New media and new editorial challenges: Lessons from Norway

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This article discusses some of the challenges that the new media create for editorial responsibility in light of recent discussion in Norway. Online discussion forums in particular have caused much dispute and ambiguity as regards editorial involvement. The study shows that the Norwegian Press Complaints Commission has received an increasing number of complaints regarding online content, and that the complaints usually result in an adjudication. It is shown that Norwegian editors have diverse attitudes towards the question of pre-moderation or post-moderation of user-generated content. The study further contains an overview and discussion of media regulation in the Nordic-Baltic countries in relation to the digital media. The regulations are generally traditional in their focus and are insufficient to clarify questions of editorial responsibility of the new media. In terms of the dispute over editorial control in the digital media, two contradicting discourses are identified: the ‘responsible editorship’ discourse and the ‘participatory new media’ discourse. Lastly, three scenarios are drawn as regards the prospects of editorship in the digital media age: a weakened, a strengthened and a redefined role of the editor.

Key words: Editorial responsibility, online discussion, code of ethics, media law, Norway, Nordic-Baltic countries

One challenge with the new media is that the limits of editorial responsibility have been blurred. In the ‘old media world’ there was no question that the editor-in-chief of for instance a newspaper carried the full responsibility for every word printed therein, but in the ‘new media world’ it is much less obvious who is responsible for the media content, for instance for a news site on the Internet. There are several reasons for this. One is that the Internet is limitless by nature. While the printed newspaper has a certain number of pages, a news site on the web knows few boundaries, and the content on some sites is so vast that it would be difficult for a single person to read it all – and take personal responsibility for it. In some cases it is also difficult to decide where one particular website ends and where the rest of the web starts. Another reason is that the Internet has no deadline. Stories and items are posted throughout the day – actually 24 hours a day – and it would be very demanding for a single editor-in-chief to keep an eye on everything that is published. These are two practical dilemmas that appear when a traditional understanding of editorship is transferred to online sites. But
there is also a third reason, a more profound reason, for the troubles editorship is facing in front of the new media: It concerns the blurred relationship between the journalist and the reader, caused by the fact that the reader has suddenly been invited to become a content-producer, and where the journalist is sometimes downgraded to a facilitator. The editor, in turn, has ended up in an uncertain position.

This article is concerned with the challenges that the new media, particularly the Internet, are creating in relation to editorship. It takes Norway as a case study, where the discussion erupted in 2007 and 2008 following some instances where reader inserts which contained personal accusations were published on websites owned by otherwise respected media houses. My first aim is to discuss ethical and judicial perspectives in relation to editorship and the new media. This will be done in light of the Code of Ethics of the Norwegian Press and Norwegian law, but my perspective is also cross-national: I will compare the Norwegian ethical and judicial perspectives with those from other Nordic and Baltic countries. Secondly, I want to outline the opposing discourses of editorship that seem to emerge from the debate. One side argues from a traditional view of editorial responsibility while the other side argues for a more liberal view of editorship which emphasizes free reader participation. Finally I want to draft some future scenarios of the role of the editor in the new digital era. I will suggest there are three possible routes: a weakened role of the editor, a strengthened role, and a redefined role.

The focus of the article is limited to news sites that belong to media organizations with fairly high publicity; in other words personal weblogs (j-blogs etc.) and websites outside of the media organization’s domain will not be treated. The study has a particular focus on online discussion forums that are attached to journalistic articles where readers can give their instant response to the contents and discuss with other readers, sometimes called ‘readership forum’, ‘reader responses’, ‘message boards’ or similar. This is the type of online content that has provoked considerable ethical debate lately.

The Internet: The backyard of public debate?

