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EU BANS: Reporting European Union laws in the Finnish media

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Abstract

Inaccurate and sensational news about the EU in the media, also known as *euromyths*, have proven to be an effective tool that creates images for public discussion. Previous research has concluded that the news from Brussels is more likely to be reported inaccurately in the member states' media but there is little explanation for why this occurs. The focus of this research is on the reporting of EU laws in the Finnish media and what is the role of euromyths. This thesis is based on a literature review of previous research and on content analysis of news articles about EU laws published in the Finnish print and online media in 2013 and 2014. The results were analysed from a socio-legal perspective using Jürgen Habermas' theories on public sphere and communicative action for providing an explanation for why euromyths occur and what are their social implications. The empirical results from this research show that EU laws are more often reported inaccurately than accurately in the Finnish print and online media. The analysis from this thesis concludes that euromyths are caused and reproduced by a distortion in the communicative action, created by the power structures and the inequalities within a public sphere.

Key words: euromyths, Jürgen Habermas, public sphere, communicative action, content analysis, EU in the media

Abbreviations

EC	European Commission
ECHR	European Court of Human Rights
ECJ	European Court of Justice
EP	European Parliament
EPS	European public sphere
EU	European Union
MEP	Member of the European Parliament
TPMS	Tire-pressure monitoring system
UK	United Kingdom

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1. Introduction

The European Union (EU) forces cows to wear nappies. The EU bans children to blow balloons. The EU wants people to drink cold coffee. These are just some of the headlines about new EU directives that have been published in the European media in the recent years¹. Even though these headlines have been discredited to be false claims, they still catch the attention of the readers and continue to appear in the media.

Inaccurate news about the EU and its directives has proven to be powerful tools that create images for public discussion². False content can also be problematic for the EU and its citizens because the news is the public's insight for current affairs. For example stories about the EU banning bendy bananas have circulated in the European media for years even though it has been confirmed to be false³.

The term used about inaccurate news from Brussels is usually known as a *euromyth*. There is no single correct way to define what a euromyth is, but it is generally agreed that they are inaccurate and perhaps entertaining news reports about what the EU and its institutions do⁴. Euromyths in the European media have become a problem to an extent that besides the EU itself correcting them, independent fact-checking organizations such as FactCheckEU, Full Fact and Faktabaari have emerged to check the claims that appear in the news coverage⁵. Moreover, individual Members of the European Parliament (MEP) have also done much work to correct false news⁶.

¹ See for example BBC News, 'Guide to the best euromyths', website, <http://news.bbc.co.uk/1/hi/world/europe/6481969.stm> (accessed 16 April 2015); European Commission Representation in the United Kingdom, 'News from the European Commission in the UK', blog, http://ec.europa.eu/unitedkingdom/blog/index_en.htm, (accessed 16 April 2015).

² S. Usherwood, 'The power of euromyths shows that there needs to be a more substantial effort to change the debate on the EU' in *EUROPOPP – European Politics and Policy* [blogpost], 19 February 2013 <http://blogs.lse.ac.uk/euoppblog/2013/02/19/euromyths-media-debate/>; J. Dougal, 'Living with press eurotrash', in *British Journalism Review*, vol. 14, no. 29, 2003, pp. 29-34.

³ Usherwood, 2013, above n. 2

⁴ Ibid.

⁵ FactCheckEU, website, <https://factcheckeu.org/> (accessed 20 April 2015); Full Fact, website, <https://fullfact.org/>, (accessed 18 April 2015); Faktabaari, website, <http://faktabaari.fi/> (accessed 20 April 2015).

⁶ See for example R. Corbett, 'Mythbusters', website, <http://www.richardcorbett.org.uk/mythbusters/> (accessed 15 April 2015); F. Hall, 'Euro myths', website, <http://fionahall.org.uk/en/page/euro-myths>, (accessed 15 April 2015).

Amongst the news articles about the EU, most of them report about new directives, regulations or proposals that are about to be implemented into the national legislation in the member states. For euromyths, “EU bans” has become a popular slogan to inform the citizens about yet another new and useless regulation from Brussels, that aims to control the regular citizens’ lives. Are laws from the EU more likely to be reported inaccurately in the media? If yes, why? In order to answer these questions, this thesis gathers empirical material from the news articles that report about EU laws in order to explore how they are perceived in society.

1.1. Problem description

A review on academic literature about euromyths and the EU in media reveals that there is a lack of research on how laws and legal processes are reflected in the national media coverage⁷. Euromyths in media have been a marginalized issue in the previous literature so further research is needed to provide a better and deeper understanding on this topic

Previous research has concluded that the news from the EU is more likely to appear in the national press with a more negative tone than the national news⁸. So far there is little explanation offered why this occurs. Recently there has been only one academic study in 2014 about euromyths in the Czech media by Filipec and Hurtikova. The study is based on developing theories for political myths and what are the preconditions for euromyths’ existence⁹. Filipec and Hurtikova conclude that these preconditions are passive attitudes and low levels of information towards the EU with high trust in media objectivity. These results, however, cannot be applied for every member state and therefore euromyths should be analysed from other perspectives as well.

The issues regarding political communication and a proper way to inform the public about policies have been connected to the questions on legitimacy and democracy. The interaction

⁷ M. Gleissner and C. H. de Vreese, ‘News about the EU Constitution. Journalistic challenges and media portrayal of the European Union’ in *Journalism*, vol. 6, no. 2, 2005, pp. 221-242; H. A. Semetko et al., ‘Europeanised politics – Europeanised media? European Integration and political communication, in *West European Politics*, No. 23, Vol. 4, 2000, pp. 121-141.

⁸ P. Bijsmans. & C. Altides, ‘Bridging the Gap’ between European Politics and Citizens? The European Commission, National Media and EU Affairs in the Public Sphere’, in *Journal of European Integration*, vol. 26, no. 3, 2007; P. Norris, *A Vicious Circle. Political Communications in Postindustrial Societies*, Cambridge, Cambridge University Press, 2000; Gleissner and de Vreese, 2005, above n. 7, p. 237.

⁹ Filipec and Hurtikova. ‘Media reflection of Euro myths in the Czech Republic’ in *Contemporary European Studies*, no. 1, 2014, pp. 45-67

between the state and the public is seen as a vital part for democratic legitimacy because the information offered for the public must be accurate¹⁰. German sociologist and philosopher Jürgen Habermas has spent much of his academic career on writing about language and communication in society, and his theories offer a useful link between sociology, democracy and law through discourse-theoretical analysis¹¹. Democracy and legitimacy through reliable public discussion have at been at the centre of Habermas' theories. These concepts provide a useful point of departure for analysing euromyths and other inaccurate content in media.

Public sphere in Habermas' works refers to a communicative space where discussions on issues such as law and policies can take place¹². According to Habermas, all the communication within the public sphere contains a mode of action, called communicative action that aims for mutual understanding between the *speaker* and the *audience*¹³. In order to reach mutual understanding on a given subject, the arguments must be measured against validity claims: *truth*, *rightness* and *honesty*¹⁴. Ideal speech situation and legitimacy is then reached when the claims fulfils these requirements¹⁵.

In other words, an effective communicative action requires a stable, reliable and trustworthy flow of communication between the participants¹⁶. Euromyths and other inaccurate news about the EU therefore pose a threat for democratic legitimacy because they hinder the reliability of the communication between the EU and its citizens. In order to analyse euromyths as a communicative action, they have to be measured against the aforementioned criteria for validity claims. Do euromyths represent a distortion in the communicative action? In this sense there are no mutual understanding and agreement between the participants because the information provided to the public is not completely accurate. What could cause this outcome? Since there is a lack of research done specifically about euromyths as a

¹⁰ Bijsmans and Altides, above n. 8, pp. 323-324

¹¹ M. Deflem, *Sociology of Law. Visions of Scholarly Tradition*, Cambridge, Cambridge University Press, 2008, p. 163.

¹² J. Jackson, et al. (eds), *Mediated Society. A Critical Sociology of Media*. Don Mills, ON, Open University Press, 2011, p. 22, 261.

¹³ J. Habermas, *Theory of Communicative Action. Vol. 1, Reason and rationalization of Society*, p. 75.

¹⁴ *Ibid.*

¹⁵ The ideal speech act does not guarantee that the outcome is morally right; it simply aims for a legitimate reasoning.

¹⁶ E. Fossum & P. Schlesinger, 'The European Union and the Public Sphere' in E. Fossum & P. Schlesinger, *The European Union and the Public Sphere. A communicative space in the making?*, Routledge, London, UK, 2007, p. 3.

communicative action in media, it would be meaningful to study them more in detail to understand why they occur.

The focus of this research is on euromyths and inaccurate content in news articles about EU laws in media. It also targets to explain why they occur in the context of the socio-legal realm. The focus is on the media and how they write about EU laws, because media plays an important role in the communicative action for providing information when the audience is large¹⁷. Media therefore plays an important role in communicating the decision-making processes and what is informed to the public.

Due to time restrictions and space limitations of this research, the main empirical focus is on one member state, namely Finland. Even though Finland does not fulfil all the preconditions for euromyths, identified in the previous research, inaccurate news still appear in the media¹⁸. Furthermore, Finland is amongst the few countries in the EU with the UK and Czech Republic where euro skeptics has an increasing influence in domestic politics over the past few years¹⁹. Therefore focusing on Finland gives this research an interesting approach to studying inaccurate news in the media and their social implications.

1.2. Purpose and aim

Given the problem description presented above, the purpose of this research is to empirically investigate how EU laws are reported in the Finnish print and online media, and what is the role of euromyths in the public discussion. Moreover, there is a need to analyse euromyths from a socio-legal perspective in order to understand why they occur and what their implications are. This thesis looks at what the aforementioned elements mean for Habermas' theory on public sphere and communicative action. The overall aim of this thesis is to explore the conditions and the impacts of euromyths in news as a part of public debate and formation of public opinion of the EU in Finland through the rhetoric of Habermas' work.

This research contributes to both empirical and theoretical discussions in the field of Sociology of Law. Empirically this research aims to fill the gaps identified in the previous

¹⁷ M. Schudson, *The Power of News*, Cambridge, Harvard University Press, 1995.

¹⁸ See for example Faktabaari, 'EU faktat', website, <http://faktabaari.fi/eu-faktat/>, (accessed 16 April).

¹⁹ J. McCormick, *Understanding the European Union*, 6th edition, Basingstoke, Palgrave Macmillan, 2014, p. 103.

research, namely about euromyths in media. Furthermore this research aims to demonstrate that euromyths exist even though the previously identified preconditions based on political myths are not met. Theoretically this research contributes to the discussions on public sphere and communicative action by empirically testing them in a transnational communicative environment.

1.3. Research questions

Following the problem description and the aim presented above, two questions are posed for this research project:

1. To what extent and how euromyths have been used in the Finnish media in 2013 and 2014?
2. What are the social and political mechanisms of euromyths and discourses about the EU?

The first research question can be answered by analysing the content of the news articles about EU laws that were published in Finland in 2013 and 2014, in order to explain how euromyths are reported in the media. The second question is answered by analysing the results using the socio-legal framework described in the theory section of this thesis. The conclusions drawn from the analysis aim to explain why euromyths exist in media, and what are their implications for democratic legitimacy and public opinion.

1.4. Relevance for Sociology of Law

Sociology of Law is an academic discipline and interdisciplinary field which focuses on the relationship between law and society²⁰. It is also interested in studying the phenomena of law, legal behaviour and legal institutions in its social and historical contexts²¹. In Sociology of law, there are many approaches for studying the impacts of law and society on each other but they all employ theories and methods of social science in their analysis²².

²⁰ R. Banakar and M. Travers, *Law and Social Theory*, Oxford, Hart Publishing, 2013, pp. 2-3.

²¹ *Ibid.*

²² *Ibid.*

What do euromyths have to do with Sociology of Law? This research is interested in the EU as a supranational institution that has the ability to create and impose laws on its member states, and how those laws are perceived in both the media and society. Therefore this study takes a slightly different point of view from the traditional studies in socio-legal research. Instead of studying norms and behaviours in the law-making process, the focus of this study is on how laws are perceived in the member states' media. Inaccurately reported news about laws create a distorted image of the EU and its legitimacy so therefore questions on law and its communication in society must be taken into account. This research allows the combination of law, society and deliberative democracy in the analysis.

For Habermas', law and democracy have a central role in society²³. Modern law is enforced through politicians and therefore legal decisions and processes ought to be legitimate and valid²⁴. Instead of observing the law-makers, this research focuses on the media as a part of the deliberation process. Therefore this thesis falls under the field of Sociology of Law, since the focus is on how laws are perceived in society and the role of media for creating public opinion.

1.5. Limitations and potential problems

Every research has its limitations and this one is no exception. The main limitation with this work is that its results cannot make far-reaching and overall conclusions about euromyths in the European media, because this study only includes one member state. In order to have a broader view of the problem, more states should be analysed. Due to time and space restrictions, it is not possible to include more countries and cases for this research. Despite this problem, I argue that even a study of one member state can offer valuable information for future studies. The results of this research can be used in other projects that study, for example, euromyths, EU in the media, communicative action, and public spheres in Europe.

Another limitation is the concern for relevant data and its availability because there is a possibility for not being able to collect all the required articles. They might have been deleted from the newspaper's online database or if they include inaccurate data they might have been

²³ Deflem, 2008, above n. 11, p. 163-164.

²⁴ Ibid.

corrected without a notice. The lack of relevant material can introduce a bias because not all the information is included. This in turn might lead to wrong analysis and conclusions.

In order to limit the possible bias, questions for dependability must be addressed during the process. Dependability can be seen as the qualitative version of reliability that answers the questions for repeatability of the research²⁵. For a content analysis, the dependability of the results can be increased by describing in detail the research process, how it was executed and how successful it was²⁶. Previous research on this topic is consulted to see if this research makes similar findings and conclusions. All of these concerns are reflected and discussed in the methods chapter of this research.

1.6. Disposition

This thesis is divided into six chapters. The next chapter outlines the previous research that has been done about euromyths and the EU in media. The chapter also identifies the gaps in the current knowledge and outlines how this thesis contributes to the field. In the following chapter the theoretical framework is described and discussed, and euromyths are defined and theorized in the context of this thesis. Then the fourth chapter describes and discusses the method of analysis used in this research, and how the empirical material has been collected. The findings are then presented in the following chapter; the results are analysed through the theoretical framework outlined earlier. Finally, in the final chapter the results and the analysis are concluded with personal reflections and thoughts for future studies.

²⁵ A. K. Shenton, 'Strategies for ensuring trustworthiness in qualitative research projects', in *Education for Information*, vol. 22, 2004, p. 71

²⁶ Ibid.

2. Previous Research

In academic research the issues of the EU's representation in news is connected to the fields of political communication and European integration. Inaccurate and perhaps entertaining stories about the EU, the so-called euromyths, have so far been a marginalized topic in academic studies and currently there is a lack of empirical research about them²⁷. The purpose of this literature review is to clarify the relevant concepts and issues for studying euromyths in media, and to present the current gaps in knowledge.

Euromyths as a research issue is a loose topic and they have been studied and discussed in relation to for example democratic legitimacy, European integration, political communication and communication ethics. Most of the research that has been done about EU news focuses mainly on how they are produced and how they transcend into the national level²⁸. The research so far has ignored how the issues of the EU, and namely the directives, are reported and perceived in the member states' media even though they are seen problematic for democratic legitimacy and as a threat to the public discussion²⁹.

