

# **THE (NON)REGULATION OF THE BLOGOSPHERE: THE ETHICS OF ONLINE DEBATE**

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## **ABSTRACT**

New technologies have enabled innovative possibilities of communication, but have also imposed new upon matters of ethics, particularly in regards to platforms such as blogs. This article builds upon the reflections and experiences on this issue, in an attempt to map and analyse the ethical questions underlying the Portuguese blogosphere. In order to reflect on the possibility and opportunity to create a code of ethics for bloggers, attention is permanently paid to the political blogosphere.

## **KEYWORDS**

Code of conduct; values; political blogs; freedom of expression

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## **1. INTRODUCTION**

The debate about ethics in communication (a theme that is perhaps as old as the first reflections on the human ability to interact with others) remains extremely dynamic in contemporary societies, fuelled by innovative technological capabilities that bring new challenges to this endless questioning. Ethics is a construction whose pillars oscillate between different perspectives (Fidalgo, 2007), ranging from a greater primacy of the freedom of the 'I', to a primacy of the collective responsibility, from the justification by the norms (to do that which is correct) to the justification by the purposes (the good to be achieved).

Values and rules underlie ethics, providing a standard for human behaviour and forms of procedure. It is never a finished process, but the result of ongoing tensions and negotiations between interested members of the community (Christofolletti, 2011). As they are based on beliefs, ethical standards attempt to answer the question of what is intellectually defensible, and seek to propose analytical tools for specific situations. That is, ethics presuppose a critical operating and rational reasoning, and not just the assumption of some considerations about right and wrong.

Organizations and professions around the world tend to adopt ethical standards in the form of a written code, accepted by all, according to which behaviours can be reviewed and rationally evaluated. In the field of communication, newspaper companies, divided between business and public service, have increased ethical responsibilities towards society (Albarran, 2007; Latre - Pérez, 2007). Likewise, journalists have adopted ethical procedures that have proved to be fundamental in the consolidation of the profession (Fidalgo, 2008; Traquina, 2007). The commitment to truth, accuracy and

objectivity is an integral part of the journalist's job, and the assumption that this commitment should result in mechanisms of accountability is also increasing (McQuail, 2005). These are mechanisms that can allow citizens to scrutinize what greatly contributes to the reading of the world.

In most cases, these procedures have assumed a particular formulation, recognized by all as a normative and rule-setting orientation, either as a community's initiative (the so-called self-regulation), or upon the imposition by external bodies, such as states (hetero-regulation). A code of ethics may be considered a kind of contract, whose parties are members of the community to which it relates, and where the rules of behaviour (to have and not to have) are identified. One of the weaknesses of most codes is that, as a result of initiatives of self-regulation, they do not hold a great coercive power to ensure their compliance or penalties for offenders: 'the worst punishment stays in the moral realm, in the social disapproval of the conduct of those who cross the line beyond the allowed' (Christofoletti, 2011: 27). However, and although it is in many cases only an ideal, ethics and its 'transcription' into specific contexts in the form of codes may have the advantage of improving knowledge about a particular field and of establishing targets and goals of what is acceptable. But should the ethics of communication be transcribed in a specific number of rules, thereby assuming a codification, in order to publicly link the members of the concerned community?

This question is particularly relevant in a context where technology has fragmented communication spaces, thus creating networks of social interaction with a large penetration, suffocating rules and known hierarchies. In this new media ecology, the question of ethics is even more pressing. Blogs, which are online spaces for communication frequently updated in an inverse chronological order, where a myriad of issues is discussed, are one of the platforms requiring reflection. This article seeks to map and analyse the ethical questions underlying the Portuguese blogosphere. In order to reflect on the possibility and opportunity to create a code of ethics for bloggers, attention is permanently paid to the political blogosphere.

## **2. BLOGS: THE IMPORTANCE OF THE MEDIUM**

Blogs emerged during the 1990s, and became particularly popular when technologies – such as blogger.com – provided tools that facilitated the creation and maintenance of these online pages. The functionality of these pages is so diverse that probably no typology of blogs can cover the multitude of experiences that take place on the net. There are blogs about gardening, cooking, childcare. Some blogs are a kind of diaries, and many have found a particular audience when the authors reported their experiences as pregnant women and young mothers. There are blogs about games, photography and fashion. There is also a blog category, called political blogs, but, again, a wide range of different configurations is a stake: blogs of candidates and of electoral campaigns, blogs of elected officials hosted in institutional sites (such as parliaments), political journalists' blogs hosted in mainstream media sites, blogs of civic movements and blogs of citizens involved in the political debate.