It is hard to conceal that online discussion has a poor reputation, and this seems to be the perception across the world. Online discussion is frequently denounced as less serious than printed discussion, characterized by negative rhetorical devices such as unsubstantiated claims and personal attacks. This is indeed not only public perception; many media commentators alike have expressed their dismay with the attitudes promoted in online discussion forums. Looking at the discussion in the largest Norwegian news website Vg.no, journalism educator Magne Lindholm (2006) found that the debate was less objective, contained hate speech, focused on persons instead of issues, and had a tendency to be moralizing instead of systematically oriented in its critique. On the basis of his observations Lindholm introduced the term ‘digital mask games’, as he saw that the participants created fictional identities through nick names and the use of digital manipulations. The result is extensive use of
irony and ambiguity in the communication. According to Lindholm online discussions are therefore far from the classic ideals of deliberative democracy, namely values like rationality, openness and authenticity (Lindholm, 2006). Supporting this, a study from Sweden found that the people who comment on news articles on the web or participate in the journalistic process through blogging generally considered the pursuit as leisure-time rather than as partaking in democratic activities (Bergström, 2008). From a British perspective, Alfred Hermida and Neil Thurman (2007) found that UK editors were reluctant to include user-generated content in the professional journalism structures because they had concerns about reputation, trust and legal issues.

The poor reputation of online debates is however contested by some other scholars by means of empirical research. Eli Skogerbø and Marte Winsvold (2008) have conducted the hitherto only in-depth content study of readership posts on Norwegian news web sites. They analysed 1000 posts on four news sites belonging to regional and local newspaper houses with the view to study style and public participation. They did not find the anarchy and chaos often associated with online discussions, and concluded that the discussions are better than their reputation. Skogerbø and Winsvold observe that the conversation format largely follows conventions for political debate. In nine out of ten posts, the arguments set forth were found to be substantiated by facts or principles. The researchers further write that personal attacks were found in ‘only’ two out of ten posts (Skogerbø and Winsvold, 2008: 41), but it is of course a matter of value judgment to decide whether this is little or much.

Despite Skogerbø and Winsvold’s enthusiasm for online debate, accusations posted on online discussion forums have ended in courts and press complaints commissions on many occasions, both in the Nordic countries and elsewhere. A case that has received much publicity in Norway lately is a reaction from a renowned academic – political science professor Bernt Hagtvet – who reported a financial newspaper house to the police for alleged racism on its online discussion forum (racist speech is punishable according to Norwegian penal code)1. The Norwegian Press Complaints Commission has similarly received much attention for a recent case where a football coach was assaulted in an article on a newspaper’s online site when it published allegations about his sex life which were earlier posted by a reader in the online discussion forum of another newspaper. The newspaper that published the journalistic story was adjudicated, while the newspaper which carried the allegations on its discussion forum in the first place was, interestingly enough, not brought before the commission at all – maybe this shows that there is less expectations to the seriousness of online discussion where readers can participate than to professionally produced journalistic articles (www.pfu.no, case 283/07).

Complaints on the lack of responsible ethics on newspaper web sites are reported from other countries as well. The British Press Complaints Commission for the first time in 2007 received more complaints on

1 The prosecuting authority has yet to made a claim in the case; October 2008.
material in web editions than printed newspaper editions (www.pcc.org.uk). Many of the complaint issues related to web publicizing seem to concern defamation, which has led for instance countries like Australia to consider a new defamation law (Grant, 2002). All in all, the many reports of transgressions on web sites belonging to media houses call for a reassessment of the limits and meanings of editorial responsibility.

**The Press Complaints Commission and online discussion forums**

The Norwegian Press Complaints Commission assumes the responsibility of the editor-in-chief also for user-generated content put on online discussion forums. This is clear from the Code of Ethics, which was revised in 2001 to include online material. The last paragraph now reads:

"4.17. Should the editorial staff choose not to pre-edit digital chatting, this has to be announced in a clear manner for those accessing the pages. The editorial staff has a particular responsibility, instantly to remove inserts that are not in compliance with the Ethical Code."


It should also be noted that no online editor has rejected a treatment of complaints from the public by the Press Complaints Commission. There have been eleven complaints on digital chatting/discussion forums so far (until October 2008), of which nine have resulted in an adjudication in the commission.

The major issue regarding online discussion forums has been whether the Press Complaints Commission should demand all posts to be pre-moderated. A proposition from the revision committee of the Code of Ethics in 2005 suggested that all digital discussion should be subject to “the same editorial responsibility as other discussion” (i.e. in conventional print and broadcast media), and that the posts should be subject to customary editorial verification before they are published. The proposition caused strong criticism from various media actors on grounds that it would undermine the potential of vibrant discussion in the new medium. It was subsequently rejected when it came to vote (Ottosen and Krumsvik, 2008).