2.1 Euromyths in media

First of all, it should be noted that there has been no clear and overall definition for euromyths in the literature. The definitions provided approach them from different points of view, depending on the speakers' attitudes towards the EU. For example Stanyer defines euromyths as "exaggerated stories or even inventions about the activities of EU bodies, or EU directives which defy 'common sense'"³⁰. Furthermore, a British Labour party member in the European Parliament (EP) Richard Corbett defines euromyths as "pure inventions and gross exaggerations, deliberately spread to denigrate the EU by making it silly or sinister"³¹. A different view is offered by Leach, who argues that euromyths are "used by the European Commission to denote false stories of intrusive, unnecessary or bizarre Directives or

²⁷ Filipec and Hurtikova, 2007, above n. 9, p. 48

²⁸ Gleissner & de Vreese, above n. 7.

²⁹ J. Dougal, 2003, above n. 2 pp. 29-34.

³⁰ J. Stanyer, *Modern Political Communication: Mediated Politics in Uncertain Terms*, Cambridge, Polity, 2007, p. 134

³¹ R. Corbett as cited in Filipec & Hurtikova, above n. 9, p. 47.

Regulations emanating from Brussels”³². Leach’s definition is more skeptical towards the nature of the EU, and euromyths are seen as rhetoric mainly used by Brussels.

The definitions above describe the nature of the information, and who is responsible for creating and spreading it. They are also ideologically contested and depend on the attitudes towards the EU. For building up a more relevant definition that could encompass different types of euromyths and inaccuracies, Filipec and Hurtikova start their analysis on reviewing the general definitions for myths. They cite Flood who has distinguished three types of myths: historical, ideological and political³³. Among the three types of myths presented, euromyths can be classified as political myths because they are “ideologically marked narrative which purports to give a true account of --- political events”³⁴. Filipec and Hurtikova then offer a specific definition that builds upon political myths; euromyths are a political narrative with a purpose to give it as a true account that are accepted as valid by a social group³⁵. This definition emphasizes the political nature of the claim and its validity since that is an important part for creating any myths³⁶. This definition differs from the others presented above, because it does not specifically identify the source of the myth.

The presence of euromyths in the media and in the public discussion has not been empirically researched to a large extent. One recent research by Filipec and Hurtikova in 2014 studied euromyths in the Czech press and what was their source in the media³⁷. Their study identified three sources of myths³⁸. First, many myths about EU directives have their origin from ‘gold planting’, meaning inaccurate transposition into the national legislation. In practise this would mean that either a journalist or a national government body would misunderstand what the directive would require them to do. According to Filipec and Hurtikova most of the euromyths fall under this category³⁹. In other cases euromyths are created when journalists use false interpretations of original news and create sensational articles based on wrong information. Third, some of the myths are created because the people who write about them are not familiar with the processes of the EU, or its institutions and how they work. For

³² R. Leach, *Europe. A Concise Encyclopedia of the European Union from Aachen to Zollverein*, Profile London, Books, 1998, p. 74.

³³ Filipec & Hurtikova, above n. 9, p. 44.

³⁴ C. Flood, *Political Myth*, New York and London, Routledge, 2002, p. 44.

³⁵ Filipec & Hurtikova, above n. 9, p. 46.

³⁶ Ibid.

³⁷ Filipec & Hurtikova, above n. 9, 2014.

³⁸ Ibid, p. 49.

³⁹ Ibid.

example, a journalist can write a negative article about the European Court of Human Rights (ECHR) and its rulings affecting the national laws⁴⁰. What is ignored in these cases is that institutions like the ECHR are independent organizations part of the Council of Europe, and therefore entirely separate from the EU and its decisions⁴¹.

Filipec and Hurtikova also note that euromyths are more common and more often studied in the United Kingdom (UK)⁴². This is evident in the current literature as well, and most of the research has concentrated on the British press as the main source for sensational and inaccurate stories about the EU. The office of the EC representation to the UK keeps a record of euromyths in the media and corrections for them⁴³. Furthermore, the BBC has also listed the most famous euromyths in the British press in their website⁴⁴.

Other explanations for euromyths offered in the literature usually include issues such as euro skepticism and negative attitudes towards the EU. Euro skepticism refers to the skeptical and negative attitudes towards the EU, its integration and regulations for the member states⁴⁵. The early instances of euro skepticism can be traced to British politics but as the EU has enlarged and deepened its integration, critical attitudes can be found from other member states as well⁴⁶. For euro sceptics, the EU is seen as an organization with too much power over sovereign national issues and its legislative system through regulations and directives⁴⁷.

The conclusion reached by Filipec and Hurtikova takes these claims of euro skepticism further in order to understand the sources for euromyths. The basis for their analysis is the Flood's three conditions for creating successful political myths. These preconditions are a passive approach of citizens, a low level of information and a high trust towards media objectivity⁴⁸. However, these results do not seem to be applicable to Finland because not all the pre-conditions for myths are met, but yet they exist. First of all, attitudes towards the EU

⁴⁰ Dougal, 2003, above n. 2, pp. 32-33.

⁴¹ Ibid.

⁴² Filipec & Hurtikova, 2014, above n. 9, p. 56

⁴³ European Commission, above n. 1

⁴⁴ BBC News, above n. 1

⁴⁵ R. Harmsen & M. Spiering, 'Introduction: Euroscepticism and the Evaluation of European Political Debate' in *European Studies*, vol. 20, no. 1, 2004, p. 13-16.

⁴⁶ Ibid.

⁴⁷ G. Drewry, 'The jurisprudence of British Euroscepticism: A strange banquet of fish and vegetables', in *Utrecht Law Review*, vol. 3, no. 2, 2007, 101; 104.

⁴⁸ Flood, 2002, above n. 34.

are generally high and the Finns are reported to be overall satisfied with the membership⁴⁹. What comes to the attitudes towards the press in Finland, there is conflicting information available. One source claims that there is rather high level of trust towards the media in Finland, at the same time another study concludes that the level of trust has decreased⁵⁰. Therefore it cannot be concluded with confidence that there is either a high or low amount of trust towards media objectivity in Finland.

These results require a further empirical research for euromyths in media. Euromyths are connected to euro skepticism but that alone does not explain where they come from and why they occur. The framework offered by Filipec and Hurtikova broadens the sources of euromyths and their creation but, as concluded, they cannot be applied to all member states. Therefore further empirical research is needed to focus on the conditions behind them. Since a large amount of euromyth report about EU directives or other legal decisions, it would be meaningful to study them from a socio-legal perspective. It would also deepen the understanding of why laws from the EU are reported negatively in national media.

2.2 EU in media

Besides posing a threat to public discussion, the problem with inaccurate reporting is discussed in the literature from the larger context of democratic legitimacy of a political system. It is essential that the provided information for the citizens is correct because legitimacy of a public system depends on the interaction between the citizens and the political actors⁵¹. An important part of this is what Benz and Papadopoulos call the “stability of communication between represented and the representatives”⁵². Therefore euromyths on news can undermine the legitimacy and transparency of decision-making because they do not

⁴⁹ T-Media, ‘Kansan arvot 2014’, report, 2014, <http://www.t-media.fi/kansan-arvot-2014/>, (accessed 16 April 2015); European Commission, ‘Austria, Finland and Sweden. 20 Years in the EU’. Report, 2015, ec.europa.eu/public_opinion/flash/fl_407_en.pdf, (accessed 27 March 2015).

⁵⁰ Kunnallissalan kehittämissäätiö ‘Kansalaisten luottamus: tasavallan presidentti ykkönen, media kakkonen’, 2013, <http://www.kaks.fi/sites/default/files/Luottamustutkimus.pdf>; T-Media 2014, 2014, above n. 50.

⁵¹ Bijsmans and Altides, 2007, above n. 8, p. 323

⁵² A. Benz & I. Papadopoulos, ‘Introduction. Governance and democracy: concepts and key issues’, in Benz, A. & Papadopoulos, I. (eds.), *Governance and Democracy. Comparing National, European and International Experiences*, London, Routledge, 2006, p. 6.

provide stable and accurate information for the citizens⁵³. The problems with EU communication in media were responded in the early 1990s after the ratification of the Maastricht Treaty, which called for deeper integration within the Union⁵⁴. Since then EU's communications have been reevaluated in terms on public legitimacy and enhancing the availability of the information.

The issues on the EU and the media have been a relevant topic among the literature on politics, law and communications. So far the empirical research has been done from two perspectives: how journalists gather their information and how the information appears in the national media.

From the top-down approach Morgan has studied the British news correspondents working in Brussels and how they access their information⁵⁵. The EU has been previously criticized for lacking clear aims and objectives for their communication and this has had effects on how journalists have reported about them in the national media. Major improvements have taken place and more information is now available. Moreover, both the EP and the European Commission (EC) have established units for press releases and correspondents. Morgan raises the point that the culture of reporting and attitudes in the member states can also affect the outcome of the news⁵⁶.

There are multiple research articles available that have compared and contrasted how EU is presented in the national news coverage⁵⁷. These studies focus on few policy issues and then follow what type of reporting they have received in multiple mediums across the EU and how much they differ from the information provided by EU's press office. These studies have concluded that the EU does not receive a high amount of visibility in the national news. When they do, they are more likely to be reported differently compared to the press releases. They are either "nationalized" in order to give them a more relevant context or they are reported with a more negative tone but there is little explanation given why this occurs⁵⁸. De

⁵³ J. Lodge, 'Transparency and Democratic Legitimacy', *Journal of Common Market Studies*, vol. 32, no. 3, 1994, pp. 343-368.

⁵⁴ *Ibid.*, p. 343-344.

⁵⁵ D. Morgan, 'British Media and European Union News. The Brussels News Beat and its Problems', in *European Journal of Communication*, Vol. 10, No. 3, 1995 pp. 321-343.

⁵⁶ *Ibid.*, pp. 337-338.

⁵⁷ Bijsmans & Altides, 2007, above n. 8

⁵⁸ *Ibid.*

Vreese has argued that low visibility is due to treating EU news as a ‘non-issue’ which is considered less important compared to news with national issues⁵⁹.

The visibility of the EU in media has been researched to a rather large extent. It is not the intention of this research to dwell into the field of media visibility of the EU, but rather how it has been used. Moreover, the studies cited above have ignored how policy processes are perceived in the media for the public. As described earlier, the previous research about the EU in media only analyses how information transcends from the EU level to the national level⁶⁰. Gleissner and de Vreese have pointed out in their research that even though there is some research about EU and media, they do not cover how the EU institutions are reflected in the national media coverage⁶¹. It would be essential to focus on the national point of view because, as also argued by Bijsmans and Altides, that is where the general public learns and engages itself with the discourse about laws and policies⁶².

2.3 Need for further research

The literature review identified two gaps in knowledge relating to the studies of euromyths. First, the sources of euromyths should be empirically researched further. The frameworks that were presented earlier are not adequate enough to explain why euromyths about EU laws are often reported in media and the explanations given do not fit to all member states. Second, literature about the EU in media has so far ignored how EU directives are presented in the national media. It is important to understand international communication on the national level as well because it contributes to the democratic legitimacy of decision-making as well. Current research concluded that the EU affairs are more likely to be reported inaccurately and with a negative tone but so far it has been unable to provide explanation for it. Given these gaps in knowledge, there is a clear need for further empirical research.

⁵⁹ De Vreese, ‘News about the EU Constitution’, *European Union Politics*, vol. 2, no. 3, 2001, p. 222.

⁶⁰ Bijsmans & Altides, 2007, above n. 8; P. Schlesinger, ‘Changing Spaces of Political Communication: The Case of the European Union’, *Political Communication*, vol. 16, 1999, pp. 263-279; Morgan, 1995, above n. 56.

⁶¹ Gleissner & de Vreese, 2005, above n. 7; Semetko, et al., 2000, above n. 7.

⁶² Bijsmans & Altides, 2007, above n. 8, p. 325

3. Theoretical Framework

German sociologist and philosopher Jürgen Habermas has broadly contributed to the field of Sociology of Law with his works. The elements of Habermas' work have developed a philosophical and a sociological model for studying societies in modern ages and his conceptualizations on the relationship between law and democracy have been an important aspect for socio-legal theories⁶³. Habermas' works have also had an impact on multiple other fields of academic studies and they have also been discussed in secondary literature⁶⁴.

Habermas' theory and work on the public sphere and the communicative action are the most relevant theoretical frameworks for studying euromyths in media because they are the most central ones for analysing the relationship between media and deliberative democracy. For the purposes of this research, public sphere and communicative action are the most beneficial theoretical frameworks because the overall focus of this research is to understand the how the media reports about EU laws. With these aforementioned theories, it is possible to analyse the communicative action of the media content and to explain the role of euromyths.

This chapter presents and describes the central ideas of Habermas' public sphere and communicative action, and how they can be used to study euromyths and other inaccurate content about EU laws in media. The conceptual framework for this thesis departs from the theory on the public sphere and the communicative action to analyse how euromyths can distort the public discussion between the participants.

3.1 Public sphere

Habermas first published his ideas on the public sphere in 1962. In his book *The Structural Transformation of the Public Sphere* he argued for the essential role of democracy in the development of the modern Western societies through the transformation from a bourgeois society to a mass media society⁶⁵. Habermas described the transformation of decision-making from a closed to open deliberative decision-making where the public were also able to influence. In this book Habermas showed how historically the decision-making process has

⁶³ Deflem, M., 'The Legal Theory of Jürgen Habermas: Between the Philosophy and the Sociology of Law' in R. Banakar and M. Travers (eds.), *Law and Society*, 2nd Edition, Oxford, Hart Publishing, 2013, p. 75.

⁶⁴ C. Calhoun, (ed.), *Habermas and the Public Sphere*, Cambridge, MA, The MIT Press, 1992

⁶⁵ J. Habermas, *The Structural Transformation of the Public Sphere*, MIT University Press, Cambridge, MA, 1991

been based on the arguments raised in the public discussion in order them to valid. The important part of this interaction is the truthfulness of the arguments, not the status of the speaker⁶⁶. The theory on the public sphere does not guarantee an objectively right outcome but it guides the process to be as valid as possible. In deliberative democracy media and decision-making are closely tied together and publicity is important aspect between the decision-makers and the citizens.

According to Habermas, the public sphere can be defined as “a realm of our social life in which something approaching public opinion can be formed”⁶⁷. In other words, it is an abstract space that arises from the civil society where everyone ideally has the equal access for participation⁶⁸. The modern public sphere is an abstract and a complex network for communicating information and points of views about the issues in society⁶⁹. To give a simple overview of the abstract structure, public sphere usually consists of speaker, media and audience and they all interact with each other in order to create a communicative space where the public opinion can be formed⁷⁰. In most scenarios the citizens act as an audience when they can freely express their opinions that matter. When the citizens form a large audience, it is enough that the media follows the discussion and transfers the information to the audience⁷¹.

There are two ways to use Habermas’ theory on public sphere in research. It can be used empirically to analyse communication between people, and on the other hand it can be used as a normative framework to discuss how to enhance and to understand democratic decision-making process. In the normative analysis media is closely connected to the process to ensure that the larger audiences are able to follow and to join the discussion. It can also be used to study political decision-making but also to study how that information is communicated between the speaker, the media and the audience.

The public sphere has been criticised for being too idealistic and not taking into consideration the differences and the minorities within societies in terms of for example gender, race, and

⁶⁶ Calhoun, 1992, above n. 65, p 1; N. Crossley and Jay Roberts (eds.), *After Habermas: New Perspectives on the Public Sphere*, Oxford, Blackwell, 2004, p. 4.

