not got legislative duties but they should take all steps towards it and should invite audiovisual media service providers to undertake certain duties within alternative forms such as co-regulation.

But what is the media literacy? The Directive (Preamble 47), the European Commission and the regulator and competition authority of UK communication sectors, the Ofcom give the following definitions. It

“refers to skills, knowledge and understanding that allow consumers to use media effectively and safely. Media-literate people are able to exercise informed choices, understand the nature of content and services and take advantage of the full range of opportunities offered by new communications technologies. They are better able to protect themselves and their families from harmful or offensive material.”

“is the ability to access the media, to understand and to critically evaluate different aspects of the media and media contents and to create communications in a variety of contexts”.

“is the ability to access, understand and create communications in a variety of contexts”.

In fact media literacy includes the audiovisual, digital, information literacy and refers to several skills and abilities such as accessing to information, informed choices, evaluation of messages, producing own contents and taking in part in social life through digital and online media tools.

The Recommendation on the protection of minors and human dignity and on the right of reply contains several measures for promoting media literacy, for example, continuing education of teachers and trainers, trainings aimed at children from a very early age, including sessions open to parents, organisation of national campaigns aimed at citizens and that is important, involving all communications media such as audiovisual media service providers. Promotion of media literacy by the Member States within co-regulation with media sector and measures for increasing social awareness about whole media are emphasised by the Commission Recommendation of 2009 on media literacy too determining special tasks for the Member States and Media Industry.

Taking into account the above written public bodies having competence in field of media regulation and the audiovisual sector, other concerned parties from field of culture, education and online content providers in states should participate in promotion of media literacy. Now I focus on cooperation and own obligations of public bodies and the audiovisual media service providers within a co-regulatory scheme since Member States have not got legislative tasks to regulate media literacy in laws. Each country has a state authority and a subordinated body dealing with media issues that includes media literacy as well. For example, in Hungary the Media Council of National Media and Infocommunications Authority is this authority. It “*undertakes a pioneering role in developing media literacy and media awareness in Hungary and, in this context, coordinate the activities of other state actors in the area of media literacy, assist the government in drafting its upcoming interim report to the European Union on the subject matter*” (Article 132 k) of Act CLXXXV of 2010 on media services and mass media). Within such task, first of all the public bodies should analyze media literacy level among all people, particularly minors after that specific exercises and necessary measures to be performed by involved parties could be defined. In my opinion, public bodies should fulfill the followings.

1. Elaboration of strategies and action plans involving concerned sectors in order to promote media literacy with huge focus on children.

2. Involving professionals laying down the fundamental frameworks of media education to be implemented in law taking into account different levels of education system and defining aims to be achieved.

3. Proposals on academic and postgraduate education for media teachers.

4. Partnership and support with audiovisual and online content providers to organize awareness-raising campaigns, other events, making special TV programmes or developing web sites about how audiovisual, digital and online media operate, their beneficial and safe using.

5. Developing forums for parents and educators where they can get information about children's media consuming habits, their effects and possible consequences and methods of minors' protection.

6. Developing a media education, media literacy forum that provides involved parties communication and changing best practises.

The above mentioned tasks should be performed by public bodies. Beyond them, the audiovisual and online content providers should be encouraged to participate in promoting media literacy in connection with their services, programmes and fulfill certain exercises because in fact they are who know the best their contents, their producing, real aims and harmful effects.

I suppose that the audiovisual service providers should undertake commitments to make children programmes in ways understandable for them in order to recognize the followings.

1. The role of whole media and differences between mass communication tools.

2. Audio and image effects used in audiovisual media services.

3. Differences of and how to "read" certain types of audiovisual media services such as films, reality and talk shows, commercial communications and news.

4. Possible risks and harmful effects of audiovisual media services by evaluating their quality and credibility according to their authors, their view points and real or fiction characters.

5. Beneficial, made for children audiovisual media services.

The abovementioned tasks, in order to make people and particular minors media literate are only a part of necessary steps that are needed to take within formal and informal media education. Nowadays, children use media tools for many things with high technical abilities without attention for possible risks and dangers. In this way, in our information society beyond classical literacy new literacies become necessary and finally everybody needs media literacy.

5. Conclusions

In the new media environment, children can access to different audiovisual media services in lot of cases from their own television and without parental control. However, there is legislative obligation for the Member States implementing minimum rules on audiovisual media services defined by the European Union, more detailed and updated rules laying down in conduct codes are required in order to protect minor viewers. This fact makes necessary to employ and support co-regulatory systems because to achieve the best possible result, governments, industry and parents all will need to assume their responsibility in establishing such schemes (Lievens, 2007) and perform their tasks cooperating with each other. In my Paper tried to summarize benefits of this regulatory approach and present a model how public bodies having competences in field of media and the audiovisual sector could work together in

order to ensure and balance children's right to protection from harmful audiovisual contents and audiovisual media service providers' freedom of expression as both of them shall be provided for a safe and democratic life.

Notes

¹ *Protection of minors*. Retrieved May 20, 2011 from http://ec.europa.eu/avpolicy/reg/tvwf/protection/index_en.htm.

² Table based on Communication and Media Policy lecture draft made by Márk Lengyel and Krisztina Rozgonyi at University of Pécs, Faculty of Law, Infocommunication Law Specialist Training.

³ For detailed information about Spanish regulation see: Fuente-Cobo and Ruiz-San Román.

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Rodica SĂVULESCU*

Brand Talk on Facebook – a New Challenge in Marketing Communication

Abstract: Online social networking – a world of connections, be they persons, thoughts or actions. The evolution of digital media raises new questions in marketing communication, as the formerly well-established patterns of delivering advertising messages are no longer appropriate in a participatory paradigm. This article reviews the particularities of social media – focusing on Facebook – and intends to present a set of communication directions for brands in the new digital reality.

Keywords: digital, Facebook communication, social network

1. Introduction

Digital. There is no other word to better express the social reality of the present. More than ever, nowadays people all over the world connect online, purchasing products or services, exchanging ideas and constantly engaging in dialogue with other persons or brands.

Compared to analogue media, digital ones offer superior data integrity, permit (and encourage) interaction and transactions – be they tangible or abstract – and, most importantly, grant flexibility. These changes in media channels have also triggered alterations in areas like consumer behaviour and marketing strategies: people have been empowered and advertising has lost its well-established route. Since its beginnings, promotional communication has been centered around *the product*, then it became more attentive to *the brand* (thus discovering the need of a well-formulated differentiation strategy). Now, advertising has reached a point where it is vital to shift attention to *the consumer* – and not only by declarative means.

This paper aims to present the changes that have taken place in the advertising industry following the expansion of social media – with a focus on Facebook, one of the most popular social networks at the moment. The first chapter will describe the new context and how traditional media are rapidly becoming obsolete in terms of providing useful information and even entertainment for the new generation of consumers. The argumentative process continues by introducing the changes brought about by social media in terms of brand-consumer communication, changes that might have an impact on traditional advertising media as well. Concluding, the paper will strive to present a set of directions for brands seen as social media communicators, focusing on Facebook as a platform that requires a well-thought, specific marketing approach that will probably require more flexibility and a quicker response than the classic advertising media.

* College of Communication and Public Relations, National School of Political Studies and Public Administration, rodica.savulescu@gmail.com.

2. Web 2.0 – towards a new type of consumer and a new type of advertising

“People don’t believe what you tell them. They rarely believe what you show them. Most of the times they believe what their friends tell them. And they always believe what they tell themselves” (Godin, 2010, p. 142).

Life without advertising does not seem to be an option in today’s message-cluttered world. But the immersion of advertising in people’s life has reached a point of saturation. A new term was introduced in the vocabulary: brandalism, a *portmanteau* that refers to brands and their actions, similar to those of vandals. Celebrity artist Banksy devised this expression in his book, *Wall and Piece*: “The people who truly deface our neighbourhoods are the companies that scrawl their giant slogans across buildings and buses trying to make us feel inadequate unless we buy their stuff. They expect to be able to shout their message in your face from every available surface but you’re never allowed to answer back” (Banksy, 2005, p. 8). For a very long time, communication through traditional media has been unidirectional and it has spawned an ever-growing wave of dissatisfaction among its “receivers”. But consumers are now prepared to answer – and they have been given the chance to do so by the *Web 2.0*.

This chapter intends to explain how the expansion of social media influenced the development of a new type of consumers that are more interactive, engage in communication with brands and even create content for marketers to use. But this does not necessarily mean the end of traditional media – at least, not immediately – although it might mean “the beginning of the end” of traditional advertising.

For a long time, modern marketers have been relying on the “Holy Trinity” of advertising media: TV, radio and print. Nothing more seemed to offer similar possibilities in targeting consumers and delivering messages. Although, at some point, the internet began to be taken into consideration as a means of communicating with larger groups of people, and the new medium was appraised by theorists. But the advertisers of the 90’s could not grasp the changes that were to follow. At that time, the *dotcom* revolution was limited to developing banners and creating static websites for companies and products. The impact of the internet revolution was yet to be acknowledged. Therefore, almost ten years later, a new syntagm was developed to express the new realities that were affecting the internet and, consequently, all areas of communication: the *Web 2.0*. Instantly, what happened before was considered *Web 1.0* – and the distinction between these two periods was that in the beginning internet was centered around commerce, while the new paradigm moved focus on people. “I don’t know when it started (...) but at some point consumers decided they were no longer going to put up with corporate lies, shoddy products, inept customer service, or overblown advertising, and they began to fight back using the internet as their weapon of choice” (Chaney, 2009, p. 27).

But consumers have been retreating from advertising for some time – a classic example being the *zapping* phenomenon (commuting channels on television, especially to avoid commercial breaks). By refusing the unidirectional approach of advertising, consumers introduced marketers to a new reality: “the audience shows resistance to commercials and most advertising messages are avoided” (Petre & Nicola, 2004, p. 61). What was the response strategy of the advertising world? Even more (of the same) advertising. Influenced by this disagreeable response – and being offered the chance to manifest by using the new technologies that developed over time, consumers started to engage in communication with the brands. At first they were hesitant, requesting the possibility to offer feedback and respond to advertis-

ing messages. But this participation evolved into something more – and consumers eventually started creating campaigns, developing products and acting as *brand evangelists* (Kawasaki & Moreno, 2006, p. 99). As a result of the *Web 2.0* revolution, new syntagms also originated: “the participatory Web”, “digital democracy”, “knowledge economy”, “inbound marketing”. These terms emphasized the interactive and collaborative aspects of the *Web 2.0* paradigm: blogs, file sharing applications, wikis (free encyclopedias), social networks, virtual worlds, open source platforms. The common denominator of all these? User-generated content and constant information exchange.

Even though the *dotcom* phenomenon provided mobility for advertisers (an important step at that time), it still represented a one-way street in communication: from brand to consumer. Its forms of communication seemed very similar to those of traditional media, that marketers were well acquainted with: there was music, video and text – the only thing that seemed different was that they were online and could be accessed at any time by their “prospects”. Therefore, in its initial state, the internet was considered just another communication medium by marketing specialists and it lacked certain values that consumers appreciate and request nowadays. Social media experts (Godin, 2010; Harden & Heyman, 2009; Sheenan, 2010) consider that these values consist in relevance, the need of affiliation, collaboration, recommendation and participation. The *dotcom* era blindly eluded them, so there was little surprise when the *Web 2.0* phenomenon assumed control over the internet.

In its early days, the *Web 2.0* was perceived by advertisers as a new gold mine that offered them the opportunity to comfortably approach consumers and specifically target (based on common interests, passions etc). The new “digital democracy” was centered around communication, sharing, being connected with the whole world. A perfect model for distributing commercial products – advertisers assumed. Moreover, the cost of online advertising was significantly inferior to that of traditional media – and the results were anticipated as superior. So marketers transferred advertising messages to the new medium and were looking forward to celebrate the effect of their actions. Then, something happened – but not what they expected, as people rejected their messages even stronger than before, when they could only refuse to pay attention to advertisements on TV, radio or newspapers/magazines. The *Web 2.0* had created a new type of consumer – one that continued to nurture the well-known aversion towards advertising, but was also offered the means to respond.

More and more authors (Kotler, Kartajaya & Setiawan, 2010; Scott, 2010; Sheenan, 2010) have clearly stated that advertising specialists will have to adapt to the new reality and change their classic approach, when expecting results on social networks. D. Meerman Scott offers a forewarning, stating the obvious, as some marketers fail to understand a simple fact: “The Web is not television. Organisations that understand the new marketing and PR rules develop relationships directly with consumers(...)” (Scott, 2010, p. 39). For a very long time, consumers were only able to resist advertising that was assaulting them. Now, the roles have shifted and they are in control. Theorists (Godin, 2010; Harden & Heyman, 2009; Kotler *et al.*, 2010) insist on the new paradigm of the empowered consumer, stating that companies have to understand they are no longer in command: “brands belong to consumers” (Kotler *et al.*, 2010, p. 77).

As the *Web 2.0* phenomenon proves to be more than just a “whim”, brands and their custodians should understand the need to adopt a different approach in their advertising effort. The classic method of creating a message, distributing it over every channel and controlling every aspect of the process is obsolete at this moment. Digital media require a new market-

ing model, one that moves focus from brands to consumers and concentrates on enriching the online social experience, rather than exploiting it.

3. Particularities of online social networks. The Facebook phenomenon

Traditional advertising was *on offer* – in the *Web 2.0* reality, it becomes *on request*: “In the participation era, people do not just consume news, ideas and entertainment, they also create all these things. The new technological wave gives people the chance to transform from consumers to prosumers” (Kotler *et al.*, 2010, p. 21). Consumers have been empowered and have become more critical, more skeptical, but at the same time they are eager to receive information and contribute. The only problem for brands is to understand how they can meet these needs, while at the same time not becoming intrusive once again.

Social networks have existed since the early days of humanity, so the phenomenon is not entirely new and unintelligible. The only difference is that recently social networks have moved online – where it is easier to connect with people from all over the world and also to remain in permanent contact. Physical and temporal boundaries have diminished online, so all types of conversations have found a place to expand. In this sense, the world of advertising has been offered a way of better connecting to consumers, although, as previously stated, classic advertising (viewed as a unidirectional communication approach) is not viable for brands in social media, as the latter are based on creating relationships between people, on attracting and involving them in the process of communication.

Online communities have known a wide expansion over the years and the internet accommodates hundreds of them at this moment, whether general in purpose or grouped around a certain topic (for example, dating, photo sharing, hobbies). Some authors (Kotler *et al.*, 2010) consider that social networks are created with two possible destinations: expression or collaboration. A few of the most popular expression platforms at the moment are Facebook, Twitter, Flickr, MySpace and blogs, while wikis (pages with editable content) or websites like Craigslist fall under the second category, that of collaboration.

It is important to understand that the essential function of social networks is remaining in contact with friends – not being exposed to advertising: “People may learn about products from their friends while they are there, but that is not why they are there” (Sheenan, 2010, p. 109). Product contact is therefore secondary, it is not the essential reason why people spend time on social networks – and intrusive marketing messages are not welcome. Alba & Stay (2008) underscore the importance of being a community contributor rather than an advertiser. In this sense, Internet specialist Rory Murray argues that social media’s *Return on Investment* can be referred to as *Return on Relationships* (Murray, 2010). This vision also suggests that measuring communication efficiency in social networks should also differ from previous methods related to traditional media. It is important for marketers to acknowledge this fact, because most of them continue to use the same approach as if they have been offered yet another medium to place their pre-developed advertising messages. The result? “Despite the fact that thousands of brands have created their own Facebook pages, most of them get little traffic” (Sheenan, 2010, p. 110). And, most importantly, besides traffic rates, they also fail to engage consumers in a genuine dialogue.

Facebook is an online social network that became extremely popular over a short period of time, if we take into consideration the fact that it was only launched on February 4, 2004.

Originally created as a network for Harvard students only, in 2006 its notoriety took it outside the college communication area, making it available to people all over the world, students and non-students alike. Recent statistics offered by eResearch (2010) show that the number of Facebook users worldwide reaches 604.332.590, while in Romania 1.718.752 people have a Facebook account. And the numbers are continuously expanding.

Alba and Stay (2008) have presented several reasons why this specific social network continues to grow in popularity and also becomes extremely interesting for marketers:

1. It possesses a significant user base.
2. Users spend considerable time on Facebook, due to its functionality and entertainment value.
3. It continuously introduces new, enticing features (news feed, platform for developers, applications, mobile products).

Social media experts (Chaney, 2009; Godin, 2010) suggest that in this new reality marketers need powerful communities to support them – and these people are to be respected and considered the engine of online communication, even if some marketers believe it is unacceptable for consumers to have power over brands. “Look at any vibrant group – political activists, volunteers or brand fanatics. In any case, the micro-leaders in the trenches and their enthusiast adepts are the ones changing things, not the boss that is, apparently, in charge of the group” (Godin, 2010, p. 63). Facebook can generate such communities, as it allows members to group based on similar characteristics, common interests, business purposes etc. As a conversational platform, Facebook might facilitate communication between consumers and brands, but at the same time it requires activity and involvement from the marketers trying to reach users.

On Facebook, individuals create a *Personal Profile* and begin connecting with others by using the *Friend Request* option. The highly intuitive design of this social network allows almost everyone to create such a profile and start interacting. The most important features of Facebook are the *Wall* (that preserves information regarding an individual’s recent and past activity), the *Status* option and the *Photo and Video Galleries*. *Comments* are also an important option for Facebook users, and so is the *Like* button that allows friends to offer short, positive feedback on wall posts (be they text, photographs or videos). Unfortunately, there is yet no *Unlike* button available, despite user requests in this direction.

In order to interact with their current and prospective customers, brands have two major options on Facebook: either creating a *Group* or a *Public Profile* (commonly referred to as a *Fan Page*). The *Fan Page* has recently become similar in design and functionality to the individual *Personal Profile*, except for the fact that users can add themselves as *Fans* (not *Friends*) to the page, by clicking on a *Like* button. A major difference between a *Personal Profile* and a *Fan Page* is that the administrator of the latter cannot send friend requests on behalf of the company. For business profiles, Facebook included the *Recommend* option, which enables fans to further support their favourite brands among their peers.

Choosing between creating a *Fan Page* or a *Group* on Facebook can be difficult for a brand, as both can prove beneficial. In some cases, both options could deliver useful (but somehow different) types of consumer interaction. Levy (2010) considers that *Pages* are mandatory for business ventures, as they are set up as a means of creating brand presence on the network, thus being public. *Groups*, on the other hand, are more selective and have restricted access – but they need to be considered if a company desires to engage in private discussions with a specific cluster of people on certain topics.

4. Possible suggestions for improving social media brand communication. Should advertisers still *advertise* on Facebook?

Controversy between traditional and new media has recently reached a conclusion, with communication specialists stating that they can co-exist – but social media theorists (Kotler *et al.*, 2010; Scott, 2010; Sheenan, 2010) have insisted on the concept of a participative and creative society – influenced by online social networks. Therefore, the attention marketers direct towards choosing the “right medium” should diminish, while at the same time increasing the engaging and collaborative aspects of advertising. “It is clear that unidirectional approaches like *we talk, and you, the consumer, listen* do not work anymore” (Scott, 2010, p. 9).

Creating advertising that does not appear to be advertising is the latest challenge confronting marketing people – and online social networks represent an important resource for experimenting with this new type of endeavour. This chapter attempts to present a possible set of best practices in the area of social media advertising, without claiming to describe a new communication model *in extenso*. The term *advertising* will be used here for lack of a generally accepted new concept, while at the same time stating that it is not desirable nor appropriate for describing the new type of communication effort in online social networks.