A conflict arises from this discussion as regards editorial responsibility. On the one hand nobody questions that an editor-in-chief of conventional print and broadcast media outlets has not only a right but an obligation to take responsibility for every item that is published or broadcasted. Also, the editing occurs prior to the publicizing (a practice now termed ‘pre-editing’ or ‘pre-moderation’), thus ‘post-moderation’ is out of question. In cases where for instance defamatory speech is uttered on live radio, the host will promptly ask the speaker if he/she upholds the claims, thus affirming editorial responsibility. On the other hand nobody questions that the editor-in-chief is also ethically responsible for all contents posted on the medium’s web site, including instant reader responses, as is clear from the reasoning in the above-mentioned clause of the ethical code and the fact that no one has objected that the Press Complaints Commission should treat complaints on such material.

The conflict, then, arises when the editor seems to resign from his/her editorial duties by openly declaring that it is undesired to exert control of all material posted on the
website, including reader responses. Instead, the editor asks the reader community to react if it comes across posts that overstep normal decency. Only then will the editor take a stance as to whether the post should be removed or not. The reader community has in other words not only been invited to create content; it also takes part in editorship in the sense that it has the power to decide when editorial issues should be put on the agenda. The trouble is of course that it sometimes takes days and months before someone reports potential misbehaviour to the editor. In one post on the large Norwegian news site Aftenposten.no a discussant claimed that a certain tyre manufacturer sold used tyres disguised as new. It took two months before another reader reported the falsehood to the newspaper, and the post was removed. In the meanwhile, many readers had read the post and probably got a poor impression of the manufacturer. The newspaper was adjudicated in the Press Complaints Commission (www.pfu.no, case 208/07). In other words, the commission found the newspaper to be too slow when it took two months before editorship was enacted. It is however unclear how many hours or days an insert can be posted before it is expected to be controlled, which again illustrates the dilemmas with the newly acquired practice of so-called ‘post-moderation’ of media content.

One can certainly appreciate the time-consuming effort it must be to moderate every item that is posted on a discussion forum or blog belonging to a news site. The most active news site in Norway (and the most active in the world, for that matter, according to the media house itself) – Vg.no – receives 11,000–12,000 posts on an average day. Vg.no has chosen not to pre-moderate its discussion forum, and the main reason is not the scope of the content, but has to do with the instant nature of the medium, according to previous editor-in-chief Torry Pedersen. His arguments for a different view of editorship on the Internet are interesting and will be returned to later in the discussion.

How editors and journalists view online discussions

In 2008 the Norwegian Editors’ Forum surveyed their members to find out how they deal with online discussions. The survey revealed diverse practices among the 137 editors who replied. A considerable portion of the respondents, 37%, said their outlet moderates all reader responses before they are published on the website. In contrast, Neil Thurman (2008) found that 80% of the user-generated content on nine major British news websites was pre-moderated or edited (based on a survey conducted in 2005). The editing in Norwegian online newsrooms is usually a speedy activity, whereby an assigned journalist simply presses ‘accept’ when a reader has posted an entry which is not seen to transgress the ethical standards of the outlet. Rather frequently, however, the moderator refuses entries. One regional newspaper (Adresseavisen in Trondheim) estimates that 20–25% of the posts are rejected, typically because they contain personal attacks (Sørbo, 2008).

About 20% of the sites which are not continuously moderated switch off the discussion forums at certain times, usually overnight and in the weekends. This is the time when most of the less serious entries
are posted. Some outlets accept anonymous posts and nick names. About 2/3 of these outlets still require some kind of registration before readers can post an entry. The registration procedure ranges from the very simple name and e-mail sign-up to registration by means of a cell phone number. The latter is done to avoid false identity to be used in the discussion, which has proven an increasing problem for the discussion forums. Several news sites have closed their discussion temporarily exactly because of this reason, like the regional newspaper Fædrelandsvennen (Kristiansand) which shut it down for several months as of June 2008.

Interestingly, though not surprisingly, a majority of the editors (69%) is of the opinion that the Code of ethics should not compel media houses to moderate their online discussion. Among these, 64% think registration of discussants should be mandatory. This may reflect the resource deficiency that editors fear if they were forced to assign journalists to edit the debate, although ideal causes such as the belief in free reader participation could also be an incentive for some. That a majority still believes registration should be mandatory is nevertheless an indication that they see the need for some kind of regulation to ensure the seriousness of the debate.