⁶⁷ G. Koçan, ‘Models of Public Sphere in Political Philosophy’ in *Eurospere Working Papers*, Online Working Paper No. 2, 2009, pp. 2-3. Available at: <http://eurospere.uib.no/knowledgebase/workingpapers.htm>

⁶⁸ Ibid, p. 8.

⁶⁹ J. Habermas, *Between Facts and Norms*, Cambridge, MA, The MIT Press, 1996, pp. 359-361.

⁷⁰ Fossum & Schlesinger, 2007, above n. 16, p. 3.

⁷¹ Habermas 1989, above n. 66; Schudson, 1995, above n. 17.

religion⁷². In other words, Habermas' account for the communication within the sphere assumes that all the discourse is made in a closed and a homogenous environment that ignores the imbalances of power. It should be noted that not all the people have the same access to the public sphere and the same opportunities to express their views. The shortcomings of the public sphere theory have been widely discussed in different academic fields and it is not the intention of this research to dwell into all of them. For example Susen and Garnham have outlined the main points of criticism towards the modern public sphere⁷³. In short, they criticise Habermas for concentrating too much on the nature of the bourgeois public life as the basis for modern society and portraying the public sphere too idealistically. Habermas' theory of a single public sphere suggests that there is a cultural homogeneity within a society where everyone has the same opportunities, but that is not likely to exist in any society.

Fraser and Calhoun have pointed out that the public sphere does not take into account all the different groups of people with their own voices that coexist in a society⁷⁴. According to Fraser and Calhoun there are numerous competing public spheres in society based on the individuals' characteristics, such as age, gender and race that affect the sphere and the communication within it⁷⁵. Fraser writes that there is a "diversity of interests and backgrounds in any given society while at the same time presuming the possibility of interpublic discursive interaction"⁷⁶. Therefore we cannot talk about public sphere as a single abstract unit. Instead, we should understand it as an entity that comprises multiple public spheres that overlap with each other, creating a common communicative space.

As mentioned earlier, the shortcomings of the public sphere have been addressed in the literature before, but the mainstream criticism has ignored transnational communication and the emerging European sphere. The creation of the public sphere has been closely connected to the creation of modern nation-state with borders but the emergence and the integration of a supranational organization in Europe, the EU, have forced the transformation of the public

⁷² Susen, 'Critical Note on Habermas' Theory of the Public Sphere' in *Sociological Analysis*, vol. 5, no. 1, 2011, pp. 55-56; N. Fraser 'Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy' in C. Calhoun (ed.), *Habermas and the Public Sphere*, London, Routledge, pp. 109-142; C. Calhoun, *Habermas and the Public Sphere*, MIT Press, Cambridge, MA, 1992, pp. 1-48

⁷³ Susen, above n. 73, p. 55-56; N. Garnham, 'The Media and the Public Sphere' in C. Calhoun (ed.), *Habermas and the Public Sphere*, MIT University Press, Cambridge, MA, 1992, pp. 359-376

⁷⁴ Fraser, 1992, above n. 73, p. 126.

⁷⁵ Ibid.

⁷⁶ Ibid.

sphere to take into account this⁷⁷. Not only because the EU affects the domestic policies but also because the EU has the ability to create laws that are implemented in its member states. This creation has been something new to the discussions about public sphere because now there is a new supranational organization that is above the states⁷⁸.

Previously discussions about public sphere have taken the traditional nation-state as their starting points. It should be pointed out that the borders of the states do not bind the public spheres anymore because national polity is not a single public sphere. The borders of the nation-states cannot be granted as the obvious starting point for analysing the scopes of communicative communities⁷⁹. Instead, public spheres should be analysed in a larger European context where there is a plurality of overlapping spheres. Schlesinger has identified at least three broader overlapping public spheres: European, national and regional⁸⁰. European sphere exists inside the national sphere and it affects as part of a broader agenda and affecting domestic politics and directions⁸¹.

Habermas' model for discourse ethics is heavily dependent on the nation-states and his theories do not easily transpose to the international levels of analysis⁸². For Habermas, such transposition would be possible if there was a common communicative space for all the citizens, known in the academic literature as the European public sphere (EPS)⁸³. Nevertheless, the attempts to create such space for the EU have not been successful and amongst the literature on EPS there is no certainty whether creating it would be even meaningful⁸⁴. The topic of internationalizing communicative spaces and creating a public communicative space in Europe is extremely large and cannot be covered in a research of this length. Therefore the theoretical framework used in this thesis focuses on the conceptualizations of the public sphere as it was written in Habermas' earlier works in order to avoid having too many and unrelated perspectives in the analysis

⁷⁷ Schlesinger, 1999, above n. 60, p. 264-265.

⁷⁸ Fossum & Schlesinger, 2007, above n. 16, p. 3-4.

⁷⁹ Ibid.

⁸⁰ Ibid.

⁸¹ Ibid.

⁸² D. Ward, *The European Union Deficit and the Public Sphere. An Evaluation of EU Media Policy*, Amsterdam, IOS Press, 2004, p. 18.

⁸³ Ibid, p. 20.

⁸⁴ Schlesinger, 1999, above n. 60.

3.2 Communicative action

Habermas later admitted the flaws in his conceptualization of the public sphere but he was not ready to leave the subject. In his book *Theory of Communicative Action*, published in 1984, Habermas returns to the issue of communication and deliberative public decision-making. In this book he focuses more on the mode of communication and on the conditions in which the deliberative arguments are valid.

In the first volume for the theory on communicative action, *Reason and the rationalization of society*, Habermas focuses on conceptualizing the rationality of communication. A public discussion and the exchange of views can be analysed as communicative action when the actors have an equal access and opportunity to participate in the public sphere⁸⁵. For Habermas communicative action is the mode of interaction in which the participants aim for mutual understanding⁸⁶. To simply put, public sphere is the condition under which people can engage in the communicative action in the contexts of social actions and movements.

Communicative action cannot be analysed on its own because it is important to understand its context as a speech act. In *The Theory of Communicative Action*, Habermas distinguishes two types of speech acts: practical and strategic⁸⁷. The aim of practical speech act is to achieve mutual understanding between the participants in the communicative action. Strategic communication on the other hand relies on achieving individual goals based on money and power⁸⁸. For public sphere and communicative action, the emphasis is on the practical speech act so that mutual understanding, and deliberative decision-making, is achieved. In order to reach the mutual understanding and valid deliberations, these practical speech acts must be valid.

In the *Theory of Communicative Action*, Habermas also conceptualizes the dimensions of a society based on these two speech acts⁸⁹. In this sense communicative action aiming for on mutual understanding is conceived of as a *lifeworld*⁹⁰. Lifeworld in Habermas' context can be defined as "the background resources, contexts, and dimensions of social action that enable

⁸⁵ Habermas, 1984, above n. 13.

⁸⁶ Ibid.

⁸⁷ J. Bohman and W. Rehg, 'Habermas' in *Stanford Encyclopedia of Philosophy*, web entry, 2014, <http://plato.stanford.edu/entries/habermas/>, (accessed 30 April 2015).

⁸⁸ Ibid.

⁸⁹ Deflem, 2008, above n. 11, p. 164.

⁹⁰ Ibid.

actors to cooperate on the basis of mutual understanding”⁹¹. In other words lifeworld consists of those shared cultural backgrounds that enable us to communicate with each other. In lifeworld mutual understanding occurs on three different dimensions: truth, normative rightness and honesty⁹². In other words the arguments made must be objectively true and the speaker must speak honestly, otherwise the arguments are invalid and mutual understanding is not reached. For example a journalist might write something they think it is the truth, they might be honest but the argument might not be valid. These validity claims and communicative action in Habermas’ theories set the rules of argumentation for consensus formation and for the decision-making process⁹³.

As opposed to lifeworld, Habermas identifies another dimension of society, *system*. Instead of aiming towards mutual understanding through communication, system can be analysed as emphasizing reaching certain strategic goals⁹⁴. These goals are not achieved through communicative action but through money and power⁹⁵. Coordinating actions in system is based on money and power in order to aim towards the organization of power (politics) and monetary profit (economy). Acting on the basis of money and power in system aims towards organization of power (politics) and monetary profit (economy). To simplify it, system can be said to be based on money and power as the driving forces.

The formation and the existence of lifeworld and system do not cause any implications on their own. The problem, according to Habermas, arises when system conflicts with lifeworld, referring it as “colonization of lifeworld”⁹⁶. In a situation when system becomes too involved with lifeworld, communicative action becomes instrumentalised on the basis of monetary and political needs, not mutual understanding. In this sense practical speech act of communicative action aiming at mutual understanding is compromised to promote economic and political needs. This in turn intrudes with the validity claims that would ensure the truthfulness of the communicative action. In the distinction between the lifeworld and the system, law plays an interesting role because it can be seen to belong to both the lifeworld and the system because laws can be either normative or technical. Habermas has, however, stated that law always belongs to the lifeworld but the system can have an effect on it.

⁹¹ Bohman and Rehg, 2014, above n. 87

⁹² Deflem, 2008, above n. 11, p. 164.

⁹³ Ward, 2004, above n. 82, p. 15.

⁹⁴ Deflem, 2008, above n. 11, p. 164.

⁹⁵ Ibid.

⁹⁶ Deflem 2008, above n. 11, p. 165.

3.3 Theorizing euromyths in media

How can we place euromyths in media into the theoretical framework pictured above? First of all, it must be understood what we mean by the term ‘euromyth’ in the context of this research project. As mentioned in the chapter for previous research, currently there is not all-encompassing and objective definition for euromyths. The definitions given previously emphasize different points of views as well as the speakers’ attitudes towards the EU. They can be seen either as stemming from euro skepticism or from the EU itself⁹⁷. Therefore the definition for the term must be developed further. Filipec and Hurtikova discussed the definition of the term based on the theories for political myths⁹⁸. Their definition for euromyths is “a politically marketed narrative which contains some error or misleading information which is perceived and accepted as valid in its essentials by a social group”⁹⁹. This will also be the theoretical definition used in this research project.

The definition above allows a variety of empirical material to be included in this research. The emphasis on this definition is on phrases *contains some error* and *misleading information* for determining whether the news are either true or false. In other words, a euromyth does not need to be completely made up story about a hypothetical situation. Instead, it is enough that the news contain misleading information about EU laws. Another emphasis is on the word *valid*. This relates directly to Habermas’ theory on communicative action, where the information ought to be valid. In this sense the false information provided by euromyths could be accepted as valid even though they are not.

For placing the euromyths in Habermas’ theories, a useful point of departure is the public sphere. According to Habermas, the discussion in the public sphere should be uninterrupted and valid so that the citizens can have the most accurate information as possible¹⁰⁰. Therefore euromyths by definition are not valid in the public sphere.

From the perspective of the public sphere, the decisions and processes made in the EU are made in the transnational European public sphere. In this sense the European public sphere can be analysed as exclusive and not providing everyone the same access. The EU can be seen an institution that does not provide equal access an opportunity for its member states and

⁹⁷ See for example Corbett cited in Filipec & Hurtikova, 2014, above n. 9, p. 47; Leach, 1998, above n. 32, p. 47.

⁹⁸ Filipec & Hurtikova, 2014, above n. 9, p. 47-48

⁹⁹ Ibid.

¹⁰⁰ Habermas, 1989, above n. 65, 244.

citizens. There is hierarchy and power structure in the EU where some institutions and member states are more powerful than the others. This may lead to some groups and citizens to feel left out from the policy processes and not being able to influence the outcomes.

Theorizing euromyths in the public sphere requires theorizing them as a communicative action. Based on Habermas' theories, euromyths can be analysed from the two interrelating perspectives. First it can be observed how euromyths behave in the communicative action and what the role of media in transferring information is, and whether the information has been mostly accurate or inaccurate. From this perspective, we can measure the communicative action through Habermas' three validity criteria: truth, normative rightness and honesty¹⁰¹. To what extent do the news reports fulfil these criteria? Do they hinder and distort the communicative action? If yes, why? Second, we can analyse the bigger picture of euromyths in media through the two dimensions of society, lifeworld and system. Are these two dimensions separate or does the system interfere with the lifeworld? Habermas describes the dominance of the system as the "colonization of lifeworld"¹⁰². This occurs when the system with its technical standards and aims invades the practical value-rationality realm of the lifeworld. In other words, the domination of the system over the lifeworld means that the conventional validity claims do not guarantee the validity of the arguments because the dominant domain in the system is the instrumental rationality.

The communicative action and the distinction between the lifeworld and the system are important because the EU are supranational institution with the ability to create policies and laws even though not all the countries have the same opportunity to influence them. As a union of separate nation-states, the EU relies on the communication between its institutions and its citizens. Therefore its democratic legitimacy and its decision-making process should be open and valid. Euromyths in this sense can pose a threat to its validity of its decision-making process if the citizens have incorrect or misleading information.

¹⁰¹ Deflem, 2008, above n. 11, p. 164.

¹⁰² Ibid.

4. Method and Materials

The literature review on previous research about euromyths and the EU in the media identified gaps in the existing knowledge. The review revealed that there is a lack of information available on how EU laws are reflected in the member states' national media coverage and what the role of inaccurate content for public discussion is. Previous research has concluded that news from the EU is more likely to be reported with a negative tone compared to national news, but so far there is little explanation offered for why this happens¹⁰³.

The aim of this research is to explore how the EU laws are reported in the Finnish media and what is the role of euromyths in the public discussion. Therefore the most beneficial method is content analysis. It provides the most comprehensive tools for studying the research problem that is concerned with the contents of the news articles and how they report about EU laws. Furthermore, content analysis is the most appropriate method because the focus of this research is on the discourses and the public debates on EU laws.

The empirical material for this research is the news articles published in the Finnish print and online media. New material is collected from the primary sources because there is no previous data or research regarding this specific issue. Secondary sources, such as journal articles and academic books, are used to support the research for placing into the right place in larger framework. Legal texts from the EU and the Finnish government are also used to determine how accurate the news articles are. Results from the empirical data then provide an opportunity to observe the differences on how laws from different sources are perceived through media. In the analysis chapter of this research, theory and practice are compared with each other in order to gain a deeper and a valuable understanding of the issue.

Since a common EPS is absent, the most important factor for creating discussion and debate about EU affairs is done on the member state level¹⁰⁴. Therefore this research focuses on one member state, Finland, and empirically examines what type of discussion there exists for EU law. Finland provides an interesting empirical subject for this study because euromyths are reported in the media even though the country does not meet the preconditions that were

¹⁰³ Gleissner & de Vreese, 2005, above n. 7; Semetko et al, 2000, above n. 7.

¹⁰⁴ Schlesinger, 1999, above n. 60.

presented in the previous chapter following the research article by Filipec and Hurtikova¹⁰⁵. There is a rather high level of satisfaction among the population towards the EU in Finland, compared to for example the UK and the Czech Republic, but yet inaccuracies about directives exist¹⁰⁶. The aim of this research is to give a socio-legal explanation for why this happens.

4.1 Content analysis as a research method

The empirical part of this research is interested in collecting and comparing newspaper articles about EU directives and how they are reported. The purpose of this is to explore how and why inaccurate news about directives, including the so-called euromyths, is employed in the media in the first place. Given the research problem, the most appropriate method is content analysis. Halperin and Heath describe content analysis as a method that is “concerned with the text itself, rather than the broad context within which it was produced”¹⁰⁷.