A popular saying enunciates, referring to politeness: “When in Rome, do as the Romans do”. The same advice is applicable on Facebook, seen as an online territory with a specific set of rules and interaction models – the *netiquette*. Social networks – and Facebook even to a greater extent, given its recent development – present people with the opportunity of creating a group of friends, of remaining in contact with them and exchanging information. Therefore, it enables communities of people to engage in dialogue – but taking into account the fact that people use Facebook for socializing with their peers, the mere thought of exploiting it for advertising purposes encounters difficulties.

It is obvious that the manner in which advertising functions in traditional media cannot be replicated in online social networks: “What fails most of the times is an egocentric display of your products and services” (Scott, 2010, p. 78). Therefore, the most important thing in Facebook marketing is that the goal is not to advertise aggressively, as most marketing people have been used to. As a consequence, in this new reality, conversation is the new advertising (Kotler *et al.*, 2010, p. 93).

Online media strategists (Chaney, 2009; Alba & Stay, 2008; Scott, 2010; Sheenan, 2010) have tried to identify the way brands conduct their communication on Facebook. By combining their analysis results, the following set of ideas was revealed: most brands use Facebook as a broadcasting tool, they still have a unidirectional approach and the interactive aspect solely resides in answering fan questions regarding their products. Marketers should therefore take into account the fact that social networks were not designed primarily for selling products and services – and they can probably help more in the communication area, by offering brands a chance to better understand consumer behavior and, at the same time, to be better understood by their prospective customers. Facebook creates and maintains relationships – understanding that will prove beneficial for marketers – and will also enhance sales, but as a secondary objective.

Starbucks, Coca-Cola and Adidas are three of the best online communicators, if we take into account their Facebook presence and type of interaction with fans. First of all, Starbucks has discovered the power of Facebook communication and has really understood the need for

relevance on this specific network – therefore, it is obvious why its Wall posts receive thousands of likes and hundreds of comments. But what makes Starbucks a model for other brands on Facebook? The most important decision this brand took was to use the Status option for something more than just disruptive product information: it shares thoughts on music, sporting events, environmental issues or holidays. Whenever the brand is linked to any of these discussion themes, its appearance is not brutal and disturbing, but natural (a CD offered by Starbucks, a free drink for those who bring a reusable cup instead of requesting a disposable one, etc.). Also, Starbucks has chosen as its default display the content that consumer generated on its Facebook Wall – a decision that most brands are afraid to take, as it signifies losing control over what is communicated on the page. But it also signifies trusting the consumers and allowing them to participate in building the brand. What might seem dangerous to a marketing manager that needs to control everything might prove beneficial to the one that understands that consumers cannot be ignored or only half-listened to – they demand participation.

With its Facebook fan page, Coca-Cola has demonstrated real interest in the opinions of its fans. The most obvious example? The page was created in 2008 by two regular people – Dusty Sorg and Michael Jedrzejewski – whose only relation to the Coca-Cola company was the fact that they appreciated and drank the famous soft drink. After gathering millions of fans on Facebook, the two page creators were contacted by the company – but not to be pushed away by the “official” communication team – just the opposite. Coca-Cola rewarded them for the effort and decided to let them continue their online endeavour – they remained the owners of the page, but the brand recognized it as being official and offered them support. This extraordinary example shows that the company realized that using methods like buying the page or creating another, “official” one could have been unsuccessful. They understood that taking over the existing page and trying to control it would have been the wrong approach, as it flourished on consumer involvement and passion, the things that generally escape Facebook official brand pages. Now, the Coca-Cola Facebook page continues to thrive and proves that empowering pre-existent fans online can be a great marketing decision. Not least in importance, it should be noted that communication that is carried out by “fans” rather than “officials” has greater chances of being perceived as being unbiased and authentic, thus developing more trust in the brand.

Adidas is a brand that receives a lot of attention on Facebook, due to its constant efforts in this area. Its latest attempt was to initiate the City Style Challenge – an online fashion contest between nine fashion forward cities: Paris, Berlin, New York, Milan, London, Rio de Janeiro, Hong Kong, Tokyo and Stockholm. The challenge relies on the participation of nine teams of celebrity fashion bloggers who create looks that are voted online by users. All looks are created with Adidas items, offering consumers a chance to see how this apparel can be used to create different outfits. With this Style Challenge, Adidas has proved that the new world of online communication is approachable and that a great idea can generate thousands of comments and likes on Facebook. First of all, the use of celebrity fashion bloggers was a tribute to the *Web 2.0* generation that admires and creates such “personalities”. These bloggers are regular people with a genuine interest in fashion – but their opinions and personal style have been followed over the last years by thousands of people all over the world, thus transforming them into celebrities who attend the most exclusive fashion shows and endorse products. Susie Bubble and Bryan Boy are just two of these famous bloggers that are on their way of becoming brands themselves.

Another important aspect of this contest is that the Style Challenge Adidas created invited people to vote for the city with the best fashion sense, but it excluded a few very impor-

tant cities on the fashion map. Thus, Facebook fans started to ask for a future Style Challenge in their cities, as well – and Adidas listened to their request and created a poll to see which city should be included next (again, listening to its public and offering them the chance to express). This is a sign that the brand admits to making a mistake – and agrees on letting consumers offer ideas on how to improve the contest. These examples prove that Adidas understands that Facebook users have a voice – and is willing to let them use it and express their personalities (with the help of Adidas products, of course). Advertising that does not seem to be advertising – Adidas is answering this challenge and using it to its advantage.

The Literate Perch (Bibanul Literat, in original) is another example of how communication on Facebook can help a brand grow: the Romanian guesthouse located in Sulina (the Danube Delta area) has created its Facebook presence not by using a Fan Page, but a personal one. This option was chosen because with a personal profile one is allowed to add friends, a feature that does not exist for Fan Pages – and is necessary if a brand is not extremely well-known. Once a certain number of friends is reached, the personal page can be transformed into a public profile, where people can become brand fans.

The Literate Perch is positioned as a contemporary guesthouse that surpasses the regular “bed and breakfast” option, offering a more educational holiday that includes reading, strategy and creativity board games and outdoor activities – it is, mainly, a guesthouse and a library at the same time. This differentiator offered The Literate Perch an opportunity to engage in dialogue with Facebook friends, by using the Photo Album option to constantly update photos of the latest titles available. Also, the guesthouse offered visitors the option of keeping a favorite book from the library – in exchange for another one. Facebook interaction proved extremely positive, as people offered to bring copies of their favorite books to the guesthouse and even suggested naming each room after a certain author or novel.

From the very beginning, the Literate Perch has involved its Facebook “friends” in almost every decision regarding the services that were offered in the guesthouse: from room decoration to spare time activity proposals and even breakfast options. Therefore, most decisions have been influenced by Facebook communication – which takes user generated content to a new level, that of actually using online generated ideas in real life. In this way, many Facebook friends have felt they had participated in creating the guesthouse, thus establishing familiarity – and this resulted in booking vacations at the guesthouse.

The informal, open communication style of the Literate Perch was noticeable on its Facebook page: promoting the business was never the main topic of discussion, it was actually secondary to developing real conversations and relationships with people. In fact, the actual business information was never present on Facebook, except for a link to the guesthouse’s website, which could have been accessed by users if they were interested in finding out more details. This has actually helped the guesthouse receive more booking requests, because Facebook friends that engaged in conversations with the brand knew they were genuine and focused on their interests (favorite books, fishing techniques, cooking advice etc.) rather than on selling the services. Even more, besides comments, likes and recommendations, new friend requests have been an indicator that the Facebook activity of the Literate Perch has had a positive outcome.

All these examples prove that brands (be they already well-known or just starting out) need to focus on creating relationships and engaging consumers in conversations on Facebook, rather than on selling products. The latter is also important, but as experience proves, sales follow the relationship, they do not precede it. With Facebook, brands have been offered

the chance to actually understand what their consumers want, without deducing or listening to intermediaries.

But the first thing they need to do in order for that information to be available is to listen – and while it seems such a simple idea, the biggest concern is that they do not know how to do this, as they have never experienced it on any previous communication occasion. Following is a set of guidelines for marketers that are interested to explore and experience the possibilities of brand-consumer engagement on a social network – although it must be viewed as a preliminary process in describing this type of communication effort.

1. Displaying authenticity in discourse.

Mastering discourse authenticity requires profound knowledge about the audience and its way of speaking. Brand discourse on Facebook should be unpretentious, relevant and natural. Employing specialized and technical language, as well as displaying excessive formalism can be dangerous in a network that flourishes on colloquialism.

On Facebook – as opposed to classic advertising – brands have the chance to talk directly to their consumers, so they should take advantage of it and use adequate language: “Talk to your public as you would talk to a relative that you don’t see too often – be friendly and familiar, but also respectful” (Scott, 2010, p. 263).

2. Creating a brand persona

Personifying the brand on Facebook is more important than ever, as social networks create relationships between persons, above all. Every detail of the brand personality should be well-thought (character, tone of voice, age, interests, needs and desires, future plans etc) and the result should deliver a clear profile. From this point, the online communication manager should strive to deliver an authentic message, in conformity with the established profile.

3. Building relationships

After creating a Facebook Public Profile, marketers should not overlook the fact that they are in a social network and they need to manage their community, in order to achieve results. Simply creating a profile and posting information from time to time is not enough to engage consumers in conversations with the brand, no matter how interested in the brand they might actually be. As shown before, waiting to develop an advertising campaign to start Facebook dialogue is not recommended either. It is important to be proactive and create interaction opportunities, as people who already feel connected to the brand will most probably be open for further dialogue. Nurturing the community requires constant effort, stimulating topics, engaging content and listening to individuals – not applying mass marketing techniques, as before.

4. Generating contributions

By sharing useful information with their community, brands will encourage fans to return to their page, in search of exclusive content. Online marketing professionals should understand the need to distribute relevant information to the community – not just news about their products. Offering help and sharing content from other members are also useful in establishing an image of credibility and involvement.

5. Creating Facebook applications that subtly integrate brands, while at the same time offering users added-value

Facebook applications are useful for marketers as they can extend their brand profiles and also have the potential of spreading virally throughout the network. But, as we have indicated before, social networks are hostile to “hard sell” messages and therefore over-branded entertainment does not seem to be extremely efficient (Harden & Heyman, 2009). At the same time, not using branding elements is not a viable option for marketers. Therefore, avoiding extremes is probably the best approach.

6. Creating specific Facebook content, not importing advertisements from offline media

As previously shown, marketing people need to approach Facebook communication differently from advertising via traditional media. They should probably rely on an integrated marketing strategy and develop specific content for Facebook (or other social networks), taking its characteristics into consideration.

7. Inviting fans to contribute in creating new products, developing new features and improving existing ones

Recent studies (Kotler *et al.*, 2010; Levy, 2010; Scott, 2010) have shown that Facebook users appreciate being involved in creating brands – or at least in adding a personal touch to their favourite products. Consumer-generated content can sometimes surpass advertising agency proposals in terms of creativity and relevance – but it can also prove to be less interesting, so employing this kind of tactic is never a guarantee for success. On the other hand, the current creative society demands to be listened to, and involving consumers in brand development can only prove useful, even if only in terms of establishing trust.

8. Paying attention to every communication topic, not just the ones regarding their products or brands

Brands will demonstrate real involvement if they authentically engage in communication with their fans – and not only respond when their own image is being under scrutiny. Besides digital know-how and communication proficiency, it is crucial for a social media manager to swiftly embrace change and be flexible, while at the same time being a good listener and permanently learning from consumer feedback.

9. Continuing brand-consumer interaction even after selling the product

Interrupting the “conversation” after a business transaction will make the brand lose credibility, as consumers will perceive this behavior as being dishonest and misleading and will most probably not engage in purchase for a second time. Creating a relationship is just the beginning of the process – maintaining it is essential.

10. Accepting criticism and the possibility of failure

Many marketing professionals are still hesitant about Facebook communication, partially because they are concerned about criticism and vulnerability – but they need to embrace

the fact that these are inherent to any organic structure. Consumer dissatisfaction with a brand can manifest in several manners on Facebook: they have the option to post negative comments on the *Fan Page*, to ridicule the brand on their personal *Wall* (by using the *Tag* option) and even to create forms of content that involve the brand in an unpleasant manner. But pretending this type of behavior does not exist cannot help the brand online. Furthermore, the absence of a brand response can encourage the circulation of such offensive materials. However, marketers have the option of deleting any disagreeable comment – but that is unacceptable in online brand management, for consumers will not develop trust towards the brand. A clear, relevant response could be more useful than hiding information.

Although there is no single approach regarding criticism on Facebook, on a social network control does not belong to advertisers anymore, so they are compelled to listen to their public, even though they do not have extensive practice in this area.

5. Conclusions

The business world has recently been introduced to a new communication paradigm – a participatory one that requires important changes in marketing visions. It becomes obvious that the digital channels have brought about change in brand communication models: the *one-to-many* classic model is currently on the verge of extinction, as it is rapidly replaced by a new paradigm – *many-to-many*. From what is seems, social media have shaped the future of advertising forever. The skeptical yet engaged consumer, the focus on interactivity and collaboration are important elements for marketing people striving to better communicate online.

Social networks can obviously play the part of a mediator between brands and consumers, but the terms of communication have drastically changed in the *Web 2.0* era, when consumers are able to respond and even alter advertising messages. When trying to permeate the new online reality, marketers should not rely on traditional models – both in what concerns creativity and media. In this case, tradition represents a unilateral way of sending messages, from brands to consumers, without expecting feedback.

On social networks – with a focus on Facebook – brand communication finds itself in a difficult position, without having a set of rules to operate with. The mere term “social” expresses the dedication to interaction, connectivity and creating relationships. Therefore, marketing specialists should take into account the fact that communication has to be adapted to this new medium, not just imported from its offline rendering. By manifesting discourse authenticity, welcoming consumer contributions and accepting the possibility of failure, brands can begin to develop a new communication model for Facebook interactions.

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Loredana IVAN*

Cognitive style and nonverbal sensitivity. Cognitive-experiential self theory validation

Abstract: This article presents the cognitive-experiential self theory (Epstein, 2000; 2003) and argues about the importance of this model in studying individuals' abilities to decode nonverbal elements. Using REI 40 (Pacini & Epstein, 1999), the main instrument suggested by the model, to assess subjects' differences in rational and experiential processing modes, a validity and reliability analysis of this scale for a Romanian student sample is presented. Results confirm the presence of the two subscales but, contrary to the initial model, the two dimensions were rather interdependent measuring the general tendency of subjects to use their cognitive resources (both rational and intuitive) in order to accomplish a particular task. In addition, we obtain a new scale, REI24, with high overall internal consistency ($\alpha = .91$) and reliable along the two dimensions, for the considered sample. We discuss the predictive value of the new instrument in non-verbal decoding tasks, underlining the importance of including external motivators in experimental designs based on CEST theory. This research is supported by POSDRU/89/1.5/S/62259 program.

Keywords: Cognitive experiential theory, Rational Experiential Inventory, nonverbal sensitivity

Although almost unknown in the Romanian social-psychological literature, cognitive-experiential model of information processing, formulated by Epstein (2000; 2003) is a personality theory that has emerged during the past few years and enjoyed large interest at the international level, especially for the cognitivist researchers concerned with intellectual styles in general. CEST suggests an integrate view on personality and information processing starting with three basic assumptions (Epstein, 1990; 1994):

1. Individuals use two parallel systems to interpret information: one preconscious, *experiential* and another one *rational* and conscious. There are reciprocal exchanges between those two systems according to the task and situation involved.
2. The experiential system is guided by emotions while the rational one is guided by cognition-analysis and rationality.
3. There are four basic needs with comparable importance for information processing using both experiential and rational modes: to maximize pleasure and reduce pain (Freudian way of thinking); to be self-consistent; to have high self-esteem and to be connected to others.

Contrary to similar socio-cognitive approaches – schemata model (Fiske & Taylor, 1975, 1984), implicit theories model (Tversky & Kahneman, 1973), first impression model (Asch, 1946; Jones & Davies, 1965; Kelley, 1967) – that have described individuals as 'cognitive miseries', using mental shortcuts to process complex information from the social environment – CEST is closer to social-biological way of thinking stating that emotions guide a structural and not implicit way of information processing which has an adaptation role for the involved

* College of Communication and Public Relations, National School of Political Studies and Public Administration., Postdoctoral researcher University of Bucharest, loredana.ivan@comunicare.ro.

individuals. To give an example of how those approaches work in a simple emotion decoding task we might say, using social cognition approach and metal schema as central concept, that individuals are able to decode a specific emotion because emotions are social, they are affect display with social meaning and individuals have learnt the 'tags' associated to specific nonverbal facial expressions with certain positive or negative value in human interactions. While using CEST we might say that emotion decoding follows a structural pattern in which individuals first decode the highly adaptative emotions, then those medium adaptative and so on. Thus, cognitive experiential theory could be seen as a link between cognitivism and socio-biology. The experiential system mentioned by Epstein has developed during millions of years of human evolution and connects us with other species as it involves learning through experience and not by using logical or rational inferences. That is why Epstein considers the experiential mode of information processing as preconscious, involuntary, automatic and non-verbal. It is based on emotions and generates, in turn, emotions: experiential system appeals to specific events, emotional loadings stocked in memory or generalized cognitive elements connected to emotions as, for example, prototypes or metaphors (Epstein, 2003, p. 5).

Beyond the interferences between CEST and social-biology, the theory suggested by Epstein and his collaborators is mainly a cognitive one, which considers 'emotions' important factors for explaining the way individual process information in daily interactions. This actually means that, when we perceive a situation, person or event, among the multiple set of schemas that might be active in that particular situation, the most 'emotional' one will become active. Without emotions, the information processing in the way Epstein calls *experiential* does not take place and the metal schemata does not become active. We could say that emotions are stimulating factors for the information processing.

We value Epstein approach mostly because it has an important contribution on describing the way mental schemata function. The researchers who focused on implicit theories (Bruner & Tagiuri, 1954; Kahneman, Slovic, & Tversky, 1982; Kunda & Thagard, 1996) described the way mental schema becomes active when we meet counter-schematic elements but they do not explain why we activate a specific schema for an individual or a situation in a particular context and a different schema for the same individual or situation in a similar context. Using a cognitivist explanation we might say that a peculiar contextual aspect has triggered different schemas in the two situations. For example if someone follows a TV story about a young woman having her first child and not being enough precautions in order to prevent a domestic accident involving the child, the schema role 'mother' becomes active due to counter-schema elements presented in the story. However, when the accident is not serious and the child has not been injured, the person schema 'young woman without experience' could become active. From CEST perspective, both schemas could become active in relation to the emotion involved: for example a person who recently experience motherhood could activate the role schema 'mother' in both situations because the emotion produced by the story was of deep concern, while an aged person could activate the person schema 'young woman without experience' in both situations because the emotion experienced through the story was one of contempt.

The second component of CEST, rational system of information processing is based on logical inferences, is analytic and involves cognitive effort (that the individual is not always prepared to invest in a task), is voluntary and cognitive resourceful dependent. Although Epstein (2003, p. 6) describes this mode as 'affect-free' is rather difficult to reject the idea of interdependency between rational and experiential cognitive style.

By using the four needs involved in the information processing: maximize pleasure and reduce pain, consistency, self-esteem and interconnectivity, CEST allows the explanation of possible cognitive errors even in situations when individuals are cognitive 'well-equipped'. Although CEST does not bring anything new from this point of view compared to rational choice theory for example (Coleman, 1990) or to personality *Big Five* models: openness to experience, conscientiousness, extraversion, agreeableness, neuroticism (Goldberg, 1992; Costa & McCrae, 1992; Digman, 1997), we appreciate the fact that the individual is seen as willing to process information in order to maintain the equilibrium among the four basic needs. Thus, if the information involves a potential decrease of self-esteem, he will adjust the other needs so to minimize the discomfort, so to be still connected to others and not be inconsistent to self-identity aspects. For example, if a young mother is watching the same TV story about the domestic accident involving a child, caused by insufficient surveillance, she would probably experience an *optimistic error* being convinced that such accident would have never been possible in her case. The story itself is causing some discomfort and has a potential of lowering her self-esteem, so she has to be convinced that all the precaution measures she takes daily and several interactions with mothers who have managed to avoid such accidents are enough reasons to believe the incident is improbable in her case. As a result, she is more likely to activate the role schema 'mother' and not the person schema 'young mother without experience'.