In contrast to the Editors’ Forum, the Norwegian Union of Journalists argues for mandatory regulation of online discussions. The union’s rationale is that the media are losing credibility due to the low status that online discussion has attained, and that the integrity of both reporters and editors is at stake (Floberghagen, 2008). The union also points to the seeming contradiction when the editors allow discussants to be anonymous, while at the same time asking the discussants to register and give their full identity in case there is a need to forward the information to the prosecution authority. However, the editors will necessarily maintain that this represents no relaxation on the principle of source protection, but is a measure to secure the seriousness of the debate.

**Legal issues**

In contrast to the regulations for printed publications and broadcast activities, Norwegian law does not stipulate that a web publication must have an editor. A government-appointed committee (‘Konvergensutvalget’) which looked at the legal challenges of convergent media proposed already in 2000 that the penal code regarding editorship should be made media-neutral, meaning that it should also include the new media. However, the relevant law (the penal code §§428–436) still only pertains to written publications, radio and TV (Dalen and Mjølhus, 2004: 172; Bing, 2008: 116). Informatics law professor Jon Bing (2008: 135) makes it a point that direct broadcasts conveyed through the Internet as if it were a radio or a TV set will be subject to law and demand an editor, but other web content such as discussion forums does not require an editor (see also Manshaus, 2005).

This does not mean, however, that there is no legal editorial responsibility attached to the Internet. A person who in other media would be called editor will be punishable under other sections of the penal code, such as those concerning defamatory speech, pornographic content or privacy. It is com-
mon for Norwegian news sites to inform the public that by posting a message the discussant will agree to release the media house from any legal claim, but obviously the media house can not step aside from judicial responsibility that easily. In the Swedish context, editor-in-chief Kalle Jugkvist of Aftonbladet.se was sentenced in 2002 for spreading racist speech after readers had posted Nazi content on one of its discussion forums (Dalen and Mjølhus, 2004, p. 177).

There are at least two reasons for the reluctance to make the penal law media-neutral. One is the dilemma of where to draw the line for which websites should be required to have an editor. It is common-sense that a large news site should have an editor, but what about smaller personal home pages? The other reason pertains to the nature of the web itself. With composite sites which contain material from many sources, it is sometimes difficult to decide who should be seen as the main editor – and which nation’s law should apply if the content-producers belong to different countries.

### New media dilemmas across the Nordic-Baltic region

A survey of Nordic and Baltic media legislation and ethical codes shows that the question of editorial responsibility in the new media is no less confusing in the rest of the region than in Norway. It appears that the new media have developed within the framework of the traditional media (radio, television, newspapers), while at the same time causing challenges because the traditional view of editorship makes assumptions about the media-audience relationship which are now only partially valid.

To start with the national codes of ethics, only the Norwegian code contains specific

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<th>Journalistic code of ethics addresses particular dilemmas for online publications (such as editorship of e-forums)</th>
<th>National media laws are media-neutral (i.e. editorial responsibility is assumed also for online publications)</th>
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<tr>
<td>Norway</td>
<td>Yes</td>
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<td>Denmark</td>
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<td>Sweden</td>
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<td>Lithuania</td>
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Remarks to the table:

1. However, the Finnish Press Council (the Council for Mass Media) in 2007 published a statement concerning online discussions and recommended that discussion forums should be pre-moderated. If they are not moderated, they should be clearly separated from other media content. The statement is not incorporated in the code of ethics.