Content analysis is used to study how particular issues and themes are presented amongst the material. In this research, content analysis includes the categorising of the content and the analysis of how the content is reflected and mediated by the Finnish media. The purpose of content analysis is then to “build-up a picture of the patterns of behaviour that underline --- the social interactions portrayed in the media”¹⁰⁸. Following this description, the empirical part of this research categorizes newspaper articles based their content on EU directives and laws to reveal patterns of reporting.

As a method, content analysis has much in common with discourse analysis but they differ in their approaches to explain the concepts they are researching¹⁰⁹. A discourse analysis about euromyths would for example focus on the meanings behind the news and how they were created. In contrast, content analysis studies the content itself that is observable on the surface level. Therefore content analysis is a better method for this research. Following the aim and the research questions posed, the focus of this research is how EU law is presented in the

¹⁰⁵ Filipec and Hurtikova, 2014, above n. 9.

¹⁰⁶ European Commission, ‘National Report Finland’, *Standard Eurobarometer 82*, November 2014, http://ec.europa.eu/public_opinion/archives/eb/eb82/eb82_fi_fi_nat.pdf, (accessed 18 April 2014).

¹⁰⁷ S. Halperin & O. Heath, *Political Research. Methods and Practical Skills*, Oxford, Oxford University Press, 2012, p. 310.

¹⁰⁸ C. Livesey, *Content Analysis*, Sociology Central, available at: <http://www.sociology.org.uk/methodca.pdf>

¹⁰⁹ Halperin & Heath, 2012, above n. 107, p. 310.

media instead of attempting to unveil the opinions and the motivations of the journalists behind the articles.

A beneficial way to gather more information for research is to include other types of methods with content analysis for a better understanding of the problem. However, for this research project, adding interviews and questions would not have been a meaningful way to gather more data. First of all, it would be difficult to find a representative sample for the interviews among the journalists. Some insights might be gathered but they would not reveal anything about the existence of euromyths in society following Habermas' theories. Second, because the focus of this project is to understand euromyths and their role in society, more insights are gathered focusing on the outcomes rather than the motives and opinions of the journalists.

4.2 Advantages and disadvantages

Content analysis offers practical benefits for this research because it allows an easy access to the empirical material. It is rather inexpensive and easy to search for articles from newspapers' archives. Content analysis also focuses on material that is already published to gather the necessary material, instead of relying on more obtrusive methods such as interviews and surveys where researcher might face more biases¹¹⁰.

Traditionally socio-legal theories and methods have been concerned with norms and behaviours behind legal processes¹¹¹. For example, Ehrlich was interested in the patterns of behaviour of law-makers and law-enforcers. Also Pound has made a distinction between law in action and law in books, highlighting the relationship between law and society¹¹². From a socio-legal perspective content analysis offers an alternative approach for this research. Instead of using the more traditional methods in Sociology of Law, which focus on opinions and behaviours of the subjects, content analysis allows to change the emphasis, and therefore to give new insights to EU law in action, and namely how laws are presented in the analysis¹¹³.

¹¹⁰ Ibid.

¹¹¹ B. Lange, 'Researching Discourse and Behavior as Elements of Law in Action' in Banakar, R. & Travers, M., *Theory and Method in Socio-Legal Research*, London, Hart Publishing, 2005, p. 178.

¹¹² Deflem, 2008, above n. 11, p. 100.

¹¹³ Lange, 2005, above n. 111, p. 178

No method comes without disadvantages and therefore recognizing them is an important part of a research. What comes to content analysis, the main disadvantage is that it is a purely descriptive method. It only reveals how the content is presented and not the actual motivations and opinions behind them. Another limitation is the availability of the empirical material. Since the data is collected mainly from online sources there is a high possibility that some of the articles have been deleted or edited since they were published for the first time. This limitation might introduce a bias because there is a chance that not every relevant article is available and included in the study.

Despite these limitations, I argue that in this research they do not introduce a significant bias that could pose a threat for the conclusion. First, the aim of this research is to empirically explore how the EU is represented in the national media and not to understand the motivations behind the articles. Second, the bias for data availability can be reduced with a careful selection of the material that is available. The timeframe for this research was intentionally chosen to include only the past two years to ensure the highest availability of material. It is more likely that within this timeframe articles stored in the Internet archives are available.

4.3 Data collection

The empirical data collection for this research follows the four steps outlined by Halperin and Heath¹¹⁴. The first step for content analysis is to choose the material that is to be analysed. The core material that is included in this research is the print and online news articles about EU directives and regulations in the Finnish media and the level of accuracy can be determined reading the content of the article and what kind of claims it makes, and comparing them with the actual legal texts from the EU. With the method of content analysis it is possible to include a large amount of articles in the research without the need to select a representative sample.

The units of the analysis are the full articles where it can be determined whether the article is accurate or not. What was looked from these articles was the specific directive, regulation or a proposal they were referring to. After reading what the actual legislation says, it was

¹¹⁴ Halperin & Heath, 2012, above n. 107, pp. 320-323.

possible to determine whether the content of the article was accurate or inaccurate. Also considering the source of the news, it was possible to evaluate whether the article was reported or included a euromyth.

The articles that were included in had to fulfil the following selection criteria:

- Published in a national, regional or tabloid newspaper (excluding political party newspapers).
- Published in a Finnish print newspaper or in online news media (excluding social media, such as personal blogs).
- Reporting about a new EU regulation or directive
- Published in 2013 or 2014.

Some sources and newspaper articles were used to reference where certain news had its sources or to illustrate how inaccurate news spread from one media to another. Some other news articles were also used for references. These news articles or blog posts were not part of the analysis for this research. The main reason for these criteria was to have a clear guideline for choosing the most relevant and valid data. Going back to the aim of this research, the focus is on the newspaper articles and therefore social media and other personal blogs are not included in the data.

The data selection also excludes political party newspapers because they are more likely to have biased attitudes in their reporting towards the EU due to their agendas. For example a populist right-wing party is more likely to report negatively about the EU compared to a party that supports European integration. What comes to neutrality of the national, regional and tabloid newspapers in Finland, studies have shown that in the recent decades they have become less affiliated with political party agendas and therefore their pose a smaller threat for bias¹¹⁵. Nevertheless, neutrality and objectivity of the newspapers is still something that must be taken into consideration when studying the media and the news. It is also interesting to see whether the collected data reveals any differences between how newspapers report about EU laws. The specific time frame was chosen for two reasons. It is more meaningful to have recent articles included in the research because they are more likely to be available in the archives.

¹¹⁵ J. Holmberg, 'Etusivun politiikka: yhteiskunnallisten toimijoiden representointi suomalaisissa sanomalehti uutisissa 1987-2003', PhD thesis, University of Jyväskylä, 2004, <https://jyx.jyu.fi/dspace/handle/123456789/13406>, (accessed 15 April 2015).

Among the studies for public spheres and communicative action in the media, there has been criticism towards using only newspapers as a material because they are seen too elitist and not to reach all audiences¹¹⁶. TV news instead is seen more accessible for the larger amounts of people and therefore they should be used as the material¹¹⁷. However, I argue that studying newspaper articles for this research is as valuable as studying TV news. According to a recent Eurobarometer survey, newspapers and Internet are the main source of news and information about the EU in Finland, scoring above the average among the member states¹¹⁸. Newspapers are a useful source for this research because they interact and reflect the opinions of their readers. They also anticipate what their readers might want to read and therefore report about content what interests the audience. Therefore newspapers are a meaningful source to observe the public opinion and its formation in society.

This research also argues that with the emergence of the Internet for mass audiences and the easy access for online news, Internet sources are as good as the more traditional press for the accessibility of the news. The Internet has become an integral part of the traditional print media due to its easy availability and direct interaction between the journalists and the readers. Therefore it is meaningful for this research to focus on both print and online news because they cannot be separated from each other.

The articles can be found from print newspapers and Internet archives. The core sources for this research are newspapers, including regional papers, tabloid newspapers and online news sites. These newspaper articles created the primary sources for this research and they create the analysed empirical material. The secondary sources for the research are academic journals, published books, reports and blog posts. Some online sources may also be used, with the necessary criticism towards the source.

The articles were searched from the Internet databases with keywords relating to EU directives and national laws. Then the content of the articles was compared to the legal text it was referring to in order to determine whether the news included inaccurate or misleading information about the EU law it was covering.

¹¹⁶ C. Bärenrauter et al., 'An Overview of Research on the European Public Sphere' in *Eurosphere Working Paper Series*, no. 3, 2009, p. 9.

¹¹⁷ Ibid.

¹¹⁸ European Commission, 'Media use in the EU, *Standard Eurobarometer 82*, November 2014, pp. 27-28, http://ec.europa.eu/public_opinion/archives/eb/eb82/eb82_media_fr.pdf, (accessed 18 April 2015).

5. Findings

The empirical data that was collected for this study included 54 articles from 11 different print or online media sources. The focus of these articles was the different forms of EU laws, which included regulations, directives and proposals. Amongst all the articles, it can be observed that EU laws are mostly reported with a slightly negative tone and with some inaccurate content even though there were few exceptions.

Out of the eight EU topics that were covered in 2013 and 2014, six of them were mostly inaccurately reported or included false statements in their titles or contents. In few cases some newspapers had an accurate content what the directive itself said, what is required for implementation in to the national law. From the data it can be observed that tabloid papers are far more likely to report about the EU in a negative way, inaccurately or include euromyths. These findings also confirm the conclusions made in previous literature about the EU and euromyths in news. Norris concluded in her study that the tone of the EU coverage in national news is mostly negative and from a national perspective¹¹⁹.

The empirical findings for this research are presented below. The results are structures based on the directive, regulation or proposal that the newspaper articles are reporting. Therefore some of the chapters include both correct and incorrect articles. The directives that received the largest amount of media coverage in 2013 and 2014 are detailed in their own sub-sections. The last sub-chapter includes the news that did not receive large media coverage but they are included in the material and in the analysis.

5.1 Ecodesign directive (2009/125/EC)

Amongst all the articles about EU directives in the Finnish media, the Ecodesign was the one that received the widest coverage both in the print and online media. The Ecodesign directive (2009/125/EC) was drafted to overcome the demands of growing electricity consumption in the EU as a part of the 2020 strategy¹²⁰. The directive aims to reduce electricity consumption

¹¹⁹ Gleissner and de Vreese, 2005, above n. 7; Norris, 2000, above n. 8

¹²⁰ European Commission, 'Ecodesing',

http://ec.europa.eu/growth/industry/sustainability/ecodesign/index_en.htm, 2015, (accessed 6 April 2015).

and to produce more energy efficient products that are available within the Union. It also aims to lower the citizens' electricity bills and improve the environment.

The legal framework Ecodesign consists of two areas¹²¹. First, it introduces the directive itself that provides consistent EU-wide rules for improving the environmental performance of products to optimise their energy and resource consumption of household goods and appliances. For example the EU requires coffee machines and vacuum cleaners that sold in the single market to consume less energy. Second, energy-labelling regulations are to be set to require mandatory labelling requirements. These include warning labels for goods that may be hazardous with incautious use.

The news articles about EU directives relating to the Ecodesign received a wide coverage in the Finnish press, both accurate and inaccurate. The content in the articles described what the new directive would mean for a regular citizen and what changes it will make. Few articles presented the directive's information correctly. For example *Ilta-Sanomat* wrote an accurate list describing what the new directive requires from new household appliances in order to save more energy¹²². *Yle news* also contained accurate information about Ecodesign but their focus was more on coffee makers and vacuum cleaners¹²³.

Nevertheless, most of the news coverage about the Ecodesign directive received a negative or inaccurate coverage. Most of this inaccurate coverage reported about coffee makers, vacuum cleaners and washing machines, and how the new directive forces consumers to use them less efficiently. The directive requires that the coffee makers to switch off automatically in order to save energy and to make them safer for the consumers¹²⁴. Some of the tabloid magazines, however, understood this as the EU making far-reaching restrictions for their coffee habits and forcing people to drink cold coffee. The titles of the articles claim for example "EU interferes with coffee makers", "the EU bans coffee makers that do not switch off automatically", "the EU has a cold surprise for coffee drinkers", and "Coffee makers are

¹²¹ Directive (EC) 2009/125 of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products [2009] OJ L285/10.

¹²² *Ilta-Sanomat*, 'Näitä kodinkoneita uusi EU-direktiivi muuttaa – katso lista!' *Ilta-Sanomat*, 30 November 2013, <http://www.iltasanomat.fi/asuminen/art-1288626769891.html>, (accessed 10 April 2015)

¹²³ E. Jämsen, 'Kahvinkeitindirektiivi määrää kahvinkeitimet sammumaan itsestään', *Yle news Online*, 23 April 2014, http://yle.fi/uutiset/kahvinkeitindirektiivi_maaraa_kahvinkeitimet_sammumaan_itsestaan/7195887, (accessed 14 April 2015).

¹²⁴ Directive 2009/125/EC, 2009, above n. 121.

forced to turn off automatically”¹²⁵. The impression that the reader might get from these articles is that the EU is banning all the coffee machines that do not switch off automatically, even though the new directive only applies to new machines that are brought into the single market. In other words, older coffee makers are fine and nothing is forcing anyone to drink their coffee cold.

A similar type of negative reporting was seen when the papers described how the new directive affects vacuum cleaners. The purpose of the directive was to restrict vacuum cleaners that consume an excessive amount of energy. The headlines, however, claimed that “the EU bans effective vacuum cleaners”¹²⁶. Once again, the EU does not ban any vacuum cleaners. It simply requires the new ones being sold on the market to consume less energy.

Another major concern for the newspapers in Finland was the water temperature of washing machines. A regulation implementing the Ecodesign directive requires washing machines to have an option for water temperature to be 20 degrees Celsius¹²⁷. The regulation, however, does not force the people to wash their clothes in cold water. Instead, it simply adds another option for the washing programs but the main concerns in the media were whether clothes could be washed in colder temperatures. Few articles correctly reported about what the new regulations would mean for the washing machines¹²⁸. Some articles emphasized the problems with washing clothes in the cold water, for example the increasing use of chemicals and the

¹²⁵ Iltalehti, ‘EU puuttuu kahvinkeittimiin’ *Iltalehti*, 15 April 2014, http://www.iltalehti.fi/ruoka/2014041518217396_ru.shtml, (accessed 10 April 2015); Talouselämä, ‘Kylmää kahvia? EU kieltää keittimet, jotka eivät sammu itsekseen’ *Talouselämä*, 15 April 2014, <http://www.talouselama.fi/uutiset/kylmaa+kahvia++eu+kieltaa+keittimet+jotka+eivat+sammu+itseksaan/a2243435>, (accessed 10 April); A. Nuutinen, ‘EU:lta ikävä yllätys kahvinystäville’ *Iltasanomat*, 16 April 2014, <http://www.iltasanomat.fi/kotimaa/art-1288677992041.html>, (accessed 10 April 2015); Taloussanommat, ‘Kahvinkeittimet pakotetaan sammumaan itsestään’ *Taloussanommat*, 23 April 2014, <http://www.taloussanommat.fi/energia/2014/04/23/kahvinkeittimet-pakotetaan-sammumaan-itsestaan/20145706/12>, (accessed 10 April 2015).

¹²⁶ Taloussanommat, ‘EU kieltää tehokkaat pölynimurit’, *Taloussanommat*, 11 April 2014, <http://www.taloussanommat.fi/kulutustavarat/2013/11/04/eu-kieltaa-tehokkaat-polynimurit/201315332/12?pos=related>, (accessed 10 April 2015).