Several cognitive errors as: uniqueness error (Suls & Wan 1987), similarity error (Ross, Green, & House, 1977), believe in a justice world (Lerner, 1980), fundamental attribution error (Ross, 1977) could be reinterpreted through CEST, if we take into account also the four basic needs described by Epstein and the individual attempt to maintain an equilibrium among them.

Cognitive experiential self theory suggests two parallel systems of information processing with several reciprocal influences. Inspired by modern researches about the relation between the neo-cortex and the limbic system (LeDoux, 1996; Carter, 1998; Panksepp, 1999), CEST model states that the experiential processing mode is more rapid and generally precedes the rational processing. In this way the rational mode is often influenced by rudimentary and quick information treatment. Epstein claims that the experiential mode gives an affective loading to rational information processing which would be emotion-free otherwise. Experiential system has a positive influence on rational processing mode but it could also interfere in a maladaptive way if the individual feels involved in tasks which are long term self-destructive (Lieberman *et al.*, 2007). Let us take the case of a naive subject who manages to decode the emotions of a stimulus person in a particular situation. He uses first the experiential system which 'gives him the feeling' that the stimulus person is expressing as negative emotion then he uses the rational mode to explain which face clues he took into account to make this inference. The success of his attempt could make him overconfident in his emotion decoding abilities and he will act similarly at work in tasks involving employees' selection for example. Such behavior would eventually interfere with his work performances and could have long time negative consequences. CEST suggests that rational processing mode should play a control role by influencing the naive subject to reflect on his own behavior and to realize that relying on gut feelings is opposed to the professional standards of his job.

Similarly, the rational system could act counter-adaptive for the individual, blocking the emotional involvement in the task (Beutler *et al.*, 1991). Personally, during the past seven years, when I conducted researches on nonverbal decoding tasks using subjects with different ages and professions, I have noticed such negative interference between rational and experiential

ways of thinking (see Ivan, 2009). Subjects who tend to rationalize everything during the decoding task, using mental schema (e.g. 'if the person is blinking too much that means he is definitively hiding something'), and especially those who were educated by professional background to treat any information analytically, had generally got modest accuracy scores. A possible explanation for this, using CEST, is that they blocked their experiential mode because they were more used to analytical tasks.

1. Rational Experiential Inventory. An instrument to measure the preferences for cognitive/experiential processing mode

Epstein *et al.* (1996) have suggested that individuals' preferences to process information either analytic or holistic can be described as a personality trait beyond the situational resources in general or the task specificity. As a result, individuals' differences in the way they process information have been evaluated using REI (*Rational Experiential Inventory*), a self-administrated instrument in which subjects have to answer each item on a 5-point Likert scale (from '1' – 'not at all true for me' to '5' – 'extremely true for me'). The first version of REI included a modified *Need for Cognition Scale* (NFC, Cacciopo & Petty, 1982), which measured the preferences for the rational way of thinking and a new subscale called *Faith in Intuition* (FI) to assess the preferences for experiential processing. The total REI scale contained 31 items: 19 from the *Need for Cognition Scale* selected using item-total correlations and the level of each item content variance ($\alpha = .87$) and 12 new items (with modest reliability $\alpha = .77$) as part of FI subscale. REI 31 scale has been tested by Epstein and collaborators for construct validity and criteria validity, in relation with performances and competences in several domains. The two subscales proved to be uncorrelated ($r = -.07$, $p > .05$) so they validate the idea of rational and experiential way to process information as parallel systems. Additionally, the CEST authors have presented a short version of REI cu 10 items (5 items for each subscale, see Annex) with modest internal consistency ($\alpha = .73$, for NFC, and $\alpha = .72$, for FI). Confirmatory factor analysis on REI 10 has also proved the existence of two factors with no significant inter-correlation ($r = -.08$, $p > .05$), offering support again for the idea of two parallel information processing systems. Personally I have used REI 10 in a research about predicting others behavior based on first impressions, with relatively low validity ($\alpha \sim .65$) on both subscales (Ivan, 2009).

Facing some critics about insufficient arguments to claim the independency between the two subscales especially that the items were not necessarily parallel constructed, Pacini & Epstein (1999) have published a modified *Rational Experiential Inventory*. REI 40 (see Annex) included two subscales for both processing dimension: *rational ability* (*ra*), *rational engagement* (*re*) and similarly, *experiential ability* (*ea*) and *experiential engagement* (*ee*) with 10 items each. The new version was also an attempt to reduce the differences in reliability among the experiential and rational subscale probably caused by the differences in number of items of the initial REI version. Thus REI 40 had a higher internal consistency on both subscales (rationality, $\alpha = .90$, and intuition, $\alpha = .87$) and also the two dimensions were found not significantly correlated ($r \sim .07$) supporting the main assumptions of CEST. In this article we test REI validity on a Romanian students sample, using a back-translated version of REI, adapted for the Romanian socio-cultural context.

2. Researches using REI to measure individual cognitive style

There have been a large number of researches using REI since the initial version (Epstein *et al.*, 1996) proving the value of the two components in predicting several behavioral outputs: group adaptation and the level of involvement in new situations, the ability to interpret messages and to experience cognitive errors. Surprisingly, the preference for experiential holistic processing was more correlated to the mentioned variables compare to rational processing preference. Individuals with high scores on rational dimension were less inclined to experience the optimistic bias regarding positive/ negative events in their life, while those with high scores on experiential component were more inclined to have cognitive errors in general (see Lee, Amir, & Ariely, 2009). Those who preferred holistic style of thinking, based on intuition were more present in the situation, more adapted to the role they play but also having more superstitions and tendencies to occultism (Epstein *et al.*, 1996; Lieberman, 2002). Both components and especially rational style could predict school performances and school adaptability (Hogarth, 2001). When studying gender differences, the researches (Epstein *et al.*, 1996; Zhong, 2007) have produced contradictory findings: women with preferences for rational thinking style were less trustful and tend to avoid intimate relationships. Epstein explains such results using gender stereotype, which associate rationality to masculinity and intuition to femininity, possible threatening the counter stereotypic members. A synthesis of the studies under Epstein coordination reveals that:

On the one side, rational thinking positive correlates with intellectual performances [...], self-determination and self-esteem, openness and conscientiousness, with positive believes about yourself and life in general and life satisfaction. On the other side, rational dimension is negatively correlated with depression, anxiety, stress about school, racist and conservative attitudes, naive optimism and alcohol abuse. In its turn, experiential dimension positively correlates with extraversion and willingness to be liked by others, the tendency to establish social connections, empathy and creativity, emotionality, humor and art value. Holistic way of thinking proved to be negatively correlated with lack of trust and intolerance (Epstein, 2003, p. 40).

Using an old REI version with 59 items, Klaczynski *et al.* (1998) have conducted some researches about the role of cognitive style in adolescents' identity formation. Although such variable has not been previously discussed in adolescent self-identity studies, it proved to be a more important predictor than for example critical way of thinking or the level of intellectual maturity: using rational cognitive style or at least self description in rational terms predicted the level of assumed identity for adolescents. Recent studies about adult identity formation process (Berzonsky, 2004; 2008) have also included cognitive style as a potential predictor.

A research conducted in the medical domain, by Sladeck and collaborators (2008) revealed the tendency of young doctors to act according to the medical practice standards in relation to cognitive style (using REI 40 to assess subjects' preferences to treat information rational or intuitive). The practitioners reported a rational style to treat information, mentioned also more behaviors in accord to professional standards, while those with preferences for intuitive style reported more behavior outside the normative frame. Because there were no differences in the level of knowledge and awareness related to professional standards among the doctors with cognitive versus intuitive thinking styles, the findings could be interpreted as a higher tendency for those who prefer rational thinking style to be self consistent or to see themselves as more inclined to follow the professional rules compare to those with experiential processing preferences.

In a recent study, Mahoney *et al.* (2010), using a new REI version (24 items, suggested by Norris and Epstein in 2010, but yet unpublished), proved that high experiential individuals have experienced more framing errors in task requiring actual decisions to generate profit. In a similar research, concerning individuals' tendencies to risk large amounts of money in gambling, Edmond and Marmurek (2010) obtained a negative correlation between the preference for the rational thinking (using REI 40) and the level of involvement in such self-destructive behaviors. Those findings confirm the idea that subjects who tend to have an experiential processing style experience more cognitive errors compared to those with a predominant rational way of thinking.

In a series of researches about consumer behavior, Novak and Hoffman (2009), using a modified version of REI 40, have proved that the preferences for a particular way of processing information, rational/experiential could be used as a predictor for performances only if the subjects are motivated to solve the task, to invest cognitive effort in it, generally speaking for relative complex tasks. They suggest that, for relatively spontaneous answers, without too much thinking involved, the two dimensions could not be used as relevant predictors. Novak and Hoffman even created a new instrument, *Situational-Specific Thinking Style* (SSTS), as a more contextualized version of REI, useful especially when the situational resources have to be considered. They argue about the relevance of thinking styles inventories only for elaborate decision situations and not for tasks that require reactions in seconds.

The relationship between REI and nonverbal sensitivity, defined as the ability to accurately decode nonverbal elements (see Ivan 2009, p. 135) has not been treated as such in the literature, although individuals' competencies in detect and interpret subtle behavioral cues could be also in the relation with the way they usually process information. Taking into account the plausibility of such relation between the two variables, the lack of researches on the topic of nonverbal sensitivity and cognitive style could be either an indicator they have failed to produce significant results or that REI is not largely accepted as an instrument to assess the information processing mode. A possible explanation comes from Novak and Hoffman (2009) research findings presented here: REI was not a significant predictor in spontaneous tasks and decoding nonverbal cues are mostly tasks that require less cognitive effort, only few seconds of exposure and quick decisions. However, a research conducted by Sheehan and Buck (2003), *More than words: rational and experiential thinking modes and nonverbal communication accuracy*, presented during the Annual Conference of *International Communication Association* (ICA), using REI 40, found that experiential mode did not correlate with individuals' ability of coding and decoding spontaneous emotions, but has been positively correlated to some related personality traits as: the level of expressivity and openness to others in general. I believe that the findings of such studies are very much dependent on the instrument used to assess nonverbal sensitivity. In their research, Sheehan and Buck have used *slide viewing technique* to measure subjects' emotions' decoding and coding abilities, a technique implemented by Buck *et al.* (1972) which consists of asking subjects to visualize some slides with positive or negative affective content and then to express the spontaneous emotions they feel after each slide. This technique is largely used to measure individuals' level of expressivity. In a second phase of the experiment, a group of naive evaluators were exposed to the spontaneous expressed emotions and asked to decode them properly without knowing the context that particular emotion has been displayed. Some researchers are more in favor of using standardized tests to measure subjects' abilities to decode emotions or nonverbal cues in general as for example PONS (Rosenthal *et al.*, 1979), DANVA (Now-

icki & Marshall, 1994), IPT (Contanzo & Archer, 1988). Such approach is more consistent with one of the CEST statements: the fact that we can treat nonverbal sensitivity as a personality trait, cross-situational, relative constant in time, a potential which can be stimulated or inhibited by situations factors.

I have also mentioned before (Ivan, 2009, pp. 219-220) the importance of reward individuals for performances in experiments or, generally speaking, to use extrinsic motivators to follow the way those factors modify participants' behavior. I suggested a way to conduct experiments not so often embraced by social psychologists but largely adopted in economy where the intrinsic motivated individuals is not considered *sine qua non*. When individuals are processing information, whether we distinguish or not between rational and experiential cognitive style, the level and type of motivation they have to solve that task could be key variables. CEST has started from the role of *the need for cognition*, concept introduced by Cacioppo and Petty (1982) in a very influential theory about attitudinal change: *Elaboration Likelihood Model*. Their theoretical model, also known as *dual processing modes* (see Chelcea, 2006, p. 162) made at that time a distinction between high motivated or involved individuals who tend to treat information in a rational – analytic way and low motivated individuals who tend to have a holistic approach. In this article we tested CEST validity on a Romanian student sample using a nonverbal sensitivity task, and also the level of motivation (intrinsic/extrinsic) as a moderator.

3. Methodology

We tested the relationship between REI and subjects' ability to decode nonverbal elements using an experiment in which we vary the type of motivation individuals might have to solve the task. A process of back-translation of REI 40, paying attention to cultural meaning of some items has been conducted prior to the research. The initial forward version of REI has been then back-translated by an English-Romanian translator who was not familiar to the research purposes. Some of the linguistic equivalence were discussed and then the final instrument was pre-tested.

Participants. A group of 72 students, enrolled in a course of *History of Communication*, Faculty of Communication and Public Relations took part in the experiment: 62 females and 10 males, aged between 18 and 35 years ($M = 19.90$; $SD = 2.37$). The gender gap in our sample (approximately 1 to 6) is similar to the one found in faculties of Communication and Public Relations in Romania, in general (*Romanian Ministry of Education*, 2010). Formally, the students were alphabetically distributed in three seminar groups, 24-25 students each, and they used to interact in those groups for other courses too. A significant part of the participants already had a job in the moment we conducted the research (18 participants). We use students' formal separation in three equivalent groups in order to create an experimental design with two experimental groups and a control one. Since groups were defined by alphabetical order and not by performances or preferences, we can assume no significant difference in age, gender or others socio-demographic variables between the three groups.

Experimental design. Each seminar group of 24 to 25 participants has been randomly distributed in two experimental conditions: intrinsic-motivated and extrinsic motivated. In the first seminar group, we will call it *intrinsic motivated group*, participants were informed that they would have to solve a task of nonverbal elements decoding and that this is of great im-

portance for them as future specialists in Communication area. We also informed them that this test of nonverbal accuracy had previously been used to distinguish between communication specialists with high job performances and those with low job performances. Thus we increased subjects' intrinsic motivation to perform the task, with possible influences on the cognitive style preferences. In the second seminar group, we will call it *reward-group*, we increased extrinsic motivation by promising students a bonus for the *History of Communication* course according to their performances in the task. The control group (the third seminar group) had to perform the task without any information about it and without external rewards. The experimental design is 1 variable (motivation to perform de task) X 2 (intrinsic/ extrinsic).

Measures. First, the participants from all three groups have been tested with *Face and Body PONS* (Rosenthal *et al.*, 1979). The test consist in 40 slides, 2 seconds each enacted by a young woman (aged 24, white, resident in US) who is filmed when expressing spontaneous emotions associated to different situations: some with low emotional intensity (e.g. 'ordering food in a restaurant') and other with high emotional intensity ('expressing jealous anger'). The face and body PONS measures nonverbal sensitivity on visual channel only, having a .63 overall reliability. The internal consistency of the PONS ranges from .86 to .92 and its median test-retest reliability is .69 (Ambady, Hallahan, & Rosenthal 1995). The visual channel scores significantly correlate ($r = .50$, $p < .001$) with the full PONS (Rosenthal *et al.*, 1979, p. 53). This form of PONS contains only visual items, 20 *body-only items* and 20 *face-only items*, and participants have to choose the correct answer from a dual answering sheet.

Second, participants have to answer the items from (REI 40, Pacini & Epstein 1999) using a 5 point Likert scale, from '1' – 'not at all true for me' to '5' – 'extremely true for me' (see Annex). The instrument includes two subscales: *rational* ability (e.g. 'I am much better at figuring things out logically than most people'), engagement (e.g. 'Learning new ways to think would be very appealing to me'); and *emotional* ability (e.g. 'I believe in trusting my hunches'), engagement (e.g. 'I like to rely on my intuitive impressions'). The two subscales have high internal consistency (rationality, $\alpha = .90$, and intuition, $\alpha = .87$) Additionally information about participants' gender, age, school performances, number of siblings, working status and residence had been collected.

Procedure. All participants have to fill PONS test as a part of their weekly two hours seminar work, during *History of Communication* course, in groups of 24-25 students. They were randomly distributed in intrinsic motivated, rewarded and respectively control condition. The groups were tested successive in the same day so we control for possible inter-group influences. They were tested in the beginning of the seminar and then follow regular seminar activities. When the two hours were ended, each participant had to fill a questionnaire containing REI 40 scale and socio-demographic questions.

4. Results

REI validity and reliability. The overall reliability of REI, using all 40 items was .85, measured by Alpha Cronbach, comparable with previous researches. However when we analyzed the subscale reliability the results were modest for the *rationality scale* $\alpha = .76$ and quite high for the *experiential scale*, $\alpha = .87$. We use exploratory factorial analysis, principal components method, to test the validity of REI and we obtain 10 factors with *eigenvalues* higher than 1, indicating a complex multidimensional structure, with several items from different sub-

scale cross-loading across several factors. Such a multidimensional approach could not be reduced to the four factors indicated by Epstein and collaborators: *rational ability (ra)*, *rational engagement (re)*, *experiential ability (ea)* and *experiential engagement (ee)*. Therefore we have subsequently eliminated 10 items from the rational subscale and 6 items from the experiential subscale, using corrected item-total correlations (the mean corrected item-total correlations was .40). We gave up to items with items total correlation coefficient less than .40, as it has been mentioned in previous analysis and we took into account the contribution of each item, when deleted, to the entire α coefficient. When analyzing the low reliability items, some possible explanations are related to the fact they trigger aspects of social desirability especially for a student sample. Items with low reliability from the rational subscale as 'I'm not that good at figuring out complicated problems' or 'I am not very good at solving problems that require careful logical analysis' would probably receive high disapproval when REI is tested during student courses especially because acting rational is one main demands of the current college education. This is maybe why we found more low-reliable items in the rational subscale compare to the experiential one. In case of low reliable items from then intuition subscale, as for example 'I suspect my hunches are inaccurate as often as they are accurate' or 'My snap judgments are probably not as good as most people's', one possible limit is the way they are constructed: subjects might tend to agree with such statements because that suggest an equilibrium between cognition and intuition. Another possible cause could be related to Muhammad Ali effect (Allison, Messick, & Goethals, 1989) and the fact that people tend to consider themselves better but not necessarily smarter than others. The means and standard deviations of the low-reliable items on the intuition subscale ($M \sim 3.05$, on a five point Likert scale, $SD \sim .90$) suggests that such heuristic could have dominated the answers, when people were asked to compare their performances with others.

After deleted all low reliable items, we obtained a new REI with 24 items: 10 items on rational processing scale and 14 items on experiential processing scale. The new instrument, called REI 24, has been tested also using a factorial analysis, following the highest loadings of each item on the two closer factors. After several tests of REI validity during the past 10 years, Epstein (2010) recommended that an item should load at lest .35 on a factor in order to be selected for as particular scale and this loading should be at least .10 higher compare to loadings on a possible other factors. Using those recommendations, we came up with the same 24 items. The new instrument, REI 24 has a superior overall reliability, $\alpha = .92$ and a higher internal consistency on both subscales: rational ($\alpha = .88$) and experiential ($\alpha = .93$).

We tested the correlation between the two subscales: rational and experiential and we obtained $r = .422$, $p < .001$ significant higher value compare to researches conducted by Epstein and collaborators using REI 40 ($r = -.07$, $r = -.08$, $p > .05$). We cannot support the idea of rational and experiential processing modes as parallel systems as it was stated by CEST. The data obtain on our student sample show a positive relationship between the two components: the higher someone described himself/herself in terms of rational processing, the higher he/she describes also in terms of experiential processing. Although rational and experiential processing modes are distinctive dimensions of the same concept, they are inter-correlated and measure probably a broader aspect: the individual tendency to use his cognitive resources in general.