2. The Danish media responsibility law (‘Medieansvarsloven’, 1998) does indeed also include ‘other mass media’ than newspapers, radio and television, but for these alternative media editorial responsibility only applies when they are registered by the press tribunal.
references to the challenges of online publications. The first of the two clauses dealing with online material warns the outlet to be careful with links that lead to sites which contravene journalism standards, and requests the outlet to inform the users about the consequences of personal registration in the online discussion forum. The second clause, as cited earlier, refers to the editorial responsibility of online discussion in particular. None of the other countries’ codes of ethics is found to have specific references to digital journalism. Although some of the codes are general in nature and as such are applicable to all types of news media, they tend to overlook ethical dilemmas which naturally come with the digital media – for instance the question of editorial responsibility of entries posted on online discussion forums. Several of the national press complaints commissions – if not all – have handled complaints dealing with the digital media, thus assuming a certain editorial responsibility of such content, but the limits of editorship remain unclear. That the ethical challenge of online participation is genuinely felt among media professionals across the Nordic-Baltic region is displayed by various awareness campaigns, for instance the ‘Neburnok!’ (‘Don’t swear’) initiative in Lithuania and ‘Internet Free from Hate’ in Latvia (Balcytiene, 2008).

The question of media legislation in relation to editorial responsibility is somewhat more puzzling than ethical codes when trying to compare and contrast the Nordic-Baltic countries. Media legislation varies much from nation to nation, depending on the legal tradition and the purpose of various bills. Some countries, like Estonia, have minimum media legislation and only the broadcasting bill is applicable in this context, while Norway has both an extensive media ownership law (1997), a section in the penal code dealing with editorial responsibility of printed publications, a recent bill affirming the principle of editorial freedom in the media (2008), plus a legal adoption of EU’s E-commerce Directive (2000/2003) – which indeed also entails considerations of responsibility for online discussion forums (Bing, 2007; Manshaus, 2005).

The focus in this article is on the editorial implications of different media laws across the Nordic-Baltic community, and, as Table 1 indicates, the countries have been slow in adopting laws to the digital media environment. Apart from Finland and Lithuania, the countries are found to have media regulation which has developed within the ‘old’ media framework, although invariably adjusted to include the digital media. In the case of Denmark, for instance, the Media Responsibility Law is as recent as 1998, but still mainly treats traditional newspapers, radio and television. The Internet media fall under the category of either print or broadcasting media depending on the nature of the content, but the editorial limits for such content in for instance discussion forums attached to a news site appear to be undefined.

The media regulation that pays the most attention to the digital media as a journalistic practice is the Finnish Act on the Freedom of Expression in Mass Communication from 2003 (‘Laki sananvapauden käyttämisestä joukkoviestinnässä’; ’Lag om yttrandefrihet i masskommunikation’). It has consistent references to online publications alongside traditional media and demands an editor for all media outlets, including news sites on the
Regarding discussion forums related to online news sites, the editorial responsibility is however conditional depending on the editing practices. If the discussion forum is moderated, the responsibility seems to rest with the editor; otherwise the author is solely legally responsible. It remains to be seen, however, how such cases will be handled by the Finnish court. There are obviously different degrees of moderation, spanning from full registration of discussants and delayed postings of entries, to a once-in-a-while glimpse on the discussion to make sure it is not getting totally out of hand. That the Finnish legislators have opted for conditional responsibility in digital chatting is also reflected in a statement by the Finnish Press Council from 2007 where it requests the media to clearly distinguish un-moderated discussion from other discussion and journalistic content.

The editor and contesting new media discourses

The debate around how to handle discussion forums on news web sites basically expose two positions: pre-moderation or post-moderation preferences. I will argue that the two positions can be traced down to two more profound discourses which are technologically, structurally and ideologically incompatible. The two discourses will be identified as a ‘responsible editorship’ discourse and a ‘participatory new media’ discourse, and emanate from a close reading of the debate around moderation of discussion forums in the Norwegian media during the winter of 2008. The discourses are outlined in Table 2.

Particularly interesting are the differing views of the editor’s role. While the traditional view regards the editor first and foremost as an opinion leader who comments on the performance of politicians and holds them accountable, the participatory new media discourse prefers to emphasize the editor’s role as moderator and facilitator of discussion. The participatory discourse stresses that the clever editor understands the unique potential that the new digital platform has to enhance user participation and vibrancy. Furthermore, this discourse denies that there should be a set boundary between professional news publications and the rest of the Internet. This is illustrated by the news site Vg.no, which also contains a large online community (around 750,000 ‘citizens’), a weight loss community, the largest dating service in the Nordic countries, and much more. It is virtually impossible, according to former editor Torry Pedersen,
to exercise pre-moderation of all content