¹²⁷ Regulation (EU) No 1015/2010 of 10 November 2010 implementing Directive 2009/125/EC with regard to ecodesign requirements for household washing machines, [2010] OJ L293/21, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:293:0021:0030:EN:PDF>, (accessed 14 April 2015).

¹²⁸ J. Id, ‘Pesukoneisiin määrätään 20 asteen ohjelma’, *Iltalehti*, 29 November 2013, http://www.iltalehti.fi/asuminen/2013102917659721_an.shtml, (accessed 15 April 2015); Talouselämä, ‘Pesukoneisiin tulossa “EU-ohjelma”: 20 asteen pesu’, *Talouselämä*, 29 November 2013, <http://www.talouselama.fi/uutiset/pesukoneisiin+tulossa+euohjelma+20+asteen+pesu/a2212426>, (accessed 15 April 2015).

difficulties for getting clean clothes¹²⁹. Some articles even referred the Ecodesign directive as “cold water directive” due to the requirements of having an option of 20 degrees. They referred to this requirement as “worrisome” or “astonishing” because it meant that people would use harsher chemicals¹³⁰. The reporting in these cases has a slightly negative tone and they gave an impression that the EU would assume people to wash their clothes in cold water with more chemicals, when that is not the case.

Kauppalehti reported in November 2013 about the new Ecodesign directive and made the conclusion that the EU wants to regulate how we use toilets and how to standardize them¹³¹. The story was corrected one day later to add that what the EC meant was to have the toilet manufacturer to have an eco-label on their products to inform the consumers¹³².

The Ecodesign directive sparked other types of discussions in media as well. Some of the articles questioned how meaningless directives from the EU in general are and how they restrict regular citizens’ life. For example Iltalehti’s title for a compilation of directives asks: “Are there any sense in directives?”¹³³ The onset for the article is that EU directives are senseless and perhaps entertaining, and there is little rational reason why they exist. The article, however, includes some inaccuracies regarding to the directives, such as repeating the claims that the EU forces the citizens to use vacuum cleaners that perform worse than the previous ones¹³⁴. Iltta-Sanomat also collected some EU directives in their article with a headline “This is how the EU regulates us” in order to show its readers what type of directives have been implemented¹³⁵.

¹²⁹ Helsingin Sanomat, ‘Vaatteiden kylmäpesun pelätään lisäävän kemikaalien käyttöä’, *Helsingin Sanomat*, 1 September 2013, <http://www.hs.fi/kotimaa/a1385789797982>, (accessed 12 May 2015).

¹³⁰ Iltta-sanomat, ‘Vaatteiden kylmäpesudirektiivi huolestuttaa – lisää tehokemikaaleja?’ *Iltta-Sanomat*, 30 November 2013, <http://www.iltasanomat.fi/asuminen/art-1288626692480.html>, (accessed 15 April 2015); T. Auremaa, ‘EU-määräys hämmästyttää: 20 asteen pesussa muhii paha bakteeripommi”, *Iltta-Sanomat*, 30 November 2013, <http://www.iltasanomat.fi/asuminen/art-1288615286408.html>, (accessed 15 April 2015).

¹³¹ Kauppalehti, ‘EU opastaa seuraavaksi vessan vedossa’, *Kauppalehti*, 3 November 2013, <http://www.kauppalehti.fi/uutiset/eu-opastaa-seuraavaksi-vessan-vedossa/RCMj2KDC>, (accessed 2 May 2015).

¹³² J. Hennon, ‘No EU plans to standardize toilets’ *Setting the facts straight*, blog, <http://ec.europa.eu/archives/rebuttall/no-eu-plans-standardise-toilets.html>, (accessed 2 May 2015).

¹³³ A. Kauranen, ‘Tiskihanskatkin EU:n syyniin – onko direktiiveissä mitään järkeä?’ *Iltalehti*, 1 September 2014, http://www.iltalehti.fi/asuminen/2014090118611766_an.shtml, (accessed 10 April 2015).

¹³⁴ Ibid.

¹³⁵ Iltta-Sanomat, ‘Näin EU määrää meitä’, *Iltta-Sanomat*, 31.10.2013.

Another newspaper article refers the EU laws as “insane regulations”¹³⁶. The article also claims that “the EU is known for a strict regulator and sometimes it goes to the extreme”¹³⁷. The article goes through “senseless” directives from the past few years, even mentioning some euomyths that have already been disregarded¹³⁸. Odd enough, the article claims some of the directives to be useless even though in some parts mention how some of the previous directives have helped to save a lot of energy. In this case the title of the story was inaccurate but some of the content was accurate.

Overall the Ecodesign directive was somewhat correctly reported but with a negative tone and some inaccurate assumptions. The articles emphasized different aspects of the directive and they made some far-reaching assumptions about the EU banning familiar household appliances when the attempt was to ensure energy efficiency of new products. The directive therefore requires no active actions from the consumers.

5.2 Qualifications and training of drivers of commercial vehicles (2003/59/EC)

The European directive 2003/59/EC addresses the “initial qualifications and periodic training of drivers of certain road vehicles for the carriage of goods or passengers”¹³⁹. In other words, the directive requires a harmonized training for all drivers that are responsible for driving commercial vehicles. The directive requires the drivers with older licenses to attend training sessions to ensure that all the drivers within the Union have received standardized training. The purpose of this directive is to increase security on the roads.

The directive was implemented into the Finnish legislation in 2006, and it required that all the necessary training had to be completed by the 1st of September in 2014¹⁴⁰. When the deadline for the training approached, it sparked some discussion in the media, for example when the transposition to the Finnish law caused some concrete problems in the late 2014 regarding ice

¹³⁶ M. Karkkola, ‘Siemenet syyniin ja tehoimurit pannaan – Näin hullusti EU säätää’ *MTV News*, 8 September 2014, <http://www.mtv.fi/uutiset/kotimaa/artikkeli/siemenet-syyniin-ja-tehoimurit-pannaan-nain-hullusti-eu-saataa/4301416>; (accessed 10 April 2015).

¹³⁷ Ibid.

¹³⁸ Ibid.

¹³⁹ Directive (EC) 2003/59 of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers, [2003] OJ L226/4, <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32003L0059&from=EN> (accessed 10 April 2015).

¹⁴⁰ Cabinet of Finland Regulation 640/2007 of 31 July 2007 for qualification and periodic training of drivers, [2007] <http://www.finlex.fi/fi/laki/alkup/2007/20070640>, (accessed 13 April 2015),

skating rinks. Traditionally the rinks have been maintained on a voluntary basis, for example by volunteer fire departments, with appropriate trucks. The change in the law, however, caused some questioning in the news whether the volunteers are able to maintain the rinks with trucks if they do not have the necessary training.

Multiple news articles were published in December 2014, stating that the volunteers were not able to maintain the ice rinks anymore because they might not have done the necessary training required by the law and that the volunteers could not afford the training. For example the national Yle news reported, “Children’s ice skating rinks may not be done in smaller towns”¹⁴¹. The same type of reporting was followed in the tabloid papers *Ilta-Sanomat* and *Ilta-lehti* that repeated Yle’s claims¹⁴². Both tabloid papers blamed the EU directive for creating unnecessary obstacles for people’s hobbies and asking whether the whole directive made any sense. *Ilta-Sanomat* also made a separate news article where famous ice hockey players commented on the directive as “terrifying”¹⁴³.

What these inaccurate reports failed to mention was that it was not the EU that set such restrictions. The Article 2 of the directive specifically mentions the exemptions for “vehicles used for non-commercial carriage of passengers or goods, for personal use”¹⁴⁴. The maintenance of ice skating rinks by volunteers falls under the scope of non-commercial use and therefore the directive never threatened the existence of the rinks. Therefore the articles that blamed the EU for the lack of ice skating rinks were inaccurate. Later on it was clarified in Yle news that the EU does not set such restrictions¹⁴⁵. Instead, it would be the Finnish Transport Safety Agency (Trafi) that would outline such restrictions, not the EU¹⁴⁶.

¹⁴¹ V. Koskinen, ‘Lasten luistelukentät saattavat jäädä kylissä jäädyttämättä – vapaapalokunnat solmussa lakien kanssa’, *Yle news Online*, 3 December 2014, http://yle.fi/uutiset/lasten_luistelukentat_saattavat_jaada_kylissa_jaadyttamatta_vapaapalokunnat_solmussa_lakien_kanssa/7664210, (accessed 10 April 2015).

¹⁴² *Ilta-Sanomat*, ‘Luistelukenttiä jää jäädyttämättä uuden säännön takia’, *Ilta-Sanomat*, 3 December 2014, <http://www.iltasanomat.fi/kotimaa/art-1417515286661.html>, (accessed 10 April 2015); M. Saarinen, ‘Yle: Säännöt purevat nyt vapaapalokuntia’, *Ilta-lehti*, 3 December 2014, http://www.iltalehti.fi/uutiset/2014120318888072_uu.shtml, (accessed 10 April).

¹⁴³ S. Hoffrén, ‘Kiekkotähdet tyrmäävät EU-direktiivin – “Mielummin kentällä pyörä kuin ostarilla rööki huulessa’, *Ilta-Sanomat*, 3 December 2014, <http://www.iltasanomat.fi/jaakiekk/art-1288790765015.html>, (accessed 10 April 2015).

¹⁴⁴ Directive 2003/59/EC, Article 2, Section (f), L226/6.

¹⁴⁵ V. Koskinen, ‘Trafi linjaa: Vapaapalokunnat tarvitsevat ammattiajoluivat luistelukenttien jäädyttämiseen’, *Yle news*, 4 December 2014,

Overall this directive was mostly inaccurately misinterpreted and reported in the media. Since the directive was implemented into the Finnish regulation few years earlier, there was less misunderstanding about the basic elements of it. However, a new situation regarding ice skating rinks caused the misreading of the directive as it was written in the EU so there was confusion whether volunteers could maintain the rinks with trucks without the training.

5.3 Directive and decision for general product safety and measures for internal window blinds (2001/95/EC and 2011/477/EU)

The directive 2001/95/EC outlines the legislation for general product safety within the single market¹⁴⁷. The aim of this directive is to ensure the overall safety of the commercial products that are sold to the consumers through harmonized requirements throughout the EU. Even though the directive was implemented over a decade ago, it became a topic of discussion in the Finnish media in December 2014 when a teacher made a comment on Facebook about the EU's product safety of internal window blinds¹⁴⁸. The teacher writes "the new EU directive prohibits the classrooms to have blinds or curtains that have chords hanging below 150cm". He adds that the problem is not relevant and the whole directive is "ridiculous". From Facebook these claims made it to other news where the usefulness of another EU directive was evaluated¹⁴⁹. The reports made the same claims: the EU bans window blinds.

The claims made in the news were not true. The safety measures for blinds are outlined in directive 2011/477/EU and it was drafted to address the "certain risks posed to children by internal blinds" that relate to general product safety because its chords might pose a threat of

http://yle.fi/uutiset/trafi_linjaa_vapaapalokunnat_tarvitsevat_ammattiajoluivat_luistelukenttien_jaadyttamisen/7668774, (accessed 13 April 2015).

¹⁴⁶ Ibid.

¹⁴⁷ Directive (EC) 2001/95 of 3 December 2001 on general product safety, [2001], OJ L11/4, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2002:011:0004:0017:en:PDF>, (accessed 10 April 2015).

¹⁴⁸ The original and public Facebook post has since been deleted but a copy of it can be viewed at Talouselämä, 'Mieltikää luistimien nauhoja – kohta on henki pois' *Talouselämä*, 4 December 2014, http://www.talouselama.fi/uutiset/mieltikaa_luistimen_nauhoja_kohta_on_henki_pois_yle_eun_salekaihdinmaarays_ihmetyttaa/a2281112, (accessed 10 April 2015).

¹⁴⁹ P. Meritähti, 'EU:n sälekaihdinmääräys kuumentaa tunteita: 'Naurettava revohka' *Yle news*, 4 December, 2014, http://yle.fi/uutiset/eun_salekaihdinmaarays_kuumentaa_tunteita_naurettava_revohka/7668610?origin=rss, (accessed 10 April 2015).

strangulation to children¹⁵⁰. The directive requires the manufactures to include the appropriate measures to prevent children to strangle. In other words, the directive does not require any actions from the consumers and it does not prohibit internal blinds that are already installed. It simply requires that the manufacturers improve the quality of their products and include all the necessary warnings in their packaging that are sold across the EU in order to address the product safety. Both directives therefore are concerned with safety and quality of the products that are sold to the consumers.

The newspaper articles published regarding the window blinds may give an impression that the EU is banning them or that the EU is implementing “senseless” directive. When reading the actual directive one can observe that the EU did not plan to ban any blinds, instead it addressed the product safety concerns. In doing so the EU aims to address a concrete safety problem. According to a report by European Child Safety Alliance, there are numerous cases of strangulation of children to window blind chords¹⁵¹.

The reporting of window blinds can be said to be a euromyth. It had its source in social media where it spread to national media with the false claims that are due to misinterpreting what the directive says and what it require the people to do. Once again, the EU did not ban anything; it simply required the manufacturers to produce products to the single market with better quality and safety.

5.4 eCall system initiative for passenger cars

The reporting of the new eCall system for cars is a good example how false news about the EU spread from one country to another rather quickly. According to the EC, eCall is an “initiative with the purpose to bring rapid assistance to motorists involved in a collision anywhere in the European Union”¹⁵². The purpose of the eCall system is therefore to locate

¹⁵⁰ Decision (EU) 2011/477 of 27 July 2011 on the safety requirements to be met by European standards to address certain risks posed to children by internal blinds, corded window coverings and safety devices pursuant to Directive 2001/95/EC, [2011], OJ L196/21, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:196:0021:0024:EN:PDF>, accessed (10 April 2015).

¹⁵¹ European Child Safety Alliance, Consumer rights for child safety products. Final report' September 2004, pp. 56-58, http://ec.europa.eu/consumers/archive/reports/rights_child_safety_prod.pdf, (accessed 10 April 2015).

¹⁵² European Commission, 'eCall: Time saved = lives saved' *Digital Agenda for Europe*, [website], ec.europa.eu/digital-agenda/en/ecall-time-saved-lives-saved, (accessed 10 April 2015).

where the accident happened and ease the sending of help. In a case of an emergency, a car with an eCall system would automatically send information about the accident to the nearest emergency centre. This helps the emergency services to send help quicker and to know what happened. The quicker response time therefore can save hundreds of lives and reduce the amounts of severe injuries¹⁵³.

The eCall initiative first received some media coverage in the British tabloid media where it spread to for example Germany and Finland. The British tabloid paper *Mirror* reported about the eCall system and referred to it as a “spying device” due to its ability to send data to emergency authorities¹⁵⁴. This story was shortly picked up by the Finnish media, with the repeated the claims that the eCall system forces the drivers to have “black boxes” and “spying devices”¹⁵⁵. These claims bring a negative image towards the systems where the EU is claimed to undermine citizens’ privacy.

These news reports gives an impression that eCall is something that must be installed to every car. Instead, they ignore to inform that currently eCall is an initiative, and not an approved part of legislation. Second, the eCall system at the moment would not send information constantly, such as black boxes in airplanes do, but it would send “minimum set of data” about the location when accident happens¹⁵⁶.