Because we did not find that those factors are independent, as CEST stipulated, we use a factorial analysis, principal component method, with oblique rotation Promax, recommended (see Novak & Hoffman, 2008, p. 7) in such situations. The factorial analysis has revealed

that the items are loading on a single main factor, which explains 49.8% of the variance in case of rational subscale and 55.5% of the variance in case of experiential subscale. In other words, we did not find support for the ability and engagement dimensions within the rational or experiential scale. The construct validity of new REI 24 proved the existence of rational and experiential dimensions but not the engagement and ability sub-dimensions as Pacini and Epstein (1999) have proved for the initial instrument.

Table 1 shows how the 24 items of new REI are grouping along the two main factors. First we obtained four factors but we kept only two factors with *eigenvalues* more than 1 that explained 57% of variance. Except for the item (6): 'I enjoy solving problems that require hard thinking' which is loading modest on both factors, but still maintained in the scale because it is not influencing the overall validity, all the other items loading more than .55 on a main factor with differences of more than .20 compare to the other factor loadings. Those aspects mentioned in the literature when testing construct validity gave us the reason to believe that REI 24 is a structural valid instrument to operate with. Additionally, Table 1 (columns 3 and 4) presents similar results when using an orthogonal rotation method, Varimax recommended by Norris and Epstein (2010, p. 9) for its simplicity in approach data both in case of dependent and independent dimensions. The factorial analysis conducted here support also the idea of interdependency between the two dimensions (positive correlation, $r = .316$, $p < .05$ using Promax method). We claim that the two dimensions describe rather individuals' tendencies to use their cognitive resources in general. Norris and Epstein (2010) talked about such possible results in a recent article, submitted for publication, where they launched a new version of Rational Experiential Inventory, called, *Rational/Experiential Multi-modal Inventory* (REIm) and they also found a weak positive correlation between the rational and experiential dimension ($r = .16$, $p < .07$) and not necessarily negative as they have expected. Such findings could be enough reason to reconsider CEST by taking into account the fact that the two ways of information processing are inter-correlated and not necessarily parallel. They could be individual's predispositions to appeal on his resources in general.

Bellow we will present the experiment results using REI 24 as a valid instrument with high reliability for the tested subject sample.

Table 1. Factorial Analysis, REI 24 Scale, Showing the Two Components: Rational and Experiential, and the Items for Each of the Two Subscales.

(The initial item number in REI 40 scale) REI 24 items	Component ^a		Component ^b	
	1	2	1	2
(REI 5) I don't like to have to do a lot of thinking (-r)	.229	.860	.083	.858
(REI 6) I enjoy solving problems that require hard thinking, (r)	.384	.419	.325	.374
(REI 7) Thinking is not my idea of an enjoyable activity (-r)	.476	.664	.376	.615
(REI 8) I am not a very analytical thinker (-r)	.185	.640	.077	.635
(REI 9) Reasoning things out carefully is not one of my strong points (-r)	.150	.814	.010	.821
(REI 11) Thinking hard and for a long time about something gives me little satisfaction (-r)	.501	.642	.407	.588
(REI 16) I have no problem thinking things through carefully (r)	.082	.738	-.047	.754
(REI 17) Using logic usually works well for me in figuring out problems in my life (r)	.299	.697	.186	.677

(REI 19) <i>I usually have clear, explainable reasons for my decisions (r)</i>	.206	.679	.093	.673
(REI 20) <i>Learning new ways to think would be very appealing to me (r)</i>	.253	.725	.133	.713
(REI 21) <i>I like to rely on my intuitive impressions (e)</i>	.823	.423	.779	.320
(REI 22) <i>I don't have a very good sense of intuition (-e)</i>	.733	.409	.690	.309
(REI 23) <i>Using my gut feelings usually works well for me in figuring out problems in my life (e)</i>	.812	.250	.801	.132
(REI 24) <i>I believe in trusting my hunches (e)</i>	.622	-.364	.713	-.475
(REI 25) <i>Intuition can be a very useful way to solve problems (e)</i>	.541	-.154	.592	-.245
(REI 26) <i>I often go by my instincts when deciding on a course of action (e)</i>	.767	.273	.750	.163
(REI 27) <i>I trust my initial feelings about people (e)</i>	.808	.269	.794	.153
(REI 28) <i>When it comes to trusting people, I can usually rely on my gut feelings (e)</i>	.711	.127	.718	.020
(REI 29) <i>If I were to rely on my gut feelings, I would often make mistakes (-e)</i>	.787	.252	.774	.139
(REI 30) <i>I don't like situations in which I have to rely on intuition (-e)</i>	.774	.341	.745	.233
(REI 31) <i>I think there are times when one should rely on one's intuition (e)</i>	.727	.562	.656	.469
(REI 32) <i>I think it is foolish to make important decisions based on feelings (-e)</i>	.720	.265	.703	.162
(REI 34) <i>I generally don't depend on my feelings to help me make decisions (e)</i>	.709	.524	.644	.433
(REI 35) <i>I hardly ever go wrong when I listen to my deepest gut feelings to find an answer (e)</i>	.821	.223	.810	.102

a – oblique rotation, Promax with 3 iterations; b – orthogonal rotation, Varimax with 3 iterations

(e) – item from the experiential dimension; (-e) item from the experiential dimension, reversed

(r) – item from the rational dimension; (-r) item from the rational dimension item, reversed

In conclusion, we tested construct validity of REI suggesting that the two components – rational and experiential – are interdependent and the items are loading around two main factors that describe individuals' tendencies to use their cognitive resources in general. The new suggested instrument with 10 items on rational subscale and 14 items on experiential subscale proved to be a valid instrument when we use a factor analysis with both orthogonal and oblique rotation.

REI 24 and the results on PONS test. We compare the PONS scores obtained by students from our sample with the normative group (Rosenthal *et al.*, 1976). The mean of nonverbal sensitivity scores for our first year college students is similar with Rosenthal standardized group of 68 married people: face ($M = 15.51$, $SD = 1.66$); body ($M = 14.46$, $SD = 1.53$), total ($M = 29.97$, $SD = 2.35$). Only in case of face-only items our subjects scored lower. Table 2 present the descriptive statistics and reliabilities for both face and body PONS and REI subscale. The low reliabilities of PONS test and PONS components are also found in the literature (see Ambady, Hallahan, & Rosenthal, 1995) but researchers also admitted his discriminatory value in predicting a large number of variables.

Table 2. Means, standard deviation and reliabilities for PONS and REI subscales.

	M	SD	Á
PONS face and body	28.65	2.82	.64
PONS face-only items	13.96	1.98	.61
PONS body-only items	14.69	1.71	.58
REI rational	43.75	6.80	.88
REI experiential	56.50	10.59	.93

There have been no significant correlations between the two REI dimensions and subjects' ability to decode nonverbal cues, when using Face and Body form of PONS. The relation between the two variables is modest and negative indicating the fact that those relying more on intuition are less able to decode visual cues, specific to PONS items (Table 3). The negative relation between nonverbal accuracy and experiential processing mode is stronger in case of body-only items ($r = -.10$, $p > .05$) than of face-only items. It could be that body-only items decoding has been a more difficult task to perform in which subjects were using more cognitive resources, while in case of face-only items the information processing was mainly automatic. Thus REI could be a relevant predictor only for difficult decoding tasks.

Table 3. Correlation matrix: REI scores and PONS test results (N=72).

	REI subscale intuition	REI subscale rational	REI24- trust in intuition	PONS (face and body)	PONS face-only items	PONS body-only items
REI subscale intuition	—					
REI subscale rational	.422**	—				
REI24- trust in intuition	.909**	.761**	—			
PONS (face and body)	- .025	.094	.025	—		
PONS face-only items	- .105	.181	.123		—	
PONS body-only items	.055	-.056	-.101			—

* $p < .05$ two-tailed; ** $p < .01$ two-tailed.

REI 24 and subjects' grades in the end of the semester. We have got also no significant correlation between REI scores on the two dimensions and students grades. The relation points in the expected direction ($r = -.05$, $p > .05$ for the experiential scores and $r = .18$, $p > .05$ for the rational scores), especially that evaluation in college is based mainly on tasks that require more rational and analytical abilities and less holistic-intuitive resources. The weak correlation however could be also an indicator that individuals might differently use their cognitive resources compare to the way they describe themselves.

REI 24 and group differences. We tested how individuals' self evaluation about the way they use cognitive or intuitive resources is changing when they are extrinsic (using rewards) or intrinsic (task is presented as relevant for the career successful) motivated. The t test shows

significant differences between rewarded group and control group, $t(df = 44) = -2.45, p < .05$. The participants that knew they will be rewarded for their performances on PONS test tended to underestimate the use of both rational and experiential resources in solving the task compare to the control group (Table 4). These findings gives us a new reason to believe that rational and experiential dimensions are inter-correlated and they rather measure individual self-evaluation of resources used to solve a task. Therefore subjects' preferences to process information in analytic or rational way are very much task dependent and are changing when the level of involvement changes.

The nonverbal elements decoding task was very new for subjects, with low level of predictability and probably those who knew they will be rewarded according to performances tended to evaluate more realistic the way they have used their cognitive resources to succeed, compare to those from the control group who were not instructed about the importance of the task. Participants from all groups had to answer REI after they have been exposed to the PONS test, so they were wondering about their accuracy in decoding nonverbal cues. It is important to mention here that individuals' performances on PONS were not different among the three groups This actually means that although subjects from all three groups have similarly used their cognitive resources to decode the nonverbal cues, the reward-group has underestimated its potential to access cognitive resources in general, after performing the task: the promised reward made them more 'precautious' in cognitive and experiential self-evaluations. Such hypothesis is supported also by the larger answer variance in the reward-group compare to control group, as one can see in Table 4.

We have also analyzed the differences in REI scores for the students who had a job at the time we conducted the research compare to those who did not have a job and we have got significant differences: students who had a job declared significant more use of rationality in solving the tasks in general and their scores on rational dimension were also more homogeneous compare to students with no job experience, $t(df = 50) = 3.09, p < .01$, $F(df = 70) = 17.33, p < .001$.

Table 4. The Differences in Means for REI Score between Reward-Group and Control Group.

PONS test score	REI 24 total score		Rational dimension score		Experiential dimension score	
	M	SD	M	SD	M	SD
Reward-group (N=25)	95.96	15.91	42.00	7.09	53.96	11.76
Control group (N=23)	105.87	11.89	46.00	5.87	59.87	6.95
F test (Levene)	7.90 (df = 46) (p = .00)		4.12 (df = 46) (p = .04)		4.51 (df = 46) (p = .03)	
t test	- 2.45 (df = 44) (p = .01)		- 2.13 (df = 42) (p = .03)		- 2.07 (df = 42) (p = .04)	

The fact that we had a small number of male subjects in the sample and that there was not enough variation in subjects' work experience did not allow us to investigate more the possible gender differences or the relationship between work experience and REI.

5. Discussion

In the attempt to validate REI 40 on a Romanian student sample, we analyze each item contribution to the internal consistency of the two subscales: rational and experiential. The factorial exploratory analysis suggested that some items should be deleted to create a valid instrument, that we call it here REI 24. This new version on REI had a high overall internal consistency and also on the level of subscales: rational scale with 10 items and experiential scale with 14 items. We could not support the idea of item loading on *engagement* and *ability* sub-dimensions similarly to the initial REI 40 instrument, instead the items have grouped on a single main factor within experiential and rational scale. We also could not found support for treating the two dimensions as parallel but the rational processing mode and the experiential one were inter-correlated, being probably part of a larger concept. We suggested that the positive relation between the two dimensions is due to the fact that individuals have different tendencies to use their cognitive resources in general (both rational and intuitive) and those preferences are not necessarily constant but very much task and motivational dependent. The participants self-evaluated as more rational in processing information tend to evaluate themselves also as more intuitive. A serious limit of this research is the small number of participants and the fact that all of them are students, enrolled in first year of college. When presenting the data we suggested some possible explanations for the low-reliable items deleted from initial REI 40 scale. One explanation is related to high social desirability of some items for the college setting when 'being rational' is a central request. We should probably extend the research by including participants with different educational backgrounds and from different age categories in order to validate the new REI 24 instrument. Additionally, a confirmatory factor analysis should be run to test the hypothesis of interdependency between rational and experiential factors in information processing.

In a recent study submitted for publication, Norris and Epstein (2010) suggested a revised version of REI including a multi-modal approach.. The new instrument (*REIm Rational/Experiential Multi-modal Inventory*) offers, according to the authors, higher criteria validity. In fact, the weak criteria validity of REI 40 is also emphasized in the present research: REI did not discriminate between subjects in a nonverbal accuracy task and was not a significant predictor for subjects' academic grades in the end of the semester. Our findings suggest also that REI could play an important role in tasks which require cognitive effort, including nonverbal sensitive ones, and has no influence in spontaneous tasks where the answer has to be formulated in seconds.

The fact that we have obtained significant differences in REI scores between subjects rewarded for performances and those from the control group, but not actual performance differences and also that subjects who had a job reported more cognitive elements used in solving tasks in general, are arguments for a possible reconsider of CEST:

1. There is a difference between self-evaluation of cognitive style and the real use of rational or experiential resources in a particular task. Subjects tend to integrate those self-evaluations in a more general self-schema that modifies according to life experiences (as, for example, having a job which might modify the self perspective about the preferences to interpret information) and according to the level of task predictability: subjects become more precautions with self evaluation about their cognitive resources when the task is highly unpredictable. The real use of cognitive resources in a particular task could still remain a relevant predictor for the performances in a variety of situations, even though the perceived use of cognitive resources is context related.

2. REI does not measure the real way in which individual access rational or intuitive resources, but how they evaluate themselves of doing so. Although self-evaluations are reliable measures for a variety of concepts, in this particular case, self evaluation method would continue to generate critics on construct validity.

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Annex

REI 40 (Pacini & Epstein 1999) Translated and Adapted

1. * **Încerc să evit situațiile în care trebuie să mă gândesc profund la ceva**
I try to avoid situations that require thinking in depth about something (re—)
2. Nu sunt atât de bun în a rezolva probleme complicate
I'm not that good at figuring out complicated problems (ra—)
3. Îmi plac provocările intelectuale
I enjoy intellectual challenges, (re)
4. Nu sunt foarte bun în a rezolva probleme care presupun o analiză logică atentă
I am not very good at solving problems that require careful logical analysis, (ra—)
5. * **Nu-mi place să am de făcut multe lucruri care necesită gândire/ reflecție**
I don't like to have to do a lot of thinking, (re—)
6. * **Îmi place să rezolv probleme care necesită gândire profundă**
I enjoy solving problems that require hard thinking, (re)
7. A gândi/a reflecta nu este genul de activitate plăcută/distractivă pentru mine
Thinking is not my idea of an enjoyable activity (re—)
8. Nu am o gândire foarte analitică (nu analizez în detaliu fiecare lucru)
I am not a very analytical thinker (ra—)
9. A argumenta despre ceva, foarte convingător, nu este punctual meu forte
Reasoning things out carefully is not one of my strong points (ra—)
10. * **Îmi plac problemele complexe în locul celor simple**
I prefer complex problems to simple problems (re)
11. * **Nu îmi place să mă gândesc mult și intens la ceva**
Thinking hard and for a long time about something gives me little satisfaction (re—)
12. Nu judec bine atunci când sunt sub presiune
I don't reason well under pressure (ra—)
13. Sunt mai bun în a analiza lucrurile logic decât majoritatea oamenilor pe care îi cunosc
I am much better at figuring things out logically than most people (ra)
14. Am o gândire logică
I have a logical mind (ra)
15. Îmi place să gândesc în termeni abstracti (să folosesc termeni abstracti)
I enjoy thinking in abstract terms (re)
16. Nu mă deranjează să analizez lucrurile în detaliu
I have no problem thinking things through carefully (ra)
17. Dacă fac apel la logică merge de obicei când trebuie să rezolv probleme din viața mea
Using logic usually works well for me in figuring out problems in my life (ra)
18. Dacă știu răspunsul fără să mai aflu și de ce răspunsul respectiv e corect, îmi este suficient
Knowing the answer without having to understand the reasoning behind it is good enough for me (re—)
19. De obicei, am motive clare, raționale pentru deciziile pe care le iau
I usually have clear, explainable reasons for my decisions (ra)
20. A învăța alte moduri de a gândi, de a interpreta, este ceva foarte atractiv pentru mine
Learning new ways to think would be very appealing to me (re)
21. Îmi place să mă bazez pe intuiția mea
I like to rely on my intuitive impressions (ee)
22. Nu am o intuiție prea bună
I don't have a very good sense of intuition (ea—)
23. * **Dacă fac apel la ceea ce simt (la intuiție), merge de obicei când trebuie să rezolv probleme din viața mea**
Using my gut feelings usually works well for me in figuring out problems in my life, (ea)
24. * **Am încredere în ce ce îmi spune intuiția**
I believe in trusting my hunches (ea)

25. Să intuiești e un mod foarte util de a rezolva problemele cu care te confrunți
Intuition can be a very useful way to solve problems (ee)
26. De obicei, mă bazez pe instinctele mele când trebuie să decid ce să fac (în ce direcție să merg)
I often go by my instincts when deciding on a course of action (ee)
27. * **Am încredere în instinctele mele (sentimentele inițiale) când e vorba despre oameni**
I trust my initial feelings about people (ea)
28. * **Dacă este vorba de a avea încredere în cineva, instinctele de obicei nu mă înșală**
When it comes to trusting people, I can usually rely on my gut feelings (ea)
29. Dacă ar fi să mă iau după instinctele mele (intuițiile mele), de multe ori aș da greș
If I were to rely on my gut feelings, I would often make mistakes (ea—)
30. Nu îmi plac situațiile în care trebuie să mă bazez pe intuiție
I don't like situations in which I have to rely on intuition (ee—)
31. Cred că sunt momente când cineva trebuie să apeleze la ceea ce îi spune intuiția
I think there are times when one should rely on one's intuition (ee)
32. Cred că este o prostie să iei decizii importante bazându-te pe ceea ce simți
I think it is foolish to make important decisions based on feeling, (ee—)
33. Nu cred că este o idee bună să te bazezi pe intuiția cuiva, când ai de luat decizii importante
I don't think it is a good idea to rely on one's intuition for important decisions. (ee—)
34. În general, nu caut ce simt pentru a mă ajuta să iau o decizie
I generally don't depend on my feelings to help me make decisions (ee—)
35. Aproape niciodată nu dau greș în a găsi răspunsul potrivit, când sunt atent la ceea ce simt cu adevărat
I hardly ever go wrong when I listen to my deepest gut feelings to find an answer (ea)
36. Nu aș vrea să depind de cineva care se descrie pe sine ca fiind o persoană intuitivă
I would not want to depend on anyone who described himself or herself as intuitive (ee—)
37. Evaluările mele instantanee (spontane) sunt probabil nu atât de bune ca ale multor oameni pe care îi cunosc
My snap judgments are probably not as good as most people's, (ea—)
38. În ceea ce fac, mă bazez pe ceea ce îmi spune inima
I tend to use my heart as a guide for my actions (ee)
39. * **Simt de obicei dacă o persoană are sau nu dreptate, fără să pot explica de ce**
I can usually feel when a person is right or wrong, even if I can't explain how I know (ea)
40. Am impresia că inuițiile mele sunt jumătate corecte și jumătate mă induc în eroare
I suspect my hunches are inaccurate as often as they are accurate (ea—)

* this item is part of a short REI version (10 items).