A recent report from Technorati<sup>1</sup>, a blog search engine that records and monitors the blogosphere, stated that blogs are highly rated by consumers with regards to confidence, popularity and influence. Indeed, blogs are in the top 5 most credible internet sources, being more important than Twitter to form opinions, and more important than Facebook when it comes to purchase decisions. We constantly find reasons to justify the importance attached to the blogosphere, be the fears that it generates, or the opportunities that it provides. A major problem is the anonymity that these networks allow, as defamatory strategies can be adopted using an occluded identity, with no consequences to the authors. In the beginning, blogs in Portugal were controversial due to anonymous accusations of plagiarism (in the case of the blog Freedom to Copy, which accused the writer Miguel Sousa Tavares of having copied parts of his book Equador), or disinformation campaigns (as in the case of the blog Muito Mentiroso, which accused elements of the Ministério Público and the of the intelligence police of having orchestrated accusations against innocent people in the Casa Pia case, related to the sexual abuse of children). In other regions of the world, blogs also made it to the front pages in cases of manipulation and propaganda (Público, 18/03/2011)<sup>2</sup>.

Despite these setbacks, blogs have been mostly referred to as spaces of freedom, where opinions and information can circulate freely. In countries where freedom of expression is severely restricted, such as Iran, blogs have been described as flourishing, active and very influential in the public arena. In relation to the recent uprising that came to be known as the 'Arab Spring', newspapers presented several reports on how blogs helped build the opposition against the regime for several years (New York Times, 12/10/2011<sup>3</sup>; Público, 14/02/2011<sup>4</sup>). The contents of blogs are even, in some cases, newsworthy (Sol, 11/10/2011<sup>5</sup>; Público, 27/02/2011<sup>6</sup>, 31/12/2009<sup>7</sup>).

Several lines of research all over the world have especially favoured the potential of blogs towards building a public sphere for political debate and discussion of alternatives for the government of societies (see, for example, Pole, 2010 or Tremayne, 2007). In 2004, blogs had a prominent role in the U.S. Presidential election, consolidating their importance in the public arena, which had been growing since the attack of the Twin Towers, in September 2001, particularly in the case of the so-called 'warblogs' (blogs that focused particularly on the invasion of Iraq). Politicians and citizens realized the importance of this new tool, and while many voters sought blogs for discussion and information on politics, political candidates have also started using the platform to create personal blogs.

<sup>1</sup> <http://technoratimedia.com/report/>

<sup>2</sup> <http://www.publico.pt/Tecnologia/eua-tem-planos-para-criar-contas-de-propaganda-nas-redes-sociais-1485514>

<sup>3</sup> [http://www.nytimes.com/2011/10/13/world/africa/a-blogger-at-arab-springs-genesis.html?\\_r=2](http://www.nytimes.com/2011/10/13/world/africa/a-blogger-at-arab-springs-genesis.html?_r=2)

<sup>4</sup> <http://www.publico.pt/Mundo/jovem-blogger-siria-condenada-a-cinco-anos-de-prisao-1480266>

<sup>5</sup> [http://sol.sapo.pt/inicio/Sociedade/Interior.aspx?content\\_id=30649](http://sol.sapo.pt/inicio/Sociedade/Interior.aspx?content_id=30649)

<sup>6</sup> <http://www.publico.pt/Local/provocacoes-em-formato-low-cost-para-melhorar-as-nossas-cidades-1482395>

<sup>7</sup> <http://www.publico.pt/Sociedade/palavras-da-decada--b-1415918>

The traditional political communication made its way to the blogosphere, using the new technological potential to increase the exposure of voters to campaign messages and propaganda. But a new phenomenon of horizontal, political communication, between peers, outside the institutionalized barriers of party organizations or government, also began to gain ground on the Internet. This new form of communication, attended by citizens, was characterized by the presence and interaction of voices, outside parties or other forms of political organization, discussing issues of public interest, presenting alternatives, scrutinizing the other voices of public space (as political and traditional media). The presentation of new proposals, discussed by other bloggers, and the dialogue that ensued between them, thus demonstrated the possibility of building a space in which political deliberation could occur, in a way giving shape to a kind of public sphere.

### 3. BLOGS: A CODE OF ETHICS?

As a result of their constant presence in the public space, of their reading levels and of the demonstration of their influence over other structuring agents of public space (such as politicians and mainstream media commentators), blogs are an unavoidable phenomenon of new digital space. And particularly relevant ethical questions arise in this respect, since they can reach wider audiences. What are the obligations of bloggers to their readers, to the people on whose behalf they speak, and to the society at large? The answer is not consensual, and different perspectives, ranging from agreement to accusations of control and of restriction of freedom of expression, have emerged in the discussions about the possibility of ethically regulating the blogosphere. So far, 'bloggers seem to be generally resistant to rules and codes established by others' (Kuhn, 2007: 34). The first proposals of a code of conduct emerged shortly after the popularization of the phenomenon, and were presented by Rebecca Blood<sup>8</sup>, an early blogger, in 2002, as well as by the founder of the cyberjournalist.net website, Jonathan Dube<sup>9</sup>, in 2003. These proposals gave rise to several comments and criticisms, but none of them were more than mere suggestions.