Overall, the reporting about the eCall initiative can be said to be inaccurate with some elements of euomyths. The story had its roots in foreign media where it spread to Finland, including all the false claims as well. The phrase “spying detective” was also directly translated from the British sources and this was something that was used in the Finnish articles as well. Using such phrases can be said to be an exaggeration what the original source actually says.

¹⁵³ Ibid.

¹⁵⁴ A. Shaw, ‘All new cars must have ‘black box’ spying device fitted from next year’ *Mirror Online*, 18 May 2014, <http://www.mirror.co.uk/news/uk-news/new-cars-must-black-box-3563221>, (accessed 13 April 2015).

¹⁵⁵ Aamulehti, ‘EU:n vaatimus voimaan ensi vuonna: Kaikkiin uusiin autoihin asennetaan “vakoilulaitteet”’, *Aamulehti*, 19 May 2014,

<http://www.aamulehti.fi/Ulkomaat/1194902051504/artikkeli/eu+n+vaatimus+voimaan+ensi+vuonna+kaikkiin+uusiin+autoihin+asennetaan+vakoilulaitteet+.html>, (accessed 10 April 2015); J. Baraka, “‘Mustat laatikot”

tulevat autoihin: Vakoiluohjelma vai ei?’ *Iltalehti*, 20 May 2014,

http://www.iltalehti.fi/autot/2014052018318313_au.shtml, (accessed 10 April 2015).

¹⁵⁶ European Commission, above n. 150.

5.5 Masses and measurements of commercial trucks (2007/46/EC and Amendment)

The directive 2007/46/EC establishes the general framework for the “approval of motor vehicles and their trailers” that are allowed in the commercial transportation of goods within the EU¹⁵⁷. The purpose of the directive is to have harmonized standards and equal opportunities across the Union. The directive became a relevant topic of discussion in media in the spring of 2014 due to the new amendment regarding the weights and dimensions of motor commercial transportation trucks¹⁵⁸.

The initial concerns in the press were whether the Finnish trucks were obligated to change to smaller combinations in order to have access to drive in for example Central Europe where the requirements were previously different¹⁵⁹. Another article published in *Taloussanomat* commented that the EP approved a proposal for a directive that changes the how the larger trucks look, asking if the familiar looking trucks disappear from the roads¹⁶⁰. Even though the news was about an amendment, not a directive as they claim, there is no mention about how the cab fronts should look like in the directive 2007/46/EC or in the amendment. The tone of the article in *Taloussanomat* is slightly negative and it emphasizes the claims made by an automobile interest group that the EU does not allow enough flexibility for designing the trucks. *Taloussanomat* do not provide further sources for these claims in order to verify them.

Overall the new amendment for the directive received a positive coverage in media because it was seen beneficial for Finland and for the foreign exports. Yle news reported about the amendment and offered lengthy background information on the process and how the initial proposal for amendment was negotiated to be a better option for the Finnish commercial trucks¹⁶¹. News also included comments from a domestic logistics interest group. The interest

¹⁵⁷ Directive (EC) 2007/46 of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, [2007] OJ L263/1, <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32014R0214>, (accessed 10 April 2015).

¹⁵⁸ Ibid.

¹⁵⁹ *Talouselämä*, ‘Kuljetusala huolestui: tuoko EU:n “rekkadirektiivi” Suomelle kalliin laskun?’, *Talouselämä*, 5 November 2013, <http://www.talouselama.fi/uutiset/kuljetusala+huolestui+tuoki+eun+rekkadirektiivi+suomelle+kalliin+laskun/a2213632>, (accessed 10 April 2015).

¹⁶⁰ *Taloussanomat*, ‘Tutut rekat katoavat teiltä? EU-säädös nytkähti eteenpäin’, *Taloussanomat*, 15 April 2014, <http://www.taloussanomat.fi/autot/2014/04/15/tutut-rekat-katoavat-teilta-eu-laki-nytkähti-eteenpain/20145429/304>, (accessed 10 April 2015).

¹⁶¹ I. Pajunen, and E. Ravantti, ‘Rekkadirektiivi etenee EU-parlamentissa – suomalaiset rekkayrittäjät tyytyväisiä’, *Yle news*, 18 March 2014, http://yle.fi/uutiset/rekkadirektiivi_etenee_eu-parlamentissa_-_suomalaiset_rekkayrittajat_tyytyvaisia/7142102, (accessed 10 April 2015).

groups in Finland were also satisfied for the decision that the Finnish trucks were not required to change to smaller ones and therefore they are allowed to drive across Europe¹⁶². Had the amendment been different, Finnish trucks would have been forced to be smaller and therefore to make more trips. Kauppalehti also commented that the amendment was successfully changed to comply with the different trucks within the EU¹⁶³.

5.6 Tobacco directive (2014/40/EU)

The tobacco directive (2014/40/EU) refers to the “laws, regulations --- concerning the manufacture, presentation, and sale of tobacco and related products” which came into force in May 2013¹⁶⁴. The purpose of this directive is to improve the internal market for tobacco products while ensuring the public health of the citizens at the same time and to make them less attractive for young people. The new directive brought multiple changes to how tobacco was sold and presented in the stores¹⁶⁵. The process for drafting a new directive for tobacco products received a rather large amount of coverage, including some exaggerated euomyths.

Overall the reporting on the new directive was correct in the media. For example a regional newspaper Ilkka wrote about the directive after the EP plenary vote, and wrote that the result of having stricter regulations was not a surprise¹⁶⁶. The paper also briefly described the legislative process, the obstacle and what steps are still to be taken.

The emphasis on other articles varied but most of the coverage received the restriction of menthol cigarettes. For example Aamulehti, MTV news, Iltalehti and Helsingin Sanomat

¹⁶² Ibid.

¹⁶³ Kauppalehti, ‘SKAL: Rekkadirektiivi oikenemassa hyvään suuntaan’, *Kauppalehti*, 7 March 2014, <http://www.kauppalehti.fi/uutiset/skal-rekkadirektiivi-oikenemassa-hyvaan-suuntaan/cDNduqNa>, (accessed 10 April 2015).

¹⁶⁴ Directive (EC) 2014/40 of 3 April 2014 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco and related products, [2014] OJ L127/1, http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:JOL_2014_127_R_0001, (accessed 10 April 2015).

¹⁶⁵ European Parliament, ‘Tobacco Directive: Parliament approves plans to deter young people from smoking’ [press release] 26 February 2014, <http://www.europarl.europa.eu/news/en/news-room/content/20140221IPR36632/html/Tobacco-Directive-Parliament-approves-plans-to-deter-young-people-from-smoking>, (accessed 10 April 2014).

¹⁶⁶ Ilkka, ‘Tupakkadirektiivi levittää tiukkaa savuttomuuden aatetta Eurooppaan’ *Ilkka*, 10 October 2013, <http://www.ilkka.fi/mielipide/p%C3%A4%C3%A4kirjoitus/tupakkadirektiivi-levitt%C3%A4%C3%A4-tiukkaa-savuttomuuden-aatetta-eurooppaan-1.1479223>, (accessed 10 April 2015).

reported about the directive as banning menthol cigarettes¹⁶⁷. Yle news also reported about the restriction when it was discussed in the EU¹⁶⁸. The claims made in these articles are true because the directive 2014/40/EU it is mentioned in Article 2 that the tobacco manufacturers are not allowed to add a “characterising flavour” for their products to cause more addiction¹⁶⁹. Helsingin Sanomat also include the general changes to the tobacco laws but also it focuses more on the restrictions to e-cigarettes and whether they should be treated as regular tobacco products in the eyes of the law¹⁷⁰. The case of the e-cigarettes is still disputed among the member states and there is currently no common agreement how to treat them and therefore it is up to the member states to provide a sufficient legal framework¹⁷¹.

The directive also received some negative coverage. For example before the plenary vote Iltalehti wrote that if the directive passes it would mean a loss of thousands of jobs in Finland as well as loss of money in forms of taxation¹⁷². It is worth to mention here that the source of the article is Philip Morrison International, the leading tobacco company in the world¹⁷³. They had been active in lobbying against the directive 2014/40/EU¹⁷⁴.

¹⁶⁷ Aamulehti, ‘Tupakkadirektiivi läpi: Mentolisavukkeet kielletään – tupakkateollisuuden lobbaus vaikutti’, *Aamulehti*, 8 October 2013, <http://www.aamulehti.fi/Kotimaa/1194844329062/artikkeli/tupakkadirektiivi+lapi+mentolisavukkeet+kielleta+an.html>, (accessed 10 April 2015); E. Lehtimäki, ‘Hallitus kiistelee menthol-savukkeiden kiellosta’ *MTV News Online*, 27 February 2013, <http://www.mtv.fi/uutiset/kotimaa/artikkeli/hallitus-kiistelee-menthol-savukkeiden-kiellosta/1895914>, (accessed 10 April 2015); Iltalehti, ‘EU:n tupakkataisto ratkesi: hyvästi, mentolisavukkeet!’, *Iltalehti*, 8 October 2013, http://www.iltalehti.fi/uutiset/2013100817580467_uu.shtml, (accessed 10 April 2015); V., Kähkönen, EU-parlamentti päättää mentolisavukkeiden kohtalosta’, *Helsingin Sanomat*, 8 October 2013, <http://www.hs.fi/kotimaa/a1381120755710>, (accessed 19 April 2015).

¹⁶⁸ M. Blomberg, ‘Tupakkalobbaus käy kuumana – kieltäisitkö mentolisavukkeet?’, *Yle news*, 11 September 2013, http://yle.fi/uutiset/tupakkalobbaus_kay_kuumana_-_kieltaisitko_mentolisavukkeet/6825430, (accessed 10 April 2015).

¹⁶⁹ Directive (EC) 2014/40 of 3 April 2014 on the approximation of the laws, regulations and administrative provisions of the Member States concerning the manufacture, presentation and sale of tobacco and related products, [2014], OJ L127/1, http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:JOL_2014_127_R_0001, (accessed 10 April 2015).

¹⁷⁰ Helsingin Sanomat, ‘EU:n uusi tupakkadirektiivi määrittelee sähkö tupakoiden aseman’, *Helsingin Sanomat*, 18 December 2013, <http://www.hs.fi/kotimaa/a1387341500207>, (accessed 10 April 2015).

¹⁷¹ Directive 2014/40/EC, 2014, above n. 168.

¹⁷² Iltalehti, ‘Karu ennuste – uusi tupakkadirektiivi vie Suomesta tuhansia työpaikkoja’, *Iltalehti*, 16 August 2013, http://www.iltalehti.fi/uutiset/2013081617375475_uu.shtml, (accessed 10 April 2015).

¹⁷³ Philip Morris International, ‘Overview’ [website], http://www.pmi.com/eng/about_us/company_overview/pages/company_overview.aspx, (accessed 10 April 2015).

¹⁷⁴ A. Rettman, ‘Tobacco firms under fire from EU lobbying’, *EU Observer*, 12 September 2013, <https://euobserver.com/social/121410>, (accessed 10 April 2015).

The tobacco directive and its interpretations caused some entertaining euomyths to emerge as well. A Swedish tabloid paper *Expressen* reported in 2013 about the EU planning to ban liquorice candies that resemble a tobacco pipe¹⁷⁵. This story was quickly reported in the Finnish media as well. *Ilta-Sanomat* cites *Expressen*, claiming that the EU's new tobacco directive would also include the ban on liquorice pipes because the new directive would restrict items that resemble tobacco products¹⁷⁶. The claims made in the tabloid papers were false. Although the restriction of products resembling tobacco was suggested to be prohibited in the EP committee of Environment, Public Health and Food Safety recommendations, there were no arguments to prohibit pipe resembling candies.

5.7 Tire-pressure monitoring system (EC 661/2009)

The tire-pressure monitoring system (TPMS) was drafted in 2009 and with an amendment in 2011 and to be implemented in the Finnish legislation in 2014. The TPMS is a part of a larger regulation from the EU (661/2009) that promotes road safety and environmental performance of tyres¹⁷⁷. The TPMS would be applied to passenger cars and heavy vehicles in order to increase safety, environmental impacts and CO2 emissions¹⁷⁸. The purpose of the TPMS is to send direct message to the driver of the vehicle in case the pressure in the tyres would get too low. The regulation requires all the new registered vehicles in the single market to have the TPMS included.

The reporting about the TPMS in the Finnish media was mostly inaccurate because generally it was misunderstood what was required from the consumers at time of the implementation. Articles published for example in MTV News, Yle news, *Iltalehti* and *Kauppalehti* wrote that the new regulation requires *all* the cars to have the TPMS. The reporting in the inaccurate news also emphasized how expensive the change would be to the consumers, approximately

¹⁷⁵ A. Dahlbeck, 'Här är lakritsgodiset som EU vill förbjuda', *Expressen*, 30 August 2013, <http://www.expressen.se/kvp/har-ar-lakritsgodiset-som-eu-vill-forbjuda/>, (accessed 10 April 2015).

¹⁷⁶ K. Hagert, 'EU haluaa suosikkimakeisen pois kaupoista', *Iltalehti*, 31 August 2013, <http://www.iltasanomat.fi/kotimaa/art-1288594655030.html>, (accessed 10 April 2015).

¹⁷⁷ Regulation (EC) No. 661/2009 of 13 July 2009 concerning type-approval requirements for the general safety of motor vehicles [2009], OJ L200/1, <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32009R0661>, (accessed 10 April 2015).

¹⁷⁸ *Ibid.*

600 euros, and an impression was given that it has to be done immediately¹⁷⁹. The articles, however, ignore the point in the regulation only applies to when registering a new car and therefore there is no immediate action to the consumers¹⁸⁰. Faktabaari has estimated that because the implantation of the system is passive rather active, it would take around 20-25 years to have TPMS included in all the cars¹⁸¹.

5.8 Draft proposal for sustainability criteria for biomass

The EC proposal for sustainability criteria for solid or gaseous biomass refers to the directive 2007/28/EC that promotes “the use of energy from renewable sources”¹⁸². The proposal was drafted in the EC in 2013 to ensure that “solid and gaseous biomass consumed in the EU contributes significantly to the reduction of greenhouse gas emissions”¹⁸³. The proposal included a minimum greenhouse gas threshold and criteria for biomass emissions in the member states.

The proposal did not receive a wide coverage in the Finnish media until a tabloid paper interpreted this proposal as the EU considering banning the wood for saunas in September 2013¹⁸⁴. This story was mainly picked up in the Internet and an MP wrote a blog post about it, repeating the false claim that the wood for sauna is going to be banned by the EU due to emission levels¹⁸⁵. The story was quickly labelled false in other newspapers such as in *Iltalehti*

¹⁷⁹ J. Lehtola, ‘Rengaspaineiden valvontajärjestelmä autossa maksaa satoja euroja’, *MTV News Online*, 10 April 2014, <http://www.mtv.fi/uutiset/kotimaa/artikkeli/rengaspaineiden-valvontajarjestelma-autossa-maksaa-satoja-euroja/3154612>, (accessed 10 April 2015); Kauppalehti, ‘Rengaspaineista uusi murheenkryyni autoilijalle’, *Kauppalehti*, 10 January 2014, <http://www.kauppalehti.fi/uutiset/rengaspaineista-uusi-murheenkryyni-autoilijalle/miWKggEM>, (accessed 10 April 2015).

¹⁸⁰ Faktabaari, ‘Väite: Rengaspainevalvonnan käyttöönotto EU:ssa vie 1,5 miljardia autoilijoiden taskusta’ *Faktabaari* [blog], 29 April 2014, <http://faktabaari.fi/eu/vaite-rengaspainevalvonnan-kayttoonotto-eussa-vie-15-miljardia-autoilijoiden-taskusta/>, (accessed 10 April 2015).