Mădălina BOTAN^{*,**}
Nicoleta CORBU^{***}

TV News Frames and the Construction of Electoral Stakes during the 2009 Romanian Presidential Elections

Abstract: Media coverage of politics represents a vivid imagery of the increasingly fractured relationships between journalists, governance and ordinary people. Based on empirical findings, and noting the exacerbation of the phenomenon during the presidential campaign of 2009, we argue that Romanian media became polarized in an unprecedented manner, fact that increasingly brings into question media ethics and journalistic responsibility.

Keywords: electoral campaigns, framing, priming, media responsibility

The fact that partisanship has become so transparent in the media discourse is a premiere in the history of presidential campaigns in Romania. We believe that the current loss of public confidence in media reports is primarily a result of the way presidential campaigns are covered. Continuing the ideas of some of the best-known researches on the role of media in the electoral context, we consider that "nowhere else the influence of media frames on political accountability is more obvious than during presidential campaign" (Iyengar & Kinder, 1987, p. 142).

Decoding media content is a necessary prerequisite for creating a *media literacy* that would allow a certain type of understanding not only of journalistic discourses, but, more broadly, of public life itself. Cutting out certain aspects of political life, journalists offer priority treatment to certain themes and pre-defined frames, therefore providing an incomplete comprehension of the electoral campaign and its real stakes.

Taking up some of the above considerations, dedicated researches emphasize three main effects of election media coverage: agenda setting, framing and priming effect (outlining assessment criteria for candidates). These concepts define a specific way in which the news mostly influences the political opinions and (sometimes) behaviors through campaign coverage. In the 2009 Romanian presidential elections, we consider that the average impact was not only in setting the agenda (of the public), but also in generating the type of framing and priming effects, which led to the criteria by which the electorate has evaluated candidates. Analyzing these effects, we can emphasize a subtle way that intense media coverage of certain issues has turned them into the main stakes of the 2009 elections.

* Centre for Research in Communication, National School of Political Studies and Public Administration, madalina.botan@comunicare.ro.

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*** Centre for Research in Communication, National School of Political Studies and Public Administration, nicoleta.corbu@comunicare.ro.

The idea that journalists could and should be impartial or at least work for the public good calls into question the notions of fairness and impartiality. However we cannot ignore the existence of a close relationship between journalism and politics, which largely explains the way journalists reinterpret the political events and actions. Statesmen often disseminate ambiguous, symbolic messages, and the news is often simplifications of these messages, depending on journalists' partisanship and objectivity. This is the main reason for producing a more simplified media discourse, based on image, and emotional language, denying the public mission of journalism, which is to provide clear information about politics and public life in general. We will therefore start from the assumption of an inevitable "contamination" of the news, trying to explore some of the possible consequences on viewers' political representations.

The importance of media partisanship allows quite accurate predictions about the impact of electoral campaigns. However, in the tight presidential race – such was the case of the Romanian 2009 elections – in which candidates reach the same level of hearing (decibel level), the main impact of the campaigns is to radicalize the partisan voters (Iyengar & Simon, 2000, p. 164). This prediction was confirmed by most electoral studies since 1940: campaigns reinforce partisan affiliations (Lazarsfeld, Berelson & Gaudet, 1944/2004), and the most consistent outcome can be obtained when there is a strong interaction between the campaign messages and the voters' past preferences. Dissonance in campaign messages is in the majority of cases rejected, while the consonant are most likely accepted (Zaller, 1998).

Developing in a critical perspective the media inference on vote decision, Todd Gitlin (1980) reinterprets this effect of strengthening partisan views, initially detected by Paul Lazarsfeld *et al.* (1944). Gitlin considers it the result of long-term effects of the media: "this powerful effect of media telling us what not to think or what we should not think is based on the interests of major media owners and corporate world" (Gitlin, 1980, p. 131).

Returning to the 2009 Romanian presidential campaign, we argue that TV news have told their audiences not what to think, but mainly who to think about, as there were significant gaps in the media coverage of candidates and their electoral programs.

1. The Framing Process and the Newscasts

Framing is the process of "selecting and highlighting certain angles, specific aspects of events or subjects, so as to denote a specific interpretation or a specific solution" (Entman, 2003, p. 5). Framing may be deliberate, accidental or intuitive, but it always points a direct connection between the message, the mind that receives the message and the action that follows. Framing is however much more than a slogan (Lakoff, 2008) is a way of thinking and acting.

Defined as "a central idea or storyline that gives meaning" (Gamson & Modigliani, 1987, p. 143), framing began to be interpreted as a cultural and cognitive process. The vast majority of research dedicated to framing is based on the commonly accepted lack of neutrality of television news.

Much of the recent literature devoted to framing focuses on political information (Iyengar, 1996) or comparing different types of media events (Gerstlé, 2001). Maxwell McCombs, Donald Shaw and David Weaver (1997) argue that framing is equivalent to a second level agenda setting, which addresses the correlation between prominent features stories and how the public interprets them. Other authors (Scheufele, 2000; Scheufele & Tewksbury, 2007) con-

sider that such an interpretive framework does not incorporate the complexity of framing effects. The academic literature remains fractured regarding this matter (Entman, 1993).

One of the most accurate definitions of framing belongs to Robert Entman, professor of communication and political science at Northwestern University. Corroborating multiple studies, researches and definitions, Robert Entman concludes that to frame is “to select some aspects of a perceived reality and make them more salient in a communicating text, in such a way as to promote a particular problem definition, causal interpretation, moral evaluation, and/or treatment recommendation for the item described” (Entman, 1993, p. 52).

In conclusion, when discussing TV news frames, one could say that they define problems, diagnose causes, offer moral evaluations of actors involved, and suggest possible solutions or remedies. Entman also points out the importance of using frames in political news; discussing the different effects they could have on audiences (Entman, 1993, p. 55).

Framing effect is to be found both at micro and macro level. As macro construct effect it refers to the efforts of journalists and other communicators to present information in a manner consistent with the cognitive schemes of the audience. This does not mean that journalists deliberately try to manipulate the presentation of information. They need to introduce topics in pre-determined schemes, taking into account the limited space of emission. In addition to the space and time coercion, accessible information is also needed, due to the fact that audiences are not solely composed of professional people. As micro construct, framing effect describes how people use information when making assumptions (Scheufele & Tewksbury, 2007, p. 12). If one aspect of a problem is more prominent in the media, then it is very likely that the public might perceive it as being more important.

American author Robert Entman proposes an analytical integration of agenda setting, framing and priming under the concept of *bias*. News bias has three mechanisms: a) explicit distortion (when the news intentionally change reality), b) content bias (which refers to patterns used in the framing of media communication that favor certain interpretations of the conflict, beyond governmental power) and c) decision bias (which refers to the motivations of media professionals who produce such material) (Entman, 2004, p. 166). The American author believes that through these mechanisms of influence, media not only transmit the audience what to think about, as concluded Bernard Cohen (1963), but even what and how to think.

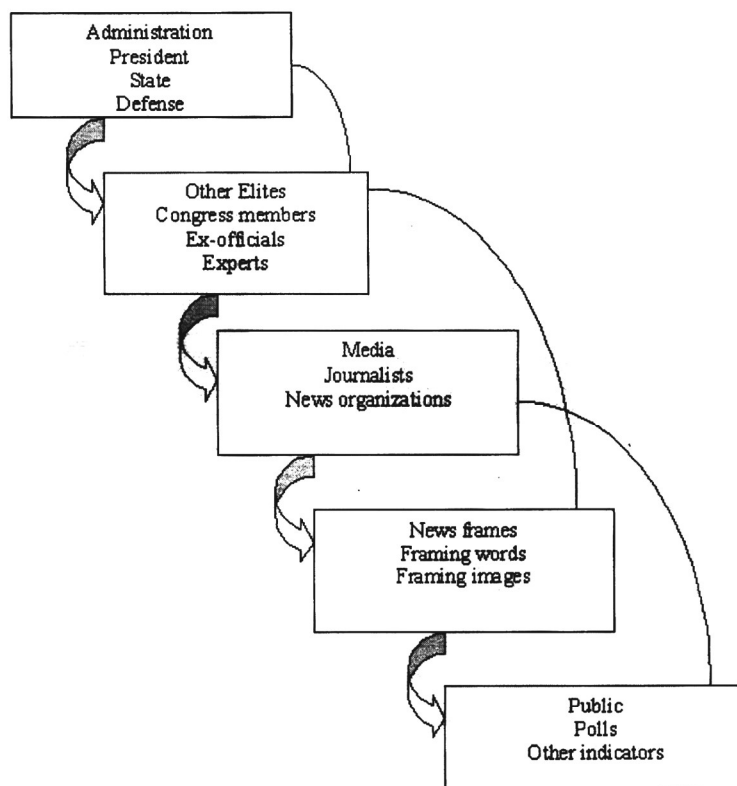
Framing is however a process that takes place in several stages and begins with a negotiation between key political players, interest groups and media, before coming to the citizens. Robert Entman (2004) proposes a representation (Fig. 1) of this influence known as the *activation cascade*. The model was developed during research on the relationship between framing news, public opinion and power, in the context of U.S. foreign policy.

Statements and actions of government officials often become the subject of national and even international political news. This is due primarily to the fact that they are primary definers, and that their actions directly affect news content. The media elite then filters agenda to the next level from political elites to the public. But public reaction also influences the media through readers' online comments or text messages, or simply by choosing certain channels instead of others.

This model reflects the public agenda and framing construction from the perspective of political and media elites. In the activation cascade, the media is itself layered. Major publications are responsible for the so-called inter-media agenda setting (Van Belle, 2003; Entman, 2003), influencing other media outlets, publications or television channels that have fewer resources. Media professionals have also the possibility to introduce counter-frames and other

varieties of interpretative schemes when there are discrepancies between various elites or inconsistency between decision makers and the dominant current of opinion in that country.

Figure 1. Cascading network activation (Entman, 2004, p. 419).



Activations for each level of the cascade depend on the amount of information communicated and the motivations behind frame creation: elites select the information that helps them advance their political careers, media select news considered most attractive for the audience, without risking their strong relationship with the governmental sources and the public tend to avoid cognitive dissonance and seek information to support their views.

Experiments lead by two leading researchers of electoral phenomena, Shanto Iyengar and Donald Kinder, showed that subjects who watched more stories about security placed this issue on top position in the news hierarchy, while subjects who watched more stories about unemployment consider it the most important problem in their country. These rankings were maintained even a week later when subjects were interviewed a second time. Iyengar and Kinder (1987) have concluded that this was a strong evidence of the media agenda setting, in which the news could not impose what people think, but certainly required them what to think about. American researchers have also found evidence of what they called priming (Iyengar & Kinder, 1987). For example, topics in the news that stressed the President responsibility for a specific problem have led viewers to give greater importance to how this problem was being managed by the president when they were asked to assess the President's performance. When some news primes, they influence the criteria by which people make political judgments.

2. Frames Typology

American professor Shanto Iyengar has been a pioneer of the research related to news and political options. He explains that viewers are sensitive to certain contextual indicators when assessing the current national issues in the news. The explanations they give to issues like terrorism or poverty depend on the specific references given in media reports.

Through a series of laboratory experiments, American researcher reveals that the media coverage of unemployment influences the manner in which the public understands the causes and solutions to major policy issues (Iyengar, 1991). Television news are routinely reported in the form of specific events or particular cases, Iyengar calls this process episodic framing of news, the reverse being thematic framing, which places political issues and events in a broader context (Iyengar & Kinder, 1987, p. 14). Predominance of episodic framing in television news creates a distorted presentation, preventing the public to gather evidence towards the logical consequences of the presented facts (Iyengar & Kinder, 1987, p. 14).

Another typology of frames based on content belongs to Claes de Vreese (2005). According to the Dutch researcher, some frames are relevant only for certain subjects (issue-specific frames). Other frames span the theme and can be identified on various topics, regardless of time or cultural context (generic frames). de Vreese noted that a group of studies – mainly American – focuses on research during election campaigns, while a second group deals with the studies of the influence of television news. The second approach is inductive, consisting of investigating pre-determined frames, such as "conflict", "human dimension", "attribution of responsibility" "morality" and "economic consequences" (Semetko & Valkenburg, 2000).

3. Methodology

In the 2009 election campaign, the main Romanian media channels considered as potentially having a major impact on viewers were five TV channels, two of them news-specialized (Realitatea TV and Antena 3), and three generalist channels (the public channel, TVR 1, and private channels Pro TV and Antena 1).

This paper presents the results of a content analysis of their major newscasts during the presidential campaign of 2009. The analysis aimed to identify the most prominent news frames during the campaign, as well as to correlate them with the idea of journalistic responsibility. Favoring certain types of frames TV news have the ability to influence electorate's representations on politics and can have inferences on the voting process itself.

We analyzed the main newscasts (in primetime) of the five channels, Pro TV, Antena 1 (19:00 newscasts), TVR (20:00 newscast), Realitatea TV and Antena 3 (21:00 newscasts), throughout the entire election campaign (from October 23rd to December 6th). The newscasts on the days of both election rounds (first round – November 22nd, second round – December 6th) were excluded from the sample, as well as three other days when TV channels broadcasted election debates during the regular time intervals of the newscasts.

A total of 3758 news stories were content analyzed (TVR – N=1055; Antena 1 – N=787; ProTV – N=953; Realitatea TV – N=501; Antena 3 – N=463). The total duration of the news stories analyzed was 1069 hours and 46 minutes, of which 21 hours and 27 minutes were entirely dedicated to political news.

The research questions guiding the analysis were:

Q1. What were the dominant frames in the presidential campaign in TV newscasts?

Q2. Is the media coverage of the presidential elections of 2009 relevant for the broader question of media responsibility? And if so, how?

The research questions cover agenda-related effects and investigate the media context that could have offered premises for such effects. As far as the framing effect is concerned, in order to answer the research question, we elaborated a scale, replicating Semetko and Valkenburg's (2000) findings, and adapting it to the 2009 Romanian context.

4. Measurements

Research literature regarding frames measurement in news discusses two different approaches to inquiring TV news: an inductive one, through identifying the main TV news frames in the sample analyzed and discussing them, and a deductive one, quantifying the extent to which news frames appear in newscasts based on predefined frames, operationalized in a scale that would cover the most important TV news specific frames. We chose the latter and the findings are building especially on Semetko and Valkenburg's work (2000).

Frames literature has so far identified five typical news frames, usually used in research measuring dominant frames in TV programs: conflict, human interest, economic consequences, morality, and attribution of responsibility.

The conflict frame is commonly present during election campaigns, which, by their very nature, hold a conflict dimension. American researchers Joseph Cappella and Kathleen Jamieson (1997) observed that the conflict frames could lead to public cynicism and a distrusting public climate. Human interest refers to elements that bring emotional, dramatic weight to the news stories, emphasizing the human side of any event. These frames are usually used to increase audience and are specific to social news and sensational news in general. The economic consequences frame entails presenting stories in terms of economic consequences of events upon an individual, a group, institution, region, or country (Semetko & Valkenburg, 2000, p. 96). The morality frame places the event against a religious context or a moral perspective, and the attribution of responsibility frame emphasizes the human need to understand whom the agents responsible for different social situations or phenomena are. In this context, researchers commonly use Shanto Iyengar's (1991) distinction between episodic frames (news that cover a topic in a very individualizing manner, rather than in a large, historical or economic context) and thematic frames (which prefer large, socio-economic perspectives in the presentation of events). This distinction influences the public with regard to the explanation of social problems. (Semetko & Valkenburg, 2000, p. 96)

The aim of this research is to identify the dominant news frames during the 2009 Romanian presidential campaign, in order to understand the journalists' practices and their possible influence on voters.

To measure the extent to which news frames appeared during the 2009 presidential campaign, we developed a scale, building on Semetko and Valkenburg's (2000) work, and adapting the scale to the context of political news. Thus, in the pretesting phase we eliminated the human-interest frame, unspecific to political news, and difficult to integrate in the scale. For each of the four remaining frames we built a minimum of three questions. Given the fact that it is an exploratory research, we considered that there were considerable chances that some of the questions would not group appropriately in a scale, therefore we added questions to each frame, to make sure we could eventually keep at least three for each type of frame.

The frames coding was exclusively applied to political news. A total of 619 political news stories were coded and analyzed from this perspective. Each question was binary coded, using “yes” or “no” to mark the presence or absence of one particular dimension of each frame. The advantage of such a scale is related to high intercoder reliability. Testing for intercoder reliability using Holsti’s formula (*apud* Wimmer & Dominick, 2000, p. 151), Fidelity = $2M / (N1 + N2)$, where M represents the number of reliable coding decisions of two coders, and N1 and N2 the number of coding decisions of the first and second coder, respectively. A number of eight coders (seniors at the College of Communication and Public Relations) were trained to code the newscasts. Intercoder reliability ranged between .76 and .93.

To develop the scale of frames measurements, we used a principal components factor analysis, with a varimax rotation, applied to the 18 questions of the scale, representing the four frames analyzed. After evaluating the results, the responsibility frame was eliminated, for which the six questions did not homogeneously group into factors, associated rather to other types of frames. The re-evaluation of the questions in the three remaining frames led to a valid factor analysis of nine questions, using a varimax rotation.

The items corresponding to the three frames grouped into three factors (with eigenvalues higher than 1) that explain 58.58 of the items variance. The factor solution is shown in Table 1.

All factors loaded more than .50, the generally accepted limit to preserve items in factor structure. Even though binary coding should have been predisposed to showing rather weak correlations, the resulting structure of the three factors is clear and strong.

We used Cronbach’s alpha to measure internal consistence of the three scales. Alphas were .67 for the conflict frame, .65 for the economic consequences frame, and .52 for the moral frame, values reasonable enough to permit constructing composite variables, using the mean of the three items in each factor. The value of each composite variable ranged between 0 (the frame not present) and 1 (the frame present in all its aspects).

Table 1. Factor solution with varimax rotation for the nine frames items.

Rotated Component Matrix(a)	Component		
Does the news reflect disagreement between parties, individuals, and groups?	838	067	.040
Does one party, individual or group reproach another?	807	061	116
Does the news reflect disagreement between presidential candidates?	632	131	228
Is there a mention of financial losses or gains now or in the future?	.015	837	.010
Is there a reference to the economic consequences of pursuing or not pursuing a course of action?	123	738	.073
Is there a mention of costs / degree of expenses involved?	.101	713	032
Does the news offer specific social prescriptions about how to behave?	.074	.156	784
Does the story contain a moral message regarding one of the presidential candidates?	329	.048	685
Does the story make reference to morality, God, or other religious tenets?	099	124	626

Extraction Method: Principal Component Analysis. Rotation Method: Varimax with Kaiser Normalization. A Rotation converged in 5 iterations.

5. Findings

The analysis showed a prominence of the conflict frame during the campaign in all investigated TV channels. Measuring results using the scales we built offered a comparison with the economic frame, which ranked third overall, and the morality frame, which ranked second. This is somewhat surprising if one takes into consideration the global economic crisis that affected severely our country in 2009. However, it seems that the demand for sensationalist stories, as well as the public interest in the horse race rather than in the electoral platforms of the candidates imposed a dominating position for conflict as the main theme of this campaign.

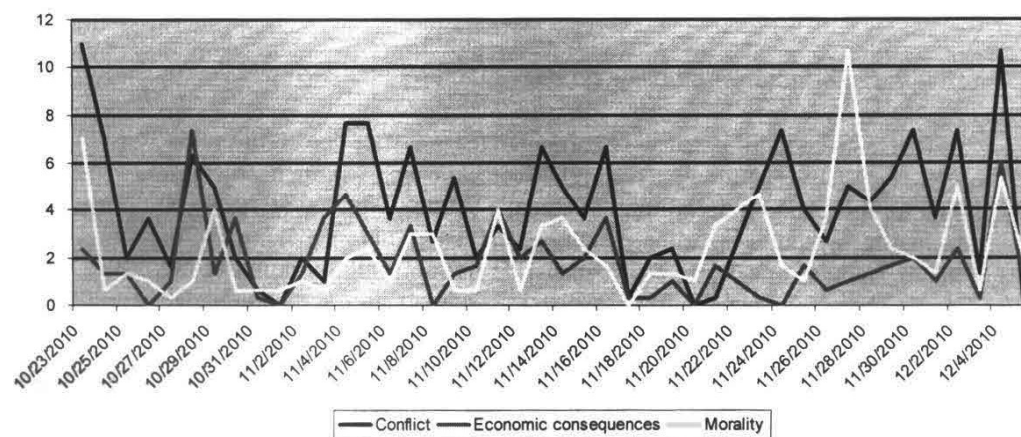
Table 2. Means of scales for the three frames, for each TV channel.