Table 2. Identifying two contesting discourses of editorship

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<th>A. ‘Responsible editorship’</th>
<th>B. ‘Participatory new media’</th>
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<td>Starting-point</td>
<td>Old media</td>
<td>New media</td>
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<td>Dispersion</td>
<td>One to many</td>
<td>Many to many</td>
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<td>View of editor</td>
<td>Opinion leader</td>
<td>Moderator, facilitator</td>
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<tr>
<td>Journalism virtue</td>
<td>Professional quality</td>
<td>Participation</td>
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<tr>
<td>Communication style</td>
<td>Well articulated, lasting</td>
<td>Instant, momentary</td>
</tr>
<tr>
<td>Framing the other</td>
<td>‘Anarchy, ethical resignation’</td>
<td>‘Censorship, elitist’</td>
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under this domain. Moderation would of course also mean that the site lost its foremost attribute, namely its dynamism.

The differences between the discourses are also played out in the framing of the other, i.e. how the discussants depict the opponent. Those who favour a responsible editorship agenda (most commentators in the discussion appear to identify with this position) talk about the new media system as an ‘anarchy’; it is a deliberate resignation from all ethical responsibility. The opposite side tends to equate pre-moderation and editing with censorship in which the users are denied the right to free speech. It is a type of ‘moral panic’, argues one discussant.

Looking ahead:
Three scenarios for the role of the editor in the digital era

The discussion above shows that there are contesting discourses on the view of the editor’s role in the digital era. The disagreements displayed in the discussion also ties in with the reluctance on behalf of legislators and press councils to adjust regulation and ethical codes to the new media reality. Perhaps the reluctance is also a sign that the future role of the editor is uncertain. In the last part of the discussion, I will thus suggest three possible routes for editorial responsibility in the context of the convergent media.

The first scenario depicts a weakened role of the editor. There are both technological, journalistic and judicial reasons to support this view. The technology of the new media, which is actually inexpensive and pays little attention to physical location, makes it in principle possible for anybody to become not only content producers, but editors. Moreover, the many calls for citizen journalism and participatory media of various kinds tend to downgrade the role of the editor in order to give the audience access to the media channels and intellectual ownership over them. Editors have also sometimes voluntarily chosen to step down from their traditional gatekeeper role in order to let the discussion on message boards flow freely, as we have seen earlier in the article. The underlying assumption then is that the editor gets in the way of freedom of expression if she pre-moderates user-generated content. In addition, modern media legislation which has taken the challenge from the new media seriously, as in the case of Finland, affirms that editorial responsibility is not expected for all kinds of media content, even if it is published by professional media houses. The role of the editor thus seems to be weakened. The new media also sometimes presume an ‘invisible’ editor. On message boards, for instance, we rarely see an editor who stands up on behalf of the media organization and expresses its official view. As such, it is not only the moderating role of the editor which is in decline, it is also the opinion-making role. All these developments point towards a scenario where the editor is less visible, less authoritative and less involved in the design of the content than was the case with the traditional media.

In contrast, one can imagine a future scenario which implies a strengthened role of the editor. The argument here is that the new media demand a more active editor than before. The immense amount of reader posts, for instance, and the many transgressions it contains, could call for a resolute and effective editor. However, the
experience from Norwegian online media houses is rather that such editorial duties have been subordinated to other persons in the organizations than the formal editors. User-generated content is simply not regarded important enough for the editor to spend time on, unless extraordinary cases come up.

Lastly, and more convincingly than the latter, one can imagine a redefined role of the editor in the digital media world. As argued above, the participatory new media discourse puts more emphasis on the editor’s role as moderator and facilitator than as an opinion leader. That is to say, the editor’s role is not weakened per se, but has been altered to meet new demands.

The focus is then not so much on communicating the media house’s message to the audience ‘out there’, but to accommodate a professional media which take the audience seriously and talk with the users, not only to the users. On a critical note, a risk in such a redefinition of the editorial arrangement is obviously that the modification could be a disguise for business interests and that the ideal causes of editorship are subdued. It is also reasonable to ask whether a redefinition of the editor’s role in order to foreground the facilitative function is essentially a weakening of the editorial office since it means that it moves away from the commentary function which has been the landmark of editorship for decades and centuries.

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NORVEGIjOS PAMOKOS

Terje S. Skjerdal

S an t r a u k a