¹⁸¹ Ibid.

¹⁸² Directive (EC) 2009/28 of 23 April 2009 on the promotion of the use of energy from renewable sources [2009], OJ L140/15, <http://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX:32009L0028>, (accessed 10 April 2014).

¹⁸³ European Commission, ‘Unofficial proposal for a directive of the European Parliament and of the Council’, 2013, <http://www.endseurope.com/docs/130819a.pdf>, (accessed 10 April 2015).

¹⁸⁴ *Iltalehti*, ‘EU harkitsee saunapuiden myyntikieltoa’, *Iltalehti*, 10 September 2013.

¹⁸⁵ R. Tossavainen, ‘EU harkitsee saunapuiden myyntikieltoa’ [Blog] *Uusi Suomi*, 10 September 2013, <http://reijotossavainen.puheenvuoro.uusisuomi.fi/149099-eu-harkitsee-saunapuiden-myyntikieltoa>, (accessed 10 April 2015).

Sanomat that also had asked comments from an agricultural interest group¹⁸⁶. The EC proposal mentions that the sustainability criteria apply only to “energy installations using solid biomass with an electrical capacity above 1 MW or a thermal capacity above 2.5 MW”¹⁸⁷. This requirement is a reference to larger industrial-sized installations, not personal saunas because do not have a very large thermal capacity. Therefore the original reporting of the story was false due to misunderstanding and misinterpretation. Ilta-Sanomat also concluded in their article that the false article was had “extreme interpretation” of the proposal and that if it goes through it would only concern the type and the quality of the wood¹⁸⁸. Kaleva also commented and corrected the false story that was published in the print paper¹⁸⁹. Few months later the proposal was mentioned again in Yle news article regarding the update for directive 2009/28/EC. Yle news makes a correct point that the updated EU decision would lower the emissions of saunas and fireplaces with small adjustments¹⁹⁰.

5.9 Other directives, regulations and proposals

There were other EU directives reported in the Finnish media but they did not receive as large coverage and attention as the ones mentioned above. The directives with smaller coverage also were usually reported accurately. One example was the planned regulation to monitor the selling of seeds. Helsingin Sanomat reported in 2013 that the new EU regulation would threat small businesses that export and sell seeds¹⁹¹. They also included a background article

¹⁸⁶ A. Nuutinen, ‘MTK toppuuttelee: Tuskin EU saunapuita kieltää’, *Ilta-Sanomat*, 10 September 2013, <http://www.iltasanomat.fi/kotimaa/art-1288597773275.html>, (accessed 10 April 2015).

¹⁸⁷ EC, 2013, above n. 182, page 8

¹⁸⁸ Nuutinen, 2013 above n. 186.

¹⁸⁹ Kaleva, ‘Puunpolttoon rajoituskia – saunapuihin ei sentään puututa’, *Kaleva*, 10 September 2013, <http://www.kaleva.fi/uutiset/talous/puunpolttoon-rajoituskia-saunapuihin-ei-sentaan-puututa/641403/>, (accessed 10 April 2015).

¹⁹⁰ J. Frilander, ‘EU-säädös pienentäisi tulisijojen päästöjä’ *Yle news Online*, 22 May 2014, http://yle.fi/uutiset/eu-saadös_pienentäisi_tulisijojen_paastoja_itsekin_voi_tehda_paljon/7252029, (accessed 10 April 2014).

¹⁹¹ H. Saavalainen, ‘EU:n syyni uhkaa perinnesiemeniä’ *Helsingin Sanomat*, 16 May 2013, <http://www.hs.fi/kotimaa/a1368644879348>, (accessed 10 April 2014).

explaining why this was being negotiated in the EC¹⁹². The planned regulation caused criticism in media and it was eventually rejected in an EP plenary vote¹⁹³.

In May 2013, Helsingin Sanomat reported about the plans in the EU to ban restaurants for filling up their own olive oil bottles¹⁹⁴. The article does not provide a direct source for the news but it mentions the EC's plans to force restaurants to use specific and standardised bottles for olive oils for hygiene reasons. The article also makes a reference to other "insane" regulations and how the EU attempts to control with unreasonable measures. Few days later, Helsingin Sanomat reported that the EU is not banning the olive oil bottles after all, and the previous article about the issue only reported about the commissioner's suggestion¹⁹⁵.

Other laws reported in the media included the ban on lavender, directive for cartels, plastic bags and the legal process for agriculture rules. The former article can be classified as a euromyth, because the news reports that the EU is about to ban lavender because "it can be lethal"¹⁹⁶. The news about lavender on Talouselämä is based on an article published in the British Independent¹⁹⁷. The Finnish article claims that the EU is "making lavender poison" because the farmers are forced to label their lavender oil "hazardous" instead of having allergy advices. So far there has not been a binding decision or a regulation for labelling lavender oil and this news is based on the EC's proposals for perfume ingredients in general¹⁹⁸.

Other news reported accurately in the Finnish media include the planned directive to regulate the amount of plastic bags, directive for protecting the companies from cartels, directive for

¹⁹² H. Saavalainen, 'Pelkona siemenkaupan keskittyminen', *Helsingin Sanomat*, 16 May 2013, <http://www.hs.fi/kotimaa/a1368645270334?ref=hs-art-artikkeli>, (accessed 10 April 2015).

¹⁹³ European Parliament, 'MEPs reject draft seed regulation' [press release] 11 March 2013, <http://www.europarl.europa.eu/news/en/news-room/content/20140307ipr38202/html/MEPs-reject-draft-seed-regulation>, (accessed 10 April 2015).

¹⁹⁴ Helsingin Sanomat, 'EU haluaa kieltää oliiviöljyn tarjoilun täytettävistä astioista', *Helsingin Sanomat*, 18 May 2013, <http://www.hs.fi/ulkomaat/a1368843821095>, (accessed 13 May 2015).

¹⁹⁵ Helsingin Sanomat, 'EU ei kielläkään avoimia oliiviöljypulloja ravintolassa', *Helsingin Sanomat*, 23 May 2013, <http://www.hs.fi/ulkomaat/a1369274164985>, (accessed 13 May 2015).

¹⁹⁶ Talouselämä, "'Voi olla tappavaa' – EU-säännöt tekevät tästä terveystuotteesta myrkyä', *Talouselämä*, 8 September 2014, <http://www.talouselama.fi/uutiset/voi-olla-tappava+eusaannot+tekevät+tasta+terveystuotteesta+myrkyä/a2264676>, (accessed 14 May 2015).

¹⁹⁷ S. Corbet, 'Lavender farmers of Provence turn purple with rage at EU health rules warning', *Independent*, 7 September 2014, <http://www.independent.co.uk/news/world/europe/lavender-farmers-of-provence-turn-purple-with-rage-at-eu-health-rules-warning-9717366.html>, (accessed 12 May 2015).

¹⁹⁸ A. Wendlandt, and P. Denis, 'EU Commission proposes tighter regulation of perfume ingredients', *Reuters*, 13 February 2013, <http://www.reuters.com/article/2014/02/13/lk-perfume-eu-idUSL5N0LI4BQ20140213>, (accessed 12 May 2015).

the possibilities for interpretation services for criminals at European Court of Justice (ECJ) and about new measures for agriculture regulations¹⁹⁹. *Helsingin Sanomat* also reported about a court case that took place in 2014. In December 2014 the news reported about the ECJ ruling that obesity could be classified as disability²⁰⁰.

5.10 Conclusion for findings

The empirical material was collected from 54 news articles from 11 different news sources from online and print media in Finland. The material confirms the previous conclusions made in the literature. The news from the EU do not receive a large amounts of coverage in the news, they are likely to be reported from a national point of view and with a negative tone²⁰¹. Most of the news was reported in 2013. This can be partly explained by the EP elections in May 2014 and the need to push legislation through in 2013. During the timeframe of two years, only handful of EU decisions was reported in the media even though they can affect the national legislation. When there was news about EU laws, they did not create any major headlines or commentary in the news.

As Gleissner and de Vreese have pointed out, the news about the EU laws get heavily nationalized in the local context. This was also evident among the Finnish articles²⁰². Most of the news articles about the directives focused on the national perspective, meaning what the directive means for the current laws in Finland. The news also cited the Finnish government offices and non-governmental organizations for comments about the new directives. The backgrounds and the larger contexts behind the directives were rarely discussed.

The empirical material also shows that most of the analysed articles are written from a negative tone and they frequently include euomyths. Out of the 54 articles, 28 of them can

¹⁹⁹ P. Pelli, 'EU-säädös vähentäisi muovipusseja rajusti', *Helsingin Sanomat*, 19 November 2014, <http://www.hs.fi/ulkomaat/a1416292001397>, (accessed 12 May 2015); P. Sajari, 'Uusi direktiivi auttaa kartellista kärsineitä', *Helsingin Sanomat*, 13 November 2013, <http://www.hs.fi/talous/a1415772864670> (accessed 12 May 2015); V. Kähkönen, 'Maatalouden Suomi-pykälä eteni EU-parlamentissa', *Helsingin Sanomat*, 30 September 2013, <http://www.hs.fi/politiikka/a1380507941316> (accessed 12 May 2013); I. Vähäsarja, 'EU-direktiivi: Ulkomaalaisten rikollisten saatava tuomionsa omalla kielellään', *Helsingin Sanomat*, 7 November 2013, <http://www.hs.fi/kotimaa/a1383795055682>, (accessed 12 May 2015).

²⁰⁰ P. Torvinen, 'EU:n tuomioistuimien Liikalihavuus voi olla vamma', *Helsingin Sanomat*, 18 December 2014, <http://www.hs.fi/hyvinvointi/a1305909557481>, (accessed 12 May 2015).

²⁰¹ C. Valentini, 'Political Communication in International Settings', in *The Journal of International Communication*, vol. 14, no. 2, pp. 102-116

²⁰² Gleissner & de Vreese, 2005, above n. 7.

be analysed as euromyths, following the definition proposed earlier. These articles include either inaccuracies in the content, misleading phrases, sensationalism or just plain mistakes. It should be noted that some of the articles also included a correction for previous rumours about a yet another regulation from Brussels. The most amount of accurate news about EU laws was found in Helsingin Sanomat. As also mentioned by Filipec and Hurtikova, tabloid papers were more likely report inaccurately about laws and to include euromyths.

The collected material also shows similar results made by Filipec and Hurtikova who analysed euromyths and inaccuracies in the Czech press²⁰³. As in the Czech Republic, it was more common for the tabloid magazines to report the laws frequently with inaccuracies and a negative tone²⁰⁴. The role and the impact of the Internet and social media were also noted²⁰⁵. When going through the empirical material from the Finnish media it was evident that the access to online news and social media is a common factor for the quick spread of news.

²⁰³ Filipec and Hurtikova, 2014, above n. 9.

²⁰⁴ Ibid. p. 53.

²⁰⁵ Ibid. p. 51.

6. Analysis

From the empirical material collected for this research, it can be observed that inaccurate and negative articles received a much larger coverage than accurate ones. Majority of the 54 articles included in this study included an inaccuracy either in the title or the content. Some of the articles also presented the directives in a negative light while the content was accurate. In some cases the title of the article was wrong but the content of the article was accurate. The results are analysed based on the theoretical framework laid down earlier. The analysis starts from Habermas' theories on communicative action and the two dimensions of society.

6.1 Euromyths as a communicative action

The central aspect of the communicative action is the aim towards mutual understanding. For Habermas this is done through valid arguments that create a common understanding of the topic between the participants²⁰⁶. The validity of these arguments can be measured through validity claims. These are *truth*, *normative rightness* and *honesty*²⁰⁷.

As described in the theory chapter of this thesis, a public discussion and the exchange of views are part of communicative action when the participants have an equal access to the public sphere²⁰⁸. Habermas' conceptualisation on the public sphere has been criticised for ignoring the different voices and opinions in society, and not all the people have the equal access to express themselves. Consequently this creates problems for the communicative action because the public sphere is shaped by hierarchy and power structures. In the case of the EU, some institutions and member states can be more powerful and influential than the others.

As the EU is a supranational institution, it has the capacity to create and enforce laws upon its member states from Brussels. Some member states and citizens may feel that their voices are not heard in the processes and therefore the EU's legitimacy might be contested. The latest Eurobarometer surveys have measured the citizens' opinions towards the EU and whether they feel like their voices matter. The latest survey shows a trend where the majority of the

²⁰⁶ Bohman and Rehg, 2014, above n. 87.

²⁰⁷ Deflem, 2008, above n. 11, p. 164.

²⁰⁸ Habermas, 1984, above n. 13

citizens believe that their voices are not heard²⁰⁹. The majority of the citizens feel that they do not have an access for the European public sphere and this could compromise the communicative action from the perspective of an individual citizen.

According to Habermas, the information and arguments communicated in the public sphere must be as unaffected and accurate as possible. When analysing the empirical material from the newspapers, it could be observed that not all the articles were providing accurate information. As mentioned before, some of them were euromyths, including inaccuracies in the content, sensational titles, and misleading information. Therefore the validity of the claims made in these articles can be questioned.

To what extent could euromyths be true, normatively right and honest? This analysis focuses on the notions of truth and honesty because they are the closest ones to the media. Normative rightness, on the other hand, can be used when analysing the decision-making processes to make them as justified as possible. Based on the data, euromyths in the media are most likely not to be true because they include inaccuracies, misleading phrases and sensational titles. They could, however, be honest if the journalist believes that what they are writing is true. Therefore euromyths do not fulfil the criteria because their validity is compromised. This distorts the communicative action and mutual understanding is not reached. Other implications for distorted communication of euromyths are that the decisions made in the EU are not seen legitimate.

6.2 Euromyths as colonization of the lifeworld

Habermas' dimensions of society must also be considered, when using the framework on communicative action. These two dimensions are the lifeworld and the system. In the lifeworld deliberate decisions are made through the communicative action and valid reasoning aiming towards mutual understanding. In the system, mutual understanding does not matter as much because the result of the decision-making process is more important.

Habermas writes that separately these dimensions do not cause any problems but when the system interferes with the lifeworld, hence colonization of the lifeworld, they can become

²⁰⁹ European Commission, 'European Union and the Public Opinion', *Standard Eurobarometer 81*, June 2014, p. 131-132, http://ec.europa.eu/public_opinion/archives/eb/eb81/eb81_publ_en.pdf, (accessed 18 April 2015)

problematic because the actions in the systems are coordinated on the basis of money and power, and what decisions bring out the best strategic outcome²¹⁰. When these actions intrude with the system and deliberate decision-making, there is a conflict. In practical terms relating to euromyths, we can analyse them as the system's domination over the lifeworld. As mentioned before, the decisions made in the lifeworld must be based on the validity claims and mutual understanding. When the system is involved in the process, these requirements are no longer required. The conflict between the lifeworld and the system can be analysed in practice through euromyths in media. There are few examples where money and power can be seen in the euromyths reported in Finland.