TV Channel		Conflict frame	Economic frame	Morality frame
TVR	N	99	99	99
	Mean	0.21	0.09	0.13
Antena 1	N	56	56	56
	Mean	0.35	0.11	0.24
ProTV	N	60	60	60
	Mean	0.24	0.23	0.16
Realitatea TV	N	210	210	210
	Mean	0.36	0.15	0.15
Antena 3	N	194	194	194
	Mean	0.23	0.08	0.17
Total	N	619	619	619
	Mean	0.28	0.12	0.16

Table 2 shows the means for each scale, on each TV channel, for political news. The dominant frame for all five channels was the conflict frame, the scores ranking at the top for all channels. Conflict was dominant (to a clear distance from the other frames) for the channels Antena 1 and Realitatea TV, while a more balanced situation can be observed for ProTV channel, where the economic consequences frame has almost the same value as the conflict frame. The morality frame is mostly present in Antena 1 newscasts, while economic frame has a low score for this channel. This is a not so typical situation for the context of a political campaign uncoiled during economic crisis times. Of course, the conflict frame is specific to political campaigns, in general, but the financial-economic situation would have otherwise predicted a more consistent representation of the economic consequences frame.

As confirmed by neurological approaches of voting behavior (Frank, 2005), conflicting emotions increase attention to political information, while economic interests have a limited impact on the voting decision. However things are different during major economic crisis, but even in this context, cognitive experts speak of a rather individual emotional response to the crisis and not of a rational calculation in order to seek the best solution. The mechanism that leads to the disjunction between the material interests of citizens and their political behavior, is extremely complex "people vote for the candidate who stirs appropriate emotions and offer the best arguments" (Frank, 2005, p. 125), and when they don't have very strong feelings for a particular candidate, they adopt political cynicism" (Castells, 2009, p. 178).

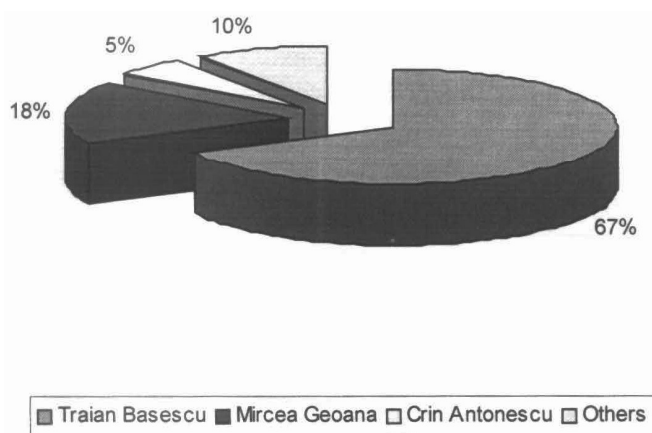
Figure 2. Evolution of news frames during presidential election.



These data indicate a clear predominance of the conflict frame during the entire presidential campaign (45 days), which reflects a certain pattern of constructing media frames devoted to electoral phenomena. The abundance of conflicts and controversial issues in the 2009 presidential election coverage cannot be reduced to a public appetite for sensational and unusual, translating a deeper public distorted representation about the political class and the media.

Another focus of the research was the question of assessing responsibility to presidential candidates. The concept of public accountability is at the heart of many recent studies and research in political communication; however this concept is rarely used on the Romanian political arena, or even in the academic field. Our research has quantified the remarks present in the newscast related to the responsibility of candidates and has indicated the differences between the five analyzed channels:

Figure 3. Accounting responsibility to presidential candidates in the newscasts.

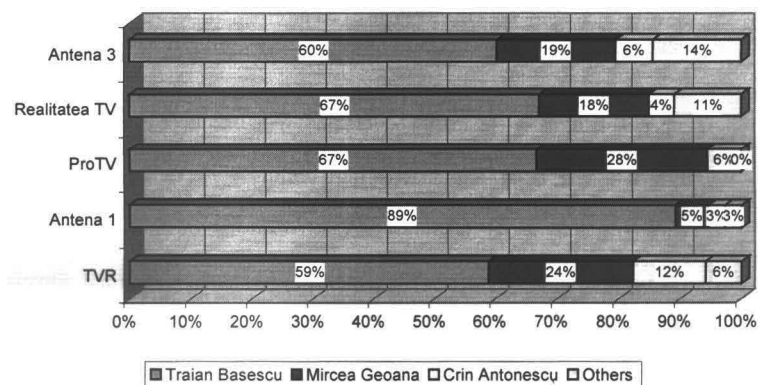


The idea that the responsibility for certain situations or issues goes back to a specific candidate was present in 228 of the 619 political news of the campaign period. In 67% of cases, responsibility is attributed to Traian Basescu, in 18 cases, the responsibility falls to Mircea Geoana, and in only 5%, the responsibility is assigned to the third ranked in the election race – Crin Antonescu. The comparative analysis of the five channels we retained indicates an in-

creased unconformity marked by Antena 1 channel that in 90% of cases assigned the political or social responsibility to one candidate: Traian Basescu.

These results throw into question the issue of partisan views and lack of equidistance in the newscasts – both evident in the case of Antena 1 channel (owned by a man himself politician and closed to the political and financial elite).

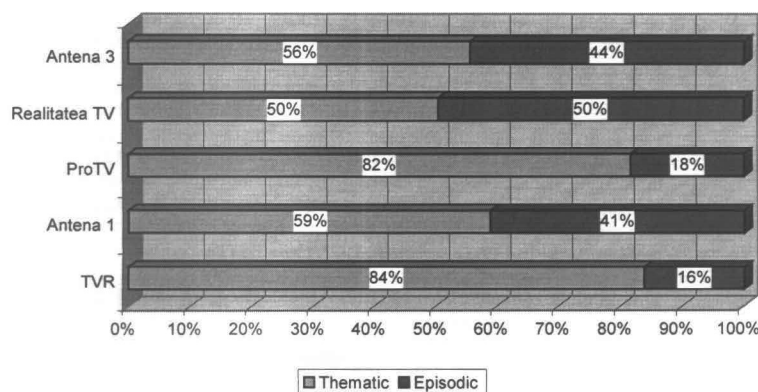
Figure 4. Accounting responsibility to candidates: differences among analyzed TV channels.



Regarding the media framing typologies, the majority of researchers oppose the *episodic* to *thematic media framing* (Iyengar & Kinder, 1987): the first refers to individual cases, while the second implies general explanations of presented issues. This deductive approach of framing implies however a methodology problem: it tends to eliminate the social, economic and cultural explanatory grid assuming an exclusively persuasive influence of news. Assuming these limitations, we borrowed the thematic/ episodic typology. Assuming these limitations, we borrowed the thematic/ episodic typology, aiming to identify also the interpretive contexts provided by journalists in the analyzed newscasts.

Thematic frames, characterized through generic or evasive comments and interpretations are predominant (61%) in the political news of the 2009 electoral period. This situation lead to the avoidance of public accountability related to the main political characters, and thus to obscuring the real stakes of the campaign.

Figure 5. Episodic and thematic frames: differences among analyzed TV channels.



There is a certain balance between the episodic and thematic frames of political information disseminated by the dedicated news channels (RealitateaTV and Antena 3) and a recov-

ery of thematic frames in two other channels, also with a special status: the public channel, which holds the most significant geographical coverage (90% of its political news are episodically framed) and the most popular channel in the urban areas ProTV (82% episodic frames). These two channels have often disobeyed the legal regulations of the election coverage, favoring social information or trivia.

6. Conclusions

Instead of serving as a public agora, the Romanian media have played a partisan role in the presidential campaign of 2009. This has influenced the way they covered the political phenomena and the way the newscasts framed political information. What is even more important is that the partisan views were not clearly asserted in the news, being, in the majority of cases, disclosed by an obviously biased information hierarchy. Overall, the prevalence of partisan news frames offered a distorted vision on the electoral stakes.

The majority of political information on the 2009 presidential election has been framed in a competition and conflict pattern. This systematic association finally gave very little information value to anything that contradicted this model and in particular to economic and social issues, that – due to the economic crisis – should have been placed higher on the presidential candidates' agenda.

News framing refers not only to what is explicit, but rather, to what the news transmit implicitly. If the news would have stressed the responsibility of candidates for a specific problem (eg. unemployment or inflation), it is assumed that these reports would have led viewers to give greater weight to candidates' proposed solutions to those problems. The criteria offered in return in the Romanian electoral news have revolved around the candidates' personality profiles and the horse race itself. Given that media coverage was related to competition or potential winners and losers, the viewers presumably evaluated the candidates in terms of their ability to cope with the electoral race.

Future prospects that this analysis opens evoke a radical transformation of media, in terms of participation to political life. It is becoming increasingly clear that the media will not just be observers of the campaign or political life in general, but will become active players, with a hard word to say in political decisions of any kind. We believe that we are now moving towards a new type of journalism, whose main task will be to mingle ethical principles of journalism with the lure increasingly exercised by the political game.

The vast majority of media pseudo-events of the 2009 campaign were built so that they offer viewers the symbolic satisfaction of indicting the rich or the moguls (a term launched by the president candidate Traian Băsescu, in order to incriminate the partisanship of the media, through reference to their biased owners). Depiction of providential presidential characters represents, par excellence, a form of media event designed specifically for the campaign. In the same way, the announcement of the arrest of a controversial businessman during the final electoral debate (watched by 5 million viewers) was a pseudo-event prophesizing a fulfillment of righteousness (long-awaited by a large part of the electorate), while reinforcing the heroic image of Traian Băsescu, fighting the corrupt politicians and businessmen.

The economy and the financial crisis were only modestly present in the media coverage of the electoral campaign, being systematically bypassed, and replaced with scandals, as a more effective form of *captatio*.

The fact that media are guilty of ethical blunders (through false reports, failure to check the sources, spreading rumors etc) is increasingly obvious. We argue that this is one of the main causes of the growing public cynicism and political disengagement. In addition to that, the research data indicated that the stakes of media social responsibility are even more prevalent during election campaigns because the media play a vital role in shaping political views, for which they should provide the necessary premises: accurate and verified information, and multiple points of view.

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Essay

George TUDORIE*

For we are legion. Remarks on Searle's *Making the Social World*

Making the Social World. The Structure of Human Civilization

John R. Searle. Oxford University Press. 2010. 208 p.

For any worthwhile study of society must be philosophical in character and any worthwhile philosophy must be concerned with the nature of human society.

(Winch, 1958/1990, p. 3)

I.

On June 28th 1914, Gavrilo Princip shot and killed Archduke Franz-Ferdinand, the heir to the Austro-Hungarian throne. On July 28th 1914, Austria-Hungary, in what for better or worse turned out to be a suicidal gesture, declared war on Serbia. The Great War followed, in part, as a result of this declaration of war which, in part, was a result of Princip's murderous act. As a piece of predigested pop history, this explanation does not seem to present any particular difficulties. But suppose we wanted to weigh up the two episodes involved in our story, perhaps to inform our audience that something would have happened with or without the assassination. In this case, we might notice that, whatever our instrument of choice, the two events in our summary are hard to measure in the same move. Not exactly the case of one going to work in one's car *and* in a hurry, then asking which one was it *really*, but the difficulty is nonetheless perceivable. A killing and a declaration of war are different kinds of things. The latter but not the former is a uniquely human phenomenon. The latter but not the former requires language and institutions. Searle's new book is an account of this difference.

While the book is new, there is not much new in it. This volume adds a largely redundant stratum to Searle's effort to develop a systematic social ontology, a theory of the nature, kind or status of social entities. This has been one of Searle's main concerns in the last two decades, and, while this thread of his work stands on the views about language and mind he developed since the 1960s, we can safely trace its origins to a paper published in 1990, "Collective Intentions and Actions" (Searle, 1990/2002). Beyond this early reference, the book is a sequel to *The Construction of Social Reality* (Searle, 1995), and it builds on the texts written to complete that book or in response to criticism. Among the most important such additions are Searle's contributions to a symposium hosted by *Anthropological Theory* (Searle, 2006b) and to the volumes on Searle's philosophy edited by Savas Tsohatzidis (Searle, 2007a, 2007b), and the second chapter of *Freedom and Neurobiology* (Searle, 2008). Indeed, most of MSW con-

* College of Communication and Public Relations, National School of Political Studies and Public Administration. george.tudorie@comunicare.ro.

sists of modified and extended versions of the latter three texts. Yet another important source, especially for the last chapters of MSW, is *Rationality in Action* (Searle, 2003).

There is more than continuity, refinement or synthesis in this genealogy. Searle's philosophy, as he himself noted (Searle, 2008, p. 30), is transparently systematic; there is a deliberate attempt to arrive at an abstract, "large-scale" understanding that will link, in a stepwise, asymmetrical manner, mind, language and society. The central concepts in each case feed into the ones of the next domain: consciousness and intentionality into meaning and speech acts, collective intentionality and speech acts, especially Declarations, into status functions, deontic power, and institutional reality. This is unusual, even in philosophy, in a time of jealous insular cartography and skepticism about comprehensive theories – a point to which I will return.

Searle's main goal in his philosophy of the social, of which MSW is the latest incarnation, has been to show that the picture of the world described by natural sciences like physics and biology is compatible – indeed continuous – with one in which social and institutional facts are real without qualification and thus have full explanatory power. In Searle's own words:

I want to situate this work within that larger question, which I regard as the fundamental question in contemporary philosophy: How, if at all, can we reconcile a certain conception of the world as described by physics, chemistry, and the other basic sciences with what we know, or think we know, about ourselves as human beings? [...] How do we get from electrons to elections and from protons to presidents? (Searle, 2010, p. 3)

His answer is that there is no world of culture separate from the natural world; there is only one world, and it is precisely the natural (bio-psychological) capacities of some of its inhabitants that allow them to build societies and institutions. This account maps an ontological domain for the social sciences by giving a general profile of what counts as a social entity. It is this characteristic which has led some commentators to discuss Searle's views in relation to those of Durkheim (Gross, 2006; Lukes, 2007).

The backbone of Searle's proposal is formed by three concepts. The first is *collective intentionality*, introduced in "Collective Intentions and Actions" (Searle, 1990/2002). The second is the pair *status function – assignment of function*, which has been the pivotal notion of Searle's social ontology since *The Construction of Social Reality* (Searle, 1995). The third is the concept of *constitutive rules*, which comes from Searle's philosophy of language, i.e. from speech-act theory. In addition to these three central notions, there is another one which needs to be mentioned, that of *desire-independent reasons for action*, discussed at length in the sixth chapter of *Rationality in Action* (Searle, 2003). MSW makes no exception from this conceptual blueprint. The first five chapters of the book present a theory of the ingredients of social and institutional facts (the distinctive ingredient being collective intentionality for the former, and status functions for the latter); of the manner in which such facts come about (essentially through assignment and recognition of status functions); and of their general logical nature (constitutive rules of the form "[object] X counts as [status function bearer] Y in [context] C" are the logical DNA of institutional facts). The last three chapters of MSW extend the theory by exploring its connections to rationality and free will, political power, and human rights respectively. A Conclusion signals the fallout from this view for the foundations of social scientific research.

Since MSW is an attempt at synthesis rather than at innovation, it makes little sense to evaluate its claims in isolation. This is not a book which will vindicate the conceptual cookbook just mentioned, if the cookbook turns out to have so far resulted in unpalatable concoctions. In evaluating the book one will therefore have to say, first of all, a number of things that will hold (or not hold) *generally* about Searle's views on the matter. One will be free,

secondarily, to go through the marginal differences and additions of MSW. This is the plan for what follows.

II.

Let us look first at the concept of collective intentionality, which is at the root of Searle's writings on social ontology, indeed "the fundamental building block of all human social ontology and human society in general" (Searle, 2010, p. 43). This is the notion in terms of which Searle proposes to identify *social facts* in both humans and social animals. Collective intentionality has, I think, the bizarre quality of being at the same time the least defensible and the most interesting and influential element in Searle's conceptual architecture. Not only that this concept has created a real "cottage industry" in philosophy (Searle, 2010, p. 45), but it has been widely discussed in social scientific circles (see e.g. *Anthropological Theory* 6 (1) 2006), and it has even become the preferred explanatory tool of one school of cognitive developmental psychology (Tomasello, 2008; Tomasello, Carpenter, Call, Behne, & Moll, 2005). We can investigate collective intentionality by the sophisticated philosophical method of taking apart the two constituent terms of the expression.

Intentionality, roughly, refers to the directionality of attitudes such as beliefs, desires, intentions, fears, and so on. My belief that Europe faces a danger of right-wing populism is a belief *about* a certain state of affairs in Europe, i.e. it is *directed* at that state of affairs. The common philosophical jargon has it that what in this case I happen to think about European politics is the *intentional content* of my respective belief. Mutatis mutandis for the other attitudes. The thing to note here is that, in paradigmatic use, the verbs that express the attitudes take singular form. *I* believe there is no God, *she* fears it. When plural forms such as "*we* believe..." or "*they* fear..." are used, the default seems to be a distributive understanding on the lines of "each of us believe..." or "each of us fear...", which sends one back to the singular form. The reasoning is that, since there is no group mind, there cannot be a literal sense to group attributions of attitudes such as "they believe that education is not a priority" or "they intend to vote for Adenoid Hynkel". The distributive reading, in other words, is taken to imply some sort of *reduction* of plural attitudes.

Searle and a number of other philosophers (e.g. Gilbert, 2009; Velleman, 1997) think that there literally are plural beliefs, intentions etc. Of course, this was also the view of Durkheim (1982) and of the *psychologie des foules*, and it continues to be commonplace in social research. The distinctive element in the philosophical camp, however, is that, due to the ontological scruples of the trade, most people will not accept, in any sense, immediate attributions of mentality to groups. So these philosophers will be forced to land on the following position: there can be a sense of "*we* believe..." or "*they* intend..." which is not reducible to interlinked series of singular attitudes, even if there are no group minds. This is essentially what is meant by *collective* intentionality.

The remark made above that Searle's project aims to integrate natural and social landscapes should now be clearer. Traditionally, social sciences have not shied away from explaining social and cultural facts in terms of collective attitudes such as group beliefs, thus transplanting essentially *psychological* notions (belief in this case) to a putatively autonomous *social* level of description and explanation. This autonomy claim has often been understood as creating an unbridgeable gap between natural and social sciences. One can reflect, for example, on the fact that notions such as belief and representation were at times proscribed in

psychology itself as a result of an obsession with becoming a proper natural science, *without* a corresponding backlash in sociology, which has entertained a significantly different self-image. What Searle proposes is similar to the social scientific tradition, in the sense that it provides a justification for irreducible collective attitudes. It is dissimilar in the sense that this justification is given precisely by an attempt to bridge the natural-social gap, that is, by a re-consideration of the autonomy of social research (see especially Searle, 2006a).

While Searle speaks about collective attitudes generally – about beliefs, desires, intentions etc. in the plural – the only notion which he analyzes in any depth in the already mentioned corpus is that of collective intention-in-action. This is because collective intentionality has been discussed in philosophy mainly in the context of debates about cooperative action. Other threads of literature, such as that on common knowledge, have a very different orientation (see Vanderschraaf & Sillari, 2009 for a review). An intention-in-action is, according to the account presented in *Intentionality* (Searle, 1997), the intentional or “mental” component of an action. If I intentionally raise my hand, the intention-in-action would roughly be the *trying*, the other component of the action being the actual behavior – the hand moving upwards. Intentions-in-action are to be distinguished from *prior* intentions, which are directed at *future* actions. I may intend to go to work tomorrow, and this intention will not move me to any kind of immediate action. It is only tomorrow that the prior intention will cause the appropriate intention-in-action, which at its turn will get me moving. The general picture we get is thus the following: when one acts intentionally, there is always an intention-in-action causing his or her behavior; there can also be a prior intention, if the action was, say, planned. Something on these lines:

- [Prior intention *causes*] Action =
- [Prior intention *causes*] Intention-in-action *causes* Behavior

A special class of intentions-in-action are complex intentions of the kind one has when one votes *by* raising one’s arm, or when one turns on the light *by means of* pushing a button. The analysis Searle gives to such situations is striking. His argument is, in effect, that it is not the content (what they are intentions *to*), but the psychological mode (*how* they are intended) of these intentions that gives them a specific profile. His formalization makes this explicit. For example, in the voting case, we get the following structure:

- Intention-in-action B *by way of* A (this intention-in-action causes A, *arm raises*, which constitutes B, *voting*).

The part outside the parentheses specifies the kind of attitude, while the part inside gives the self-referential content of this specific intention. The thing to notice is that the “by way of” operator qualifies the intention *type*; it leads to the positing of an intention that is *sui generis*. In plain words, this account has it that we have different attitudes when, on the one hand, we perform simple actions, and, on the other, when we perform actions that have either constitutive (the voting example) or causal (the turning on the light example) parts. The parts are articulated, as it were, psychologically, and not in terms of their content, or semantically. This is important, because this is exactly the maneuver that Searle uses for the analysis of *collective* intentions-in-action.

Consider the following example. Your car breaks down in traffic and you cannot move it by yourself. Someone helps you by pushing the car while you hold the steering wheel so as to turn the car to the right and take it out of the way. The action you perform with the Samaritan is certainly cooperative and, on both sides, intentional. Searle thinks that, because it is cooperative, it must also be a case of collective intentionality, specifically an action driven

by a collective intention-in-action. It is not that you form a mystical mental union with your helper; rather, you repositioned yourself mentally so as to act together with him in a cooperative fashion. There is literally in each of your minds an intention of the *plural* form “we intend to take the car out of the way”, even if each of you is doing different things at the moment – you hold the wheel, he pushes. Here is where the analysis of complex individual intentions comes into play. The plural intention has nobody (no body) to move – there is no *we*, after all – so it needs to connect to singular acts. It does that in the manner of by-means-of and by-way-of individual intentions. In your case:

- Collective intention-in-action B by means of A (this intention-in-action causes A, *wheel is turned right*, which in part causes B, *car is taken out of the way*).

And in the case of the Samaritan:

- Collective intention-in-action B by means of A (this intention-in-action causes A, *car is pushed*, which in part causes B, *car is taken out of the way*).

The structure is meant to capture the fact that you have a common goal (B), but play different parts in achieving it (your A-s differ). The characteristic element of the analysis, however, is that it says that you do more than synchronize when you act cooperatively. It is not only that you have a common goal, and that you know what the other is doing, and vice versa. According to Searle, this will not capture the *cooperative* character of the action, since cooperation is more than mere synchronization. What welds together the roles that each of you plays in the action is the way you intend to play those roles – *only as part* of the collective action, as part of something that *you-plural* do. While it is clear that Searle thinks cooperation is the defining element of genuine collective action, and the element which makes necessary an explanation in terms of attitudes that are irreducibly collective, it is less than clear how cooperation itself should be understood. Nowhere in the corpus, MSW here included, is this problem solved. Let us suppose nonetheless that Searle is on the right track, and that there can be a noncircular use of the notion of cooperation in such an analysis. We are left with at least two problems.

The first is that the story about intending we are presented with is unsound. The inflation of manners of intending is, to say the least, awkward: there is intending, and there is intending-in-action; then, there is intending by-means-of, and there is collective intending by-means-of. The difficulty here is not primarily in the fact that we do not recognize in our common use such varieties of intending; perhaps we might. Rather, it is the vagueness of what Searle says in support of this schema combined with a tendency to reify its distinctions which compromise his account. One might note for example that the case for nailing to the wall the distinction between intention and intention-in-action is not as strong as it may seem after one gets carried away by the neatness of labeling. The distinction is required only if it is thought that one faces certain dilemmas. For example, either intentions lead to action or they do not. Because of the tendency to reify the terms of the discussion, saying that *sometimes* intentions lead to action, and sometimes they do not, will not do. Instead, we are told that *some* intentions do and some do not. The response to the dilemma is that there must be different species of intention, distinguished by their causal profile.

On what I take to be a more plausible view of intention, such dilemmas dissolve. Consider the judiciary practice of asking whether an action was performed *intentionally* or not. This suggests an adverbial treatment which focuses the attention on the manner of acting instead of on a generic causal sequence which always goes from intention to action. Intending is not less real in this light. It is just that we move away from conceiving of intentions as discrete

mental boxes ready to be filled with content and causing or failing to cause action in the manner of billiard balls. This is an alternative view of intention which signals a fundamental conceptual disagreement and which would have drastic consequences for what Searle proposes. In this context, to keep the discussion manageable, it is best to bracket this primary disagreement and work, for the time being, with the picture of intending which informs Searle's writing – and much of the relevant literature.

The second problem is that even a successful account of collective *intention* would not automatically be an account of collective *intentionality*, i.e. a generalizable theory. The above is in no sense an analysis applicable to, e.g., collective beliefs or common knowledge – concepts that are at least as important for the understanding of collective intentionality. It will be enough to show that the analysis will not even do for intention.

The alternative to the stipulation of any kind of collective attitudes is plain reductive analysis. Its horizon is the idea that there are no social counterparts to individual psychological concepts, not at least in a literal sense. There is interlocking between individual thoughts and actions and complex order can emerge out of interaction. End of story. Projecting psychology into the social realm erodes any explanatory powers psychological concepts might have had in their native territory. So, for example, if we must talk about group beliefs, we will talk about the common – and perhaps commonly known – beliefs of the members of a group, not about the beliefs of the group itself. This is not a very likeable stance for social scientists, but it has been common parlance in philosophy, and one perpetual sour point in the foundations of social sciences. Now, what Searle tries to show is that this reductive zeal is in effect an overreaction. His strategy is to take the traditional group attitudes of the social scientist and make them compatible with the fact that there are only individual minds: “the requirement that all intentionality exist in individual brains does not imply that the content that exists in the individual brains cannot exist in a plural grammatical form.” (Searle, 2010, p. 47). To put it bluntly, one need not have scruples about explaining collective behavior in terms of *plural* intentions or beliefs, because they are, like their individual counterparts, psychological through and through, and psychology just is the familiar territory of intentional explanation.

This strategy manages only to make visible in a specific light an old difficulty we are, it seems, stuck with. On the one hand, if psychology has a *proprietary* set of explanatory concepts and if the common concepts of the attitudes (belief, desire, intention, fear etc.) are part of it, then these concepts apply to mental phenomena, and not to other kinds of phenomena. Small groups, tribes, subcultures and nations literally think just as much as electrons and tectonic plates do. On the other hand, we cannot stop to be struck by the agent-like manifestations of social entities, and this forces us back to the intentional pattern of explanation, since we have no other comparable explanatory schema for agency. The nonchalance with which we psychologize our world is *ipso facto* a pressure to view psychological concepts as *non-proprietary*, i.e. expandable. Positing finer distinctions among our attitudes – as Searle does between plural and singular intentions – will not dissolve this genuine difficulty. The puzzle is conceptual, not one of grain in psychology. We hesitate on how to conceive of the explanatory work traditional psychological concepts do in general; positing more such concepts can hardly act as a confidence medicine.

If we keep our focus on collective action, there are reasons to think that a reductive account will do just as well as Searle's theory in terms of what it offers to social scientists, and without the mysterious aura that the analysis of collective intentions-in-action does little to evaporate. Michael Bratman has provided in the last years such an alternative theory (Brat-

man, 1999). In his view, collective intentions are not intentions in the psychological sense, but aggregates of regular individual volitional and cognitive states (intentions and beliefs) that play, within groups, the same functional roles in the planning and control of action that intentions play for individuals. This concept, then, describes a particular kind of social dynamic, a “state of affairs” within groups. It is *what* people think, the fact that the contents of their thoughts are intimately related to those of other persons, which explains seamless cooperation. The unification of action is a semantic rather than a psychological achievement (see also Ludwig, 2007). This view makes no concessions in terms of allowing for special attitudes, but it offers, I think, a notion that is far more promising than Searle’s, mainly in the sense that it offers a functional and *non*-psychological notion of intention which echoes the preoccupations of the founders of sociology. We might feel a lot is left out, that we are missing the ineffable of seamless cooperation, but at least we are clear about the facts that we do explain, and about the terms in which the explanations are constructed.

This being said, one should not deny the intuitive motivation of Searle’s proposal, nor the fact that he too mirrors a leitmotif of social scientific research – the *sui generis* character of collective acting, believing, or fearing. What he says about the one putative manifestation of collective intentionality that he discusses – collective intentions-in-action – is nonetheless of little use. We are better off either with a pre-theoretical understanding of collective intentionality which leaves conceptual difficulties for wiser times, or with a more limited, but uncompromisingly reductive analysis à la Bratman. And indeed, one has to note that, compared to previous expressions of Searle’s theory, MSW is itself somewhat closer to such an account, for two reasons that I will mention without going into detailed explanation. First, Searle adds to the analysis of collective intentions an explicit cognitive element in the form of reciprocal beliefs of the participants in cooperation (Searle, 2010, pp. 53-55). But, as discussed above, he still thinks the essential element of cooperation is volitional – the irreducibly collective intentions the partners have. Second, he admits that there can be simpler kinds of collective intentionality which *are* mere aggregates of individual attitudes. The example he discusses is collective recognition, which is central to the persistence of institutions such as money or private property. We will meet this notion below.

The conclusion so far is that we do not have a feasible concept of collective intentionality in Searle’s work, even if the reasons for discussing such a concept are legitimate. The main consequence of this weakness is that the procedure we are given for identifying social facts is also compromised, since social facts are defined precisely in terms of collective intentionality. There are, however, reasons to be more hopeful about Searle’s analysis of institutions.

III.

Durkheim spoke of sociology as “the science of institutions” (Durkheim, 1982, p. 45). One of the central features of the approach inaugurated by *The Construction of Social Reality* (Searle, 1995) is a distinction between social and institutional facts. Social facts are those which involve collective intentionality. There are many social species, and Searle thinks they all have social facts – a claim which exasperated some psychologists (Rakoczy & Tomasello, 2007). Institutional facts are, however, a uniquely human achievement. They consist in the subclass of social facts which is defined by the assignment of status functions. Since this re-

quires a capacity for symbolic representation (i.e. language), which only humans seem to have, institutional facts are a specific feature of our society.

The fundamental concept here, and for the project as a whole, is that of status function. The point is made in a rather strong fashion right from the first pages of *MSW*. Mature research fields, we are told, are defined by ontologies with “a single unifying principle” (Searle, 2010, p. 7), such as the cell in biology (a dubious claim we need not reject in this context). Status functions are presented as a candidate for this role when it comes to the study of society. Here is a first characterization of status functions:

The distinctive feature of human social reality, the way in which it differs from other forms of animal reality known to me, is that humans have the capacity to impose functions on objects and people where the objects and the people cannot perform the functions solely in virtue of their physical structure. (Searle, 2010, p. 7)

The notion of function is not one of natural science, except in a metaphorical sense, since function is always normative, implying the possibility of *malfunction*. An electron cannot malfunction. A heart can only in the sense that *we think* that hearts which pump blood are *better* than those which do not. In biology this teleological way of speaking eventually dissolves in a theory of evolution *without* purpose. But *status* functions are our creations in an even stronger sense. Using a rock as a hammer implies using the natural properties of the rock – its weight or hardness. In the case of status functions we do not use already existing properties of objects; we *create* the very properties we make use of, for example the property of being a road sign, or of being money, or of being a senator, or of being someone’s property. There is nothing in the color pattern or the metal composition of a road sign that makes it able to stop cars in their way. It is not the properties of paper or ink, or of magnetic traces, which allow us to buy stuff with cash or credit cards. It is not the height, weight, sex, age or (unfortunately) IQ of senators which allow them to validate legislation. The elaborate architecture of gates in the CPU of my laptop has nothing to do with the fact that this computer is my property.

Searle thinks that all such phenomena have a common and fairly simple logical structure:

- [object] X counts as [status function bearer] Y in [context] C.

What needs explaining here is what “counts as” amounts to, and how do we create status functions in the first place. Logically at least, one cannot assign something that does not exist. We can deal with the first part of the explanation quickly. For a piece of metal to count as a road sign, it has to be recognized as such by the people whose behavior is regulated by the sign. The sign works because there is *collective recognition* of its function. This need not imply enthusiastic support. It is enough that people acknowledge the role of the sign and that they believe that others do too. You are free to despise money and governments; all that is required for these institutions to work is that you pay your fees and obey the laws. With collective recognition, which is a form of aggregating various beliefs and expectations, one can observe how the logical connections which link mind and society begin to unfold: status functions, which are the heart of institutions, are said to depend on a basic form of collective intentionality, recognition.

We thus arrive at a fuller characterization of status functions:

I will define a status function as a function that is performed by an object(s), person(s), or other sort of entity(ies) and which can only be performed in virtue of the fact that the community in which the function is performed assigns a certain status to the object, person, or entity in question, and the function is performed in virtue of the collective acceptance or recognition of the object, person, or entity as having that status. (Searle, 2010, p. 94)

Things are a bit trickier with the second explanandum. The main innovation of MSW lays in presenting a *general* theory of how status functions come about (Searle, 2010, pp. 11, 19). That things like traffic rules or money exist only because we represent them as existing is a generally accepted idea. Searle now thinks that these representations always take a specific form, that of the speech act of Declaration. The purpose of a Declaration is neither to simply represent the world, as a statement (Assertive act in Searle's classification) would, nor to simply change it, as a promise (Commissive act) would. Declarations do both: they create reality, or change the world, precisely by representing the world as so changed. Laws and contracts are particularly clear examples of Declarations, but the concept can accommodate even tacit state of affairs. That your friend transparently refrains from eating the last piece of chocolate may work just as well as a vocalized or written Declaration to the effect that the piece is *thereby* yours.

Status functions of all kinds are brought into existence in just this way, by status function Declarations. The general formula is:

We (or I) make it the case by Declaration that the Y status function exists. (Searle, 2010, p. 93)

All kinds of other conditions need to be in place for this to work, but in such an investigation one is after generality. The important thing here is not that in the formula no specific information about the content of various status functions is provided. This may worry social scientists, but abstraction *is* the point in this context. What needs to be noticed is exactly that the claim is general, and, fundamentally, that a particular *linguistic* capacity is identified as the unitary foundation of institutional society. To understand status functions, we have to make a detour and examine language itself.

IV.

Searle argues – and, to my mind, correctly – that his claim to the effect that Declarations create human social reality should not be mistaken for the common ideas from the social studies that there are connections between language and institutions, convention, or power. He is indeed putting forward a much stronger hypothesis. The reality created by Declarations, in his view, *already* has all the specific contours of human sociality: it is conventional, it is normative, and it implies a distribution of powers, rights and obligations. That is why no other concept matches the explanatory generality of status function Declaration. One will not, for example, explain institutions in terms of status functions *and* power. One will rather explain institutions in terms of power only because – and only after – one has seen them as a system of status functions. To return to the example above, once we make it the case by Declaration that there will be <Stop> signs, we *ipso facto* make it the case that such signs will perform their role systematically, as a matter of convention; we also make it the case that they impose obligations on people in certain positions and that they confer rights to others. It is not that we restructure or bring to light a pre-existing normative entanglement; in creating and assigning status functions we create, on the spot as it were, a deontology. And the common feature of these deontologies is that they are *linguistic* artifacts. They are declared into existence; we do not need to import them from anywhere outside language. At this point one may wonder whether language is indeed capable to impose norms on the extra-linguistic world of traffic, commerce, and power.

A story which aims to explain how language manages to legislate in the extra-linguistic world was recently put forward by Searle in “What is language: some preliminary remarks” (Searle, 2007b), and it is closely followed in MSW (notably in chapter #4). It is based on the following consideration: language is inherently normative not only in the sense that in using a language one uses conventional devices, i.e. in the sense that the notion of language necessarily implies standards of grammatical correctness. The linguistic *mise-en-scène* also implies a system of *commitments*, a deontology. This is a feature of *all* speech acts. It is not only in promising that you commit yourself to future actions. When you merely say, for example, that climate change has anthropic causes, you thereby commit yourself to the truth of that statement, you “give your word” that a certain state of affairs exists. This commitment is not accidental, something that you happen to add, this time, to your statement. It is part of what making a statement means:

[...] the commitment is *internal* to the type of speech act being performed, where by “internal” I mean it could not be the type of speech act it is, it could not be that very kind of speech act, if it did not have that commitment. (Searle, 2010, p. 83)

In Searle’s jargon – and to arrive at his third fundamental concept – it is a *constitutive rule* of making a statement that your audience is entitled to expect that you are saying the truth, or at least that you believe that what you say is true. While the attitudes too are normative – for example, beliefs, like statements, aim at being true – the deontic character of language is much stronger, because language, unlike unvoiced attitudes, is *public*. It is collectively recognized that in making a statement you should tell us something true about the world; if you do not, nothing further is necessary to put us in a position to reproach you.

In this light, language itself is a system of status functions. And if Searle is right about the fact that status functions are the common root of institutions, then language is an institutional structure, indeed the basic institution. There are two parts to this last claim. Language is foundational, as we have already seen, in the sense that the operation which establishes status functions is linguistic – Declaration is a type of speech act. But language is also basic in the sense of providing by itself – by being what it is – the ground level deontology for society. Language does not and cannot require the same kind of founding as all the other institutions. The status functions which compose language must have a special logical standing. This is because we declare into being all kinds of status functions, but we cannot declare into being Declarations themselves (or Assertions etc.), since this will lead to a regress. There is no extra representational level to support language. Speech acts must take care of themselves, or the whole edifice collapses. It will thus be only in virtue of their meaning that speech acts generate their deontic footprint. All the considerable normative weight attributed to language is placed, when push comes to shove, on the notion of meaning something by one’s utterances. This observation is not yet, as such, a criticism, but it should already be a warning sign.

To accept that meaning is an intrinsically normative notion does not imply that Searle is home free with his proposal. One of the reasons to think he is not is that the public character of language which generates its weighty deontic character is not shared by the notion of meaning. Meaning remains an essentially psychological construction, and the story Searle offers to link meaning as in the mind and meaning as convention is unimpressive. He makes too little out of the observation that language implies public performances. Even if one leaves aside the unfashionable Wittgensteinian observation that these are not performances of an internal (psychological) script, one can still note that it is ill-advised to explain the deontic radiation

of language in terms of what it is to mean something, and to use only in secondary roles the notions of a meaningful action being public, and that of convention. Searle's inclination to unify his own philosophical work in various areas (mind, language, action) blinds him to the fact that, for example, we understand much better what convention is, than what meaning might be.