Money and economic advantages can be a part of the decision-making process and the media output. Amongst the empirical material, there are few examples where economic interests of large corporations have seemingly influenced the writing. The most obvious case is the tobacco directive, where the tobacco companies were lobbying to great extent to achieve their goal for less regulation²¹¹. The reports about the lobbying behind the directive specified Philip Morris International as the major influencer behind the directive for regulating the sales of tobacco and the design of the products. Despite the lobbying, the directive went through in the EU. Some newspaper wrote about Philip Morris International's reports and let the reader to have the responsibility for reading in its context. For example Iltalehti wrote that "A large tobacco company estimates that the directive will cause a loss of thousands of jobs in Finland"²¹². The title of this article can be said to be sensational and misleading because the only source cited for the numbers is Philip Morris International. It supports the views of the tobacco industry and places the emphasis on the loss employment and tax money in Finland. The validity of the claims made by the tobacco industry can be said to be questionable because they have spent a lot of money on public image and affecting the decision-making process²¹³.

It could also be possible that newspapers themselves are trying to increase their profits and circulations. The economics of the newspaper business have recently been in transition due to

²¹⁰ Ibid.

²¹¹ Rettman, 2013, above n. 175

²¹² Iltalehti, 16 August 2013, above n. 173

²¹³ J. Doward, "Tobacco giant Philip Morris "spent millions in bid to delay EU legislation"", *Guardian*, 7 September 2013, <http://www.theguardian.com/business/2013/sep/07/tobacco-philip-morris-millions-delay-eu-legislation>, (accessed 1 May 2015).

technological advancements and the decreasing number of readers²¹⁴. This has resulted the newspaper to compete for attention and for money. The competition might lead to sensational headlines that attract the people to buy the newspaper or to click on their online articles. Increased sales and online views create more income for the papers as well. Newspapers are also competing with each other over who can publish the information faster. In some cases this has led to a mantra of “publish first, correct if necessary” journalism²¹⁵. This in turn increases the likelihood of euromyths in media because sensational news without fact-checking are published. On the outset they might seem accurate because they have been reported in other papers as well, but without a proper fact-checking process they are not verified until the mistake is found.

The lack of fact-checking and the need to correct the claims later can have implications for the democratic legitimacy of the EU and its public image. For example Dougal, the former head of the EC representation to the UK, writes about his offices difficulties and the reluctances of the journalists to correct the mistakes they have made²¹⁶. These problems hinder the flow of the accurate information from the EU to its citizens.

Another part of the system is power. The media has an important role for communicating about the decision-making processes and at the same time give feedback to the decision-makers²¹⁷. The most obvious example of this power is the political power and who has the control over it. When discussing euromyths, it is worth paying attention to the domestic politics in the member states, and to analyse how that could affect the reporting as well. Since euromyths are generally opposing the European integration and its laws, they can be analysed in the framework of political power and euro scepticism and how that could increase the power of euromyths in the media²¹⁸.

As in many other European countries, euro scepticism in domestic politics has been raising in Finland even though the public support towards the EU has been above the average²¹⁹. In the

²¹⁴ <http://www.journalismfestival.com/news/hal-varian-on-the-economics-of-the-newspaper-business/>

²¹⁵ ING, ‘Social Media Impact Survey 2014, report, <http://www.ing.com/Newsroom/All-news/NW/2014-Study-impact-of-Social-Media-on-News-more-crowdchecking-less-factchecking.htm>, (accessed 3 May 2015).

²¹⁶ Dougal, 2003, above n. 2, p. 31

²¹⁷ Bijmans & Altides 2007, above n. 8; R. Kunelius and E. Reunanen, ‘Media in Political Power: A Parsonian View on the Differentiated Mediatization of Finnish Decision Makers’, *The International Journal of Press/Politics*, vol. 17, no. 1, pp. 56-75.

²¹⁸ McCormick, 2014, above n. 19, p. 60-61.

²¹⁹ European Commission, Eurobarometer 82, 2014, above n. 106.

past two general elections in 2011 and 2015, the populist and the euro skeptic party, True Finns received around 17 to 19 percent of the votes²²⁰. The rise of the True Finns has certainly had an effect to the Finnish domestic politics and how the EU is viewed²²¹. Euro skepticism in its nature favours the national systems over the European, and resists the integration and the loss of national power. Analysing the reasons behind the rise of euro skepticism and its effects on the domestic politics could form a research on its own, and it is not the purpose of this thesis to focus only on them. Instead the analysis has focused on euromyths and more precisely and what is their role in the lifeworld-system division.

In this sense euromyths could be seen as a political tool of the euro skeptics to denote the legitimacy of EU laws in the member states in order to gain more political power. Amongst the empirical material there were few instances where the legitimacy and the meaningfulness of EU laws were questioned and underlined²²². These reports list the directives and questions the readers whether they are needed, or they highlight how unnecessary they are. These articles may create a narrative where the laws from the EU are seen as useless and regulating too much ordinary people's lives. In theory this could be a sign on the systems involvement in the lifeworld in order to reach strategic political goals for power.

Another important aspect to mention is the feeling of alienation of the citizens from the EU and how that might affect the euromyths and the reporting about EU laws in general. As the Eurobarometer surveys have showed, the majority of the people tend to feel that their voices are not heard in the Union²²³. This in turn creates resentment and indifference towards the EU and the decisions that it makes. Euro skeptics and the populist anti-EU parties can take the advantage of the feelings of regular citizens and the ineffectiveness in expressing the peoples' views. These feelings can create news articles about how the EU has yet again drafted a new directive that has no real feel to the regular people and their lives.

²²⁰ Tilastokeskus, 'Suomen Keskusta vaalien voittaja eduskuntavaaleissa 2015', web entry, http://tilastokeskus.fi/til/evaa/2015/evaa_2015_2015-04-30_tie_001_fi.html, (accessed 4 May 2015).

²²¹ M. Ylönen, 'Understanding Finland's Eurosceptic surge', *FEPS Fresh Thinking*, No. 1, 2013, pp. 22-24.

²²² Iltä-Sanomat, 'Näin EU määrää meitä', *Iltä-Sanomat*, 31 October 2013; MTV News Online, 8 September 2014, above n. 135,

²²³ European Commission, Eurobarometer 82, 2014, above n. 106.

6.3 Conclusion for analysis

The empirical material and the analysis above have shown the important role of the media for communicating EU laws to the citizens. In Habermas' work media, and mass media, is an essential part in the public sphere and in the communicative action²²⁴. Ideally it enables the citizens, as an audience, to take part in the public discussion and the deliberate decision-making process. As seen in the analysis, euromyths do not fit into this pattern because with inaccurate content they are part of the distorted communicative action. The transnational public sphere, including both the European and the national sphere, is not all-inclusive communicative space where all the citizens have a chance to express their views. The European sphere, as well as the national sphere, is characterised by hierarchy and power structures that create problems for legitimacy and a distortion in the communicative action.

According to the theory on communicative action, this distortion is caused and later reproduced by the system's domination over the lifeworld for undermining the legitimacy of EU laws. Euromyths could be a reaction to the power of the EU or it could be a reaction of domestic interests groups that are seeking more political power and taking the advantage of ordinary people's feeling of alienation from the EU politics. Economic interests can also affect the reporting because the newspaper are looking for more readers with sensational news that interest the people. Euromyths in this sense offer a narrative for the readers that undermine the legitimacy of the EU and its decisions.

²²⁴ J. Deane, 'Media, democracy and the public sphere', in O. Hemer & T. Tufte (eds.), *Media and Global Change. Rethinking Communication for Development*, Buenos Aires, CLASCO, 2005, pp. 177-192.

7. Conclusion

The practical problem of this research project was euromyths in media and how they could be analysed from a socio-legal perspective. Therefore the focus of this research project was on media and how they report about EU laws in the member states. The chosen member state for this study was Finland. The aim of this research was to deepen the understanding of euromyths and why they occur in media. This research has shown that euromyths exist frequently and that their existence can be explained using Habermas' theories on public sphere and the communicative action.

The method for this research project was content analysis. The empirical material was collected from news articles about EU laws (including for example directives, proposals and drafts) published in the Finnish media in 2013 and 2014. The material included 54 articles about 12 different EU laws and initiatives. The results were then analysed with a theoretical framework of public sphere and communicative action in order to understand euromyths from a socio-legal perspective.

To answer the first research question; yes, euromyths have been frequently reported in the Finnish media in 2013 and 2014. The data shows that the majority of the news articles written about EU laws contained inaccuracies or misleading information. These results support the conclusions made in the previous research. The majority of the inaccurate content was reported in a tabloid papers and on their online sites.

To answer the second research question, the social and the political mechanisms for reporting euromyths in the Finnish media are reflected in the Habermas' theories on public sphere and communicative action. Following Habermas' theories this thesis argues that euromyths are created and later reproduced by the system's domination over the lifeworld. Furthermore, the communicative action within the public sphere becomes distorted, creating a space for euromyths to exist.

This research has attempted to highlight the problematic nature of euromyths in the media. What comes to reporting about directives, based on the empirical material it can be concluded that the legal process is more likely to be reported than the outcome. The process in this sense means all types of proposals and drafts where different ideas are presented. For example media reports may include something that was presented in a committee meeting or

something that a commissioner said, even though these statements may not be part of the final outcome of the law. A good example is the reporting of the directive where the commission was said to want to prohibit restaurants to fill their own olive oil bottles due to health and safety issues²²⁵. This proposition received some coverage in the Finnish media. However, this claim was quickly redacted from the draft and the final directive did not appear in the news. What this means is that sometimes the process itself gets more coverage than the law itself. Therefore some people might have a wrong idea what the EU does and what it actually regulates. Corrections for the inaccurate news may be done few days later but it not sure that it reaches the same people who read the inaccurate news. Dougal mentions this problem in his article, and the struggles for the newspapers to even acknowledge that there was a mistake worth correcting in the work²²⁶. Also in some online news the content might be changed but not every newspaper makes it clear what was corrected.

In conclusion, this research has showed that the preconditions for the existence of euromyths are not only the domestic politics, but also the complexities in the transnational communicative action within the public spheres. This in turn is the result of the systems domination of the lifeworld in terms of the validity of the arguments provided as part of the public discussion.

7.1 Personal reflections and final thoughts

I decided to write this master's thesis about euromyths in the media after I finished my internship at the European Parliament Information Office. One of the main duties of the office was to monitor the Finnish media about the news related to the EU. If there was an inaccurate article or a comment, they had to be corrected. After few months and after reading yet another inaccurate article about a directive, I had to ask whether the news from the EU were more often reported inaccurately than accurately. This question sparked my research project that eventually turned into this thesis.

Besides focusing on the socio-legal perspective of euromyths, this project has allowed me to look at EU communications and the media more in detail. The main issues I noticed while going through the material was the lack of fact-checking and understanding of the EU. In

²²⁵ Helsingin Sanomat, 18 May 2013, above n. 194.

²²⁶ Dougal, 2003, above n.2, p. 31

numerous cases the inaccuracies in the articles would have been avoided, had the journalist checked whether the reported EU directive was true or not. Some of them were directly translated from foreign sources that included those errors. Another issue is the lack of understanding the EU and how its laws are created. This caused some very misleading headlines about the EU ‘banning’ something reasonable, when actually it had been a half of a sentence in a memo.

I might have a pessimistic view on the current state of media where the newspapers are competing for money and attention. Nevertheless, I would like to see more fact-based discussion and reporting in media so that we could aim towards the ideal speech situation, where communicative action is a normative and an effective part of deliberative decision-making.

Euromyths are seemingly here to stay for the near future as long as the status quo influenced by the distortion in the communicative action remains untouched. Nevertheless, for the benefit of professional journalism, euromyths need to be acknowledged and addressed in appropriate manner in order to improve the democratic legitimacy of decision-making and the public opinion on the EU.

7.2 Possibilities for future studies

Writing this thesis has been an interesting and a rewarding project that has allowed me to research euromyths and EU communications more in detail. As the research project went on, I came across multiple issues around euromyths in the media that could be elaborated into other projects with more time and resources.

First of all, since this research only focused on euromyths in the Finnish media, an obvious research idea would be to include more member states into the analysis. There is no empirical comparison between multiple member states to reveal whether there are significant differences on how the member states’ media report about the EU laws. It would also be possible to extend the time frame from two years to include more material. This way it would be possible to see when euromyths started to appear in the media first and under what circumstances.

Comparing different countries would also allow the testing of different theoretical frames to have a more comprehensive image of euromyths. Furthermore, it would be interesting to shift the focus from the content of the media to the journalists and what are their opinions for euromyths, why they exist, and what are their consequences.

From a theoretical point of view, it would be possible and meaningful to study further the system-lifeworld division and what it means for the political communication in general. This thesis has studied euromyths and communication only from socio-legal point of view and needless to say this topic is something that can be analysed from other perspectives as well. Other approaches would likely ask different questions and give different answers and therefore help to understand the issues of inaccurate reporting.

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APPENDIX

News articles used in the analysis

Aamulehti

- 8 October 2013 Tupakkadirektiivi läpi: Mentolisavukkeet kielletään –
tupakkateollisuuden lobbaus vaikutti.
- 19 May 2014 EU:n vaatimus voimaan ensi vuonna: Kaikkiin uusiin autoihin
asennetaan “vakoilulaitteet”.

Helsingin Sanomat

- 16 May 2013 EU:n syyni uhkaa perinnesiemeniä
- 16 May 2013 Pelkona siemenkaupan keskittyminen
- 18 May 2013 EU haluaa kieltää oliiviöljyn tarjoilun täytettävistä astioista
- 23 May 2013 EU ei kielläkään avoimia oliiviöljypulloja ravintoloissa
- 11 July 2013 Mentolisavukkeiden myynti loppuu
- 30 September 2013 Maatalouden Suomi-pykälä eteni EU-parlamentissa
- 8 October 2013 EU-parlamentti päättää mentolisavukkeiden kohtalosta
- 13 November 2013 Uusi direktiivi auttaa kartellista kärsineitä
- 17 November 2013 EU-direktiivi: Ulkomaalaisten rikollisten saatava tuomionsa omalla
kielellään
- 19 November 2013 EU-säädös vähentäisi muovipusseja rajusti
- 1 December 2013 Vaatteiden kylmäpesun pelätään lisäävän kemikaalien käyttöä
- 18 December 2013 EU:n uusi tupakkadirektiivi määrittelee sähkö tupakoiden aseman
- 19 November 2014 EU-säädös vähentäisi muovipusseja rajusti
- 18 December 2014 EU:n tuomioistuin: Liikalihavuus voi olla vamma

Ilta-Sanomat

- 10 September 2013 MTK: toppuuttelee: Tuskin EU saunapuita kieltää
- 31 October 2013 Näin EU määrää meitä
- 30 November 2013 Näitä kodinkoneita uusi EU-direktiivi muuttaa – katso lista!
- 30 November 2013 Vaatteiden kylmäpesudirektiivi huolestuttaa – lisää tehokemikaaleja?
- 30 November 2013 EU-määräys hämmästyttää: 20 asteen pesussa muhii paha bakteeripommi
- 15 April 2014 EU:lta ikävä yllätys kahvin ystäville
- 3 December 2014 Luistelukenttiä jää jäädyttämättä uuden säännön takia
- 3 December 2014 Kiekkotähdet tyrmäävät EU-direktiivin – ”Mielummin kentällä pyörii kuin ostarilla rööki huulessa”

Ilta-lehti

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- 29 November 2013 Pesukoneisiin määrätään 20 asteen ohjelma
- 31 August 2013 EU haluaa suosikkimakeisen pois kaupoista.
- 18 December 2013 Karu ennuste – uusi tupakkadirektiivi vie Suomesta tuhansia työpaikkoja
- 15 April 2014 EU puuttuu kahvinkeittäjiin
- 20 May 2014 ”Mustat laatikot” tulevat autoihin: Vakoiluohjelma vai ei?
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