This criticism is of the manner Searle wants us to conceive of the sources of normativity in language. It need not erode the credibility of the view that using a language meaningfully implies entering a web of commitments, or of the idea that linguistic representation plays a fundamental role in the creation of institutions. The usefulness of the notion of status function and the role of status function Declarations are not yet jeopardized. Moreover, positioning language itself as the basic institution, at least in the logical order, remains a powerful, although not exactly original, idea. The specific coloring this idea gets in Searle, however, is perhaps the most interesting aspect of his recent work on language. In attacking the social contract theorists, Searle makes clear that a group in a position to use language to make contracts cannot be conceived of in any sense as in a (pre-civilizational) state of nature. A *linguistic* state of nature is a meaningless concept:

The point I will be making, over and over, is that once you have a shared language you already have a social contract; indeed, you already have society. If by "state of nature" is meant a state in which there are no human institutions, *then for language speaking animals, there is no such thing as a state of nature.* (Searle, 2010, p. 62)

I find this way of expressing the foundational role of language far more interesting than trying to ground deontology on meaning, and perhaps social scientists will also see it, as I think they should, as worth thinking about.

V.

The logical development we tried following began with the psychological capacity for collective intentionality, passed through the view of language as inherently normative, and has come ashore with status functions Declarations as the root of all extra-linguistic institutions. We have a bio-psychological capacity to share our mental attitudes, our beliefs or our fears. Once we also have language, we have made a first step into deontology, into assuming obligations and exercising power. And we can declare *other* status functions into being, by representing them and by sharing our attitudes towards them. Also by sharing our attitudes, by collective recognition, status functions can be assigned to objects, making pieces of paper money, or allowing fictional "objects", such as limited liability corporations, to engage in global business with very real consequences.

Before concluding the evaluation of this comprehensive proposal, we need to briefly describe how this logico-anatomical sketch translates into a physiology of society. What moves a society so constituted? If we remember Searle's position about collective intentions – that control of action is confined to the individual mind/brain – we will read the previous question as: what moves each individual in the web of commonly recognized status functions so as to be part of the social concert? To answer this question two more concepts have to be introduced: (deontic) power and desire-independent reason for action.

These concepts take center stage in the last chapters of MSW, where Searle tries to show that his view of institutions enables him to reject two important philosophical and social-sci-

entific threads of thought. The first is that institutions are a manifestation of power and as such they play a restraining role. In stronger terms, it is in their nature that they do violence to, or castrate “bare” life. Contrary to that, Searle argues that institutions are “enormously enabling in human life, and [give] us all kinds of possibilities that we could not otherwise conceive of.” (Searle, 2010, p. 124). The second idea is that what moves us to act is always, in the last line of analysis, desire. Searle thinks that a distinctive property of institutional society is that its members find that they have reasons to act that are *independent* of what they desire.

The latter issue is the more important and the better discussed. Suppose, to paraphrase one of Searle’s own examples, that you work as a professor and have to deliver a lecture tomorrow at 8 AM. You hate the idea, but you will nonetheless be there. Why? If one analyzes the situation in terms of desires, the result will be the familiar hierarchy of preferences of game theoretic models: you desire to stay at home and sleep; but you desire even more not to be made a fool of among your students and colleagues. The stronger desire is the reason for your action and thus explains it. What this view misses, according to Searle, is the role of the *obligation* you are under in motivating your action. To get moving, you must have a desire not to break your obligation. But that desire is only there as a result of your recognition of your obligation, of your commitment to not breaking it. The reason for your action is the obligation, and not the desire which mediates your action. If somebody wants to know why you are there at 8 AM, they should look in your job description, i.e. at what your status implies, not in your mind. Even if desire is in a sense instrumental in the actions we perform in manifesting status functions, the reasons for these actions are desire-independent, because in these cases “the reason is the ground of the desire, rather than the desire being the ground of the reason” (Searle, 2010, p. 131).

There is a missed opportunity and a repeated mistake in the discussion of desire-independent reasons for action. This could have been the occasion to separate explanatory orders which seem to be different in kind. A motley collection of things figures in our common manner of speaking as reasons for our actions, obligations and desires here included. To focus on obligations first, when we explain what we do in terms of the rules of our institution or the laws and customs of the land, we are not, I think, giving a shorthand description for the *psychological* processes which supposedly move us to act. This is exactly why the social scientist is interested in this kind of discourse. And Searle’s notion of status function works best here. When we talk about our fears and desires, on the other hand, we are on a different explanatory soil which, in the absence of a more informative label, we can call psychological. I am not at all sure that there are desires in the same sense that there are written contractual obligations. We only lose clarity by mixing the two, and this is a recurrent mistake in Searle’s work due to his ambition to connect biology and psychology with everything else people do. The concept of desire-independent reason for action illuminates the explanatory role of status functions, and this seems entirely legitimate. But the notion is defective in the sense that it mixes the idea that, to the extent that something is an action, there are *reasons* for which it was performed, with the idea that, to the extent that something is an action, it is *desired*. This is not exclusively Searle’s fault. He argues against a position one should not spend time arguing against. Of course there are desire-independent reasons for action. The interesting thing is that they might come about specifically because of the imposition of status functions.

Moving to the discussion of power, it is rather easy to see why Searle is saying that institutions are empowering rather than restrictive. Chimps and dolphins may be intelligent, but they cannot elect presidents, own property, get married, declare war, or sue for defamation.

With the freedom to declare into being all kinds of status functions, human social life secretes a layer of complexity detached from mere natural tendencies. Chimps too have hierarchies and we share with them a natural tendency to strive for upward social mobility. If power is given a minimal sense as getting an agent to do what she would not have otherwise done, then chimps too exercise power, by the threat of brute force. The profile of human societies, however, is sculpted by a distinctive kind of power. Attached to the status functions which constitute institutions are things like rights and duties. If they are collectively recognized, i.e. if status is successfully assigned, then the threat of brute force will no longer be necessary for the exercise of power. The subject of power will accept it as his duty to change his actions in the direction required by the recognized authority. It is not force, but the normative nature of status functions which supports this process, and that is why Searle calls this type of power *deontic*. What status functions do is first to create power by generating desire-independent reasons for action, thus moving people to do what they would not otherwise have done. Second, the system of status functions distributes deontic power by mobilizing collective recognition. It is only right, in this context, that Searle sees the similarity of what he says to Weber's classical analysis of legitimate authority (Searle, 2010, p. 140).

The interest of what Searle has to say about power and rights consists exclusively, I am afraid, in the fact that he tries to present them as emerging from a social ontology of status functions. Otherwise, the chapters dedicated to power and rights tend to turn to the essayistic. His emphasis that institutions, while being power machineries, are primarily enabling misses, I think, the point made by Foucault and others. Nobody is denying that there could be no marriage or property in the absence of institutions. This is a trivial point. What the critics emphasized was that precisely what these institutions enable one to do results in forms of *institutionalized* violence or oppression. The fact that only within a society of rights one's rights can be violated is not the kind of argument that will place violations of rights and the existence of rights on the same weighing scale.

VI.

Searle asks, in the concluding MSW, and, so far, this side of his work, what are the implications of his views for the social sciences. It would not be surprising that, given the generality of what he says, he thinks that a unitary social ontology should translate into the existence of exactly one social science. At this level of abstraction, with the creation and assignment of status functions and thus of roles within the social tissue to which specific powers are attached, we have said pretty much all there is to say, and the differences between various traditions and fields in social research remain invisible. Perhaps Searle's social ontology could unify these fields by providing a common foundation. We need to ask, nonetheless, what would change with unification. What is it that we would thereby gain? Not much, I fear. It is the history rather than the ontology of social research that is informative as to its nature, even if the history, by itself, will not rid us of conceptual riddles. So perhaps the philosophy of the social sciences should be a philosophy of this history rather than an ontology motivated from the outside, in this case, from Searle's philosophy of language and mind.

I focused my criticism on showing that even at this level of generality there are conceptual problems with what Searle has been proposing for the last two decades. His proposal is not without interest, but as it stands it is less useful as a tool for social research than as a pre-

text of reflecting on concepts. And in this territory too this attempt at systematic philosophy often becomes too stretched to result in substantive argument.

It has since long become unfashionable in many regions of our culture to consider the traditional mind-body problem as anything else than a file in the history of philosophy. A related problem, that of the distinction between *Natur-* and *Geisteswissenschaften*, is probably a close contestant to the dubious distinction of being anachronistic. But, whether we find talking about such issues worthwhile or not, they resurface in various forms when foundational issues are in question. It would certainly be inadequate to insist in describing the situation in the social sciences (psychology here included) as an infantile stage to be followed by a maturation process on the model of, essentially, physics. But this does not mean that we are in possession of an agreement on what the description of the social world should look like. We have accumulated a wealth of explanations of what other human beings think and do formulated in terms of customs or parties, nationality or money. And we know that these things, unlike the Gulf Stream or the solar wind, are of our own making. We continue therefore to be pressed either to solve or to dissolve the puzzle that we find ourselves in a world in which both the Gulf Stream and money, both the death of person and a declaration of war, have consequences.

We should not expect this puzzle to go away. Searle's efforts in the last two decades, if anything, have put us in a better position to understand how this puzzle comes about, how we are lit as sometimes natural, and sometimes cultural beings. A comprehensive theory linking mind, language, and society is, as always, unlikely to be the key to putting the puzzle to rest. We are better off with what the social sciences themselves have to offer: disparate and sometimes inconsistent efforts. And perhaps philosophy too would be better off if it saw itself as reflecting on such efforts – to invert what Searle says (Searle, 2010, p. 5), as continuing to be a philosophy *of*, and not a philosophy *for* the social sciences.

Without a system of status functions the Great War could not have been what it was. And we can excavate, if we so wish, the logical structure of these status functions. Perhaps we can thus have a clearer understanding of how war and someone's death can both be part of history. The chapters dedicated to the cataclysm of 1914-1918 usually start with Princip's murder. To understand why war was in the cards anyway, the historians and sociologists tell us a detailed story of raising nationalism and colonial unfinished business, of imperial and economic competition, of class conflict and industrialization. We then begin to see how an assassination in a peripheral province of a troubled empire could ignite a war which left millions dead. The killing and the declaration of war which followed it remain different kind of events, but they are different in a sea of differences. We see an intelligible pattern, we discern a story that is more credible than others, given the evidence. The social scientist, if not the philosopher, is entitled to ask: why is that not enough?

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Book Review

Alina BÂRGĂOANU

**Examenul Schengen. În căutarea sferei publice europene
[Schengen Exam. In Search of the European Public Sphere],
București: Comunicare.ro, 2011, 252 p.**

Reviewed by Flavia Durach*

Romania's adhesion to Schengen has been a hot issue for journalists, members of the government and the general public between the end of 2010 and the beginning of 2011, due to the letter signed and given to publicity on the 21st of December by the French and German Ministers of Internal Affairs. The two officials requested to the European Commission and the Belgian and Hungarian presidencies of the European Union a delay in Romania's and Bulgaria's accession to the Schengen area, which was intended for the year 2011.

Alina Bârgăoanu's book is focused on the particular event described above. The "Schengen Exam. In Search of the European Public Sphere" is the result of a research project conducted between 10th of January and 22nd of March 2011 by The Centre of Research in Communication, at the Faculty of Communication and Public Relations (The National School of Administrative and Political Studies, Bucharest). The project has covered the following areas: the coverage of the Schengen subject made by mass-media in France, Germany, Great Britain, Bulgaria and Hungary, media coverage and framing in Romania (news and talk-shows on TV and articles published by news websites), the public perception on the matter and the opinion of ten Romanian important public actors.

The book is divided into two sections: the first one presents the theoretical framework; it emphasizes the problems faced by the European Union, and how the present crisis of the European project can be understood in the light of a recent concept – the "European public sphere". The second section of the book gathers the methodology and the results of the research conducted (media framing, social perception and public debate). Data is progressively discussed in each chapter and conclusions are drawn in the last pages of the book.

The "Schengen Exam" is dedicated to the Romanian and European public spheres. The notion of "public sphere", introduced by J. Habermas, is linked to the process of debating the problems a society faces at a certain point in time. Before extending the concept to the whole European Union, the author starts with an analysis of the current European crisis. The financial crisis developed over the last two years has put in difficulty an European Union struggling with reconfiguration efforts after the Lisbon Treaty. The EU27 already had difficulties in adjusting to the newcomers' lower development level and the EU leadership started to be questioned soon. The combination between financial problems and an institutional crisis in the EU has inevitably led to mistrust in the European project and the revival of nationalist feeling among member states. The reason to be of the EU is now uncertain.

The author argues that the euro crisis is not only a political or economical one; it is linked to a legitimacy problem and to the crisis of the European public sphere. A huge gap between

* Graduate student, College of Communication and Public Relations, National School of Political Studies and Public Administration, flavia.durach@yahoo.com.

the officials of the EU and its citizens cannot be denied, proof given by the “no” given by French and Dutch citizens to the European Constitution. The deepening of the institutional integration has failed to bring a feeling of a common European identity. Such an identity is not able to exist in the absence of an European public sphere. In what concerns the latter, Alina Bârgăoanu presents three alternatives to the reader, as they appear in related literature: the heavy public sphere (which is an unique, supranational structure), the Europeanized national public spheres (which are receptive to an European point of view and to the issues debated by other national public spheres) and the public sphere aggregated spontaneously around some common subjects at the European level.

The book favors the second model, the one of the Europeanized national public spheres, seen as the most plausible in practice. Alina Bârgăoanu describes the characteristics of this concept and tests its development in Romania, in the context of the vivid public debates surrounding Romania’s accession to Schengen. The most important feature of a Europeanized public sphere is including a European point of view when discussing issues related to the EU. The main role in this process is awarded to the actors who transfer messages from the EU institutions to regular citizens – mass media, official EU representatives and member states representatives. Here lies the main argument of the book, supported by consistent empirical evidence resulting from the research: it is premature to consider a Europeanized public sphere in Romania, as the national public sphere is poorly connected to European subjects and trends. The actors participating in the debate have been mainly local, the approach has supported a local perspective and there has been little dialogue over issues with a European significance. Data shows little preoccupation for how the EU can benefit from Romania’s accession to Schengen.

This conclusion is supported by additional evidence provided by the research and thoroughly examined in the book, related to: the presence of the subject in the national mass media in certain member states, the media coverage and framing in Romania and the opinion of the general public and important political actors. The findings show that media in other European countries have had a low interest in the subject of Romania’s accession to Schengen. The subject has been placed in the lower half of the hierarchy, with the surprising exception of the UK, which has not even been directly involved in the matter. In general, the news articles subjected to the analysis avoided to take sides, in favor of mere contextualization of the facts. This part of the research suggests that one characteristic of the European public sphere fails to exist: the interest shown to events present on the public agenda of other member states.

The Romanian public sphere itself has a limited, local approach on European issues that affect its citizens directly. The quantitative and qualitative research conducted in order to investigate aspects such as: visibility, importance of the subject and actors involved in the debate indicate that Romanian journalists fail to induce a European perspective to the public. In terms of visibility, the analysis has indicated rather a discrete presence of the subject on the media agenda. Nevertheless, the Schengen subject has been more present than other European subjects. The main visibility peaks were recorded on 21st and 22nd of December, when the official letter requesting a delay in Romania’s and Bulgaria’s accession was made public and on the 5th and 6th of January, when the response of high Romanian representatives was presented. The issue has been approached more as an internal affair, rather than an external one. Deep focus on the national agenda suggests the lack of cohesion with the European project. The actors conducting the public debate have been mainly national and less European. The most visible Romanian actors have been the President T. Băsescu and the Minister of Foreign Affairs, T. Baconschi, with the surprising absence of the Minister of the Interior, who is a key actor in managing Schengen integration.

The actors' discourse revealed by the qualitative research is marked by a dichotomy between the Power and the Opposition; the former has repeatedly stated that Romania fulfills all technical criteria and is the subject of discrimination, whereas the latter has attacked the Government and the president in manners more appropriate to an electoral campaign.

The qualitative research on the media coverage of the Schengen issue has focused mainly on the frames used by journalist working both for news websites and news television channels. The EU is seen as a punishment agent that applies sanctions to a corrupt country, full of deficiencies. Romania's image is negative, as a peripheral country ignored by the league of powerful players on the European scene. The general view is pessimistic and indicates Romania as responsible for its own sad fate. In other words, Romanians themselves reject the feeling of a European identity, making the birth of the Europeanized public sphere a remote expectation.

The public perception on Romania's accession has been measured through a survey that shows interesting results concerning the issues related to the European Union, the visibility of the Schengen subject, the public perception and the level of Euroscepticism. The answers to the survey show without doubt that the majority of the population feels either Romanian, or European, but not Romanian and European at the same time. This result supports the findings of the quantitative and qualitative research regarding the local perspective and the preponderance of internal actors participating to the public debate. In this context, it is not surprising that the Schengen subject is one of medium importance for the respondents to the survey. It is perceived as a distant, technical issue.

When asked to provide an opinion on the fairness of the intention to postpone Romania's accession, respondents gave a significant number of contradictory answers: "it is unfair, but we deserve it". The author corroborates these answers with other findings of the survey; contradictory answers have been given by persons subjected to TV and online news. These people can be characterized as Eurosceptics. The problem of Euroscepticism is further investigated in the book, resulting in a standard description of a Eurosceptic. The Eurosceptic has a negative approach to the EU and has to deal with feelings of mistrust and disappointment. Euroscepticism reduces as the knowledge and interest toward the EU increase.

The most challenging section of the book is the one gathering in-depth interviews with ten important political actors in Romania, who were asked to provide an image on how the Schengen problem is perceived by the political class. As opposed to the general public, the politicians interviewed have underlined the importance of Romania's adhesion to the Schengen area as the true measure of the European integration, the most important project for Romania since the country's accession to the EU. As the author concludes to this matter, Romania is a perpetual candidate to something. The political class fails to have the mentality of a member state with all the legitimate rights deriving from here.

When evaluating their colleagues' reaction to the Ministers' proposal to postpone Romania's adhesion, the interviewed politicians take sides: the representatives of the party of government support the official position, whereas the Opposition accuses a more emotional and inappropriate reaction of the Romanian officials. These biased perceptions match the opinions expressed in the TV debates analyzed. Power does not admit the possibility of error and the Opposition firmly states the failure of the Romanian diplomacy and the current Government. Ironically, the same political actors who are in search for those responsible for Romania's failure support at the same time concept of solidarity when it comes to the national interest.

Related to the media coverage of the Schengen subject, most politicians believe that public communication is deficient, as the national public opinion has not been encouraged to

support Romania's accession to the Schengen area. The political class fears a raise in the level of Euroscepticism if Romania fails to adhere to Schengen in due time. At this point, Alina Bârgăoanu makes an important amendment: the new found Eurosceptic feelings are not necessarily the result of a disappointment, but could be the result of abandoning the initial euphoria surrounding the EU as a savior. As opposed to the general public, the politicians interviewed are aware of the consequences of postponing Romania's adhesion, with emphasis on the presumed confirmation of this country's peripheral position at a symbolic level. .

Turning to the main research question, whether the Romanian public sphere is connected and receptive to European issues or not, the answer is "not yet". The research has indicated a medium interest to the Schengen subject; its real importance is under evaluated. The media coverage, contextualization and framing, the actors involved in the public debate, the problems discussed have all been subjected to the same local, limited perspective. The author underlines that, if we consider Romania's adhesion the most important exam since the accession to the EU in 2007, we have failed it, at least in terms of Europeanization. Our national public sphere has failed to connect to European problems, as the Schengen subject has been included to an internal agenda. The accession to the Schengen Area has been used as a pretext to debate local problems, such as political fights or corruption.

Alina Bârgăoanu's effort to study the existence of a Europeanized national public sphere in a particular context has resulted in a truly challenging book, not only for scholars in the field of communication sciences, international relations and European integration, but also for the general public who wants to put into perspective "the Schengen exam". By describing the connection between the current institutional crisis of the EU and the absence of a true European public sphere, Alina Bârgăoanu manages to answer why public debate, communication and mass media matter in tackling with economical and political realities.

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