#### 3.1. A POSSIBLE REGULATION SCENARIO

The debate on the regulation of the blogosphere is intimately related to the regulation of the Internet, which is itself an unfinished discussion. Since the dissemination of the technology, 'a coalition formed by an active user community, civil libertarians and American courts became the guardians of the freedom of the Internet, so that a major part of the network continued to be a large social space for experimentation, sociability and independent cultural expression' (Castells, 2009: 151). The blogosphere was born from this experimentation, heir to the spirit of freedom of the network and, therefore, also a supporter of the rights of freedom of expression. According to Silva (2005), there has been a historically huge reluctance to regulate the virtual world, thus transforming

<sup>8</sup> [http://www.rebeccablood.net/handbook/excerpts/weblog\\_ethics.html](http://www.rebeccablood.net/handbook/excerpts/weblog_ethics.html)

<sup>9</sup> <http://www.cyberjournalist.net/news/000215.php>

the network into a lawlessness space, noncompliant with the sovereignty of an independent government, or with any centralized body capable of imposing behaviours.

Albeit a promising tool of expression of fundamental freedoms and of promotion of citizenship and democracy, the Internet also presents problems of judicial jurisdiction (and not just of conduct), in particular with regard to the presence of offensive content, pornography, terrorism, economic crime, security and privacy of citizens. This justifies the efforts made, especially by the United Nations (UN), towards global governance for the Internet, which already date back to the mid 1990s, and which involved, not only American institutions, but also several international organizations. However, little progress has been made with regard to the scope of an international agreement on the matter.

The importance attached to the possibility of a kind of governance for the Internet also reflects on the involvement of international institutions like the UN or the European Commission. The concerns, however, have focused on issues that highlight the importance of the Internet for national security or the economy. The UN currently supports a working group to improve the Internet Governance Forum, a space for reflection and proposal drafting, which holds annual meetings with partners, stakeholders and states to promote regulatory initiatives. Similarly, the European Commission has made the claim for Internet governance, advocating a model of open, independent and accountability-based governance (European Commission, 2009). Problems such as the sovereignty of different states, but also the inclusion of the least developed countries in the process of digital societies and copyright are at the heart of the concerns of organizations like the United Nations (UN, 2005).

Although these international organizations have not focused their efforts on the ethical nature of content and of the interactions that take place on the internet, these issues demonstrate the difficulties arising from Internet regulation, either in economic or criminal matters, or in the adoption of codes of conduct. And the blogosphere, which was born in the shadows of freedom of expression, and mostly free from business interests, has not escaped the discussion, despite the inexistence of consensual conclusions. The blogosphere is itself a space where problems related to the possibility of defamation or offensive content, that is, problems of ethical nature, may occur.

Some of the first initiatives aiming at the development of codes of ethics for blogs resulted mainly from the influence of ethical reflections on the more widespread form of public communication, that is, journalism. This was, for example, the starting point of Jonathan Dube, who was inspired by the ethical code of the American Society of Professional Journalists. In 2007, the OECD published a report that challenged the regulation of the blogosphere, again from the perspective of citizen journalism. The report highlighted problems such as incorrect, unchecked, defamatory or even illegal information, argued that some control is needed, and claimed that technological, legal and self-regulatory solutions, in particular, could help limit access to these contents and reduce the negative impact (OECD, 2007). The problem is that these proposals borrow the values of professional journalism, in respect to balance, objectivity or neutrality, which may not make sense for the blogosphere (except for blogs hosted in newspapers' websites and written

by their own journalists, such as, for example, the Washington Post). The advantage of the discourse of blogs discourse is, in many cases, precisely the fact of being compromised, partisan and non-neutral (Woodly, 2008).

In 2007, Martin Kuhn, prepared a proposal, based on philosophical conceptions of morality, that valued the human and interactive dimension of blogs. As he criticized the proposal of Dube and Blood, on the grounds that the solutions were too close to the codes of journalists, especially because they favoured credibility, Kuhn (2007: 21) proposed a new approach that emphasized the interactive nature of blogs, that is a code 'normatively based (...) and derived dialogically'. Identity (against anonymity), accountability and inclusivity are some of the values proposed by Kuhn (2007) in his code of ethics, which states standards such as posting regularly, visiting and commenting on other blogs, promoting freedom of expression, being true and promoting community, by building online relationships. Another proposal was presented in 2007 by Tim O'Reilly<sup>10</sup>, who is renowned for his work on web 2.0 (including coinage of the term to refer to the new interactive capabilities of the internet), which was entitled to an entry in Wikipedia - whose founder, Jimmy Wales, joined to prepare the drafting of the code. The purpose of these two digital activists was to increase civility in the blogosphere, which they thought to be at risk when a technology blogger received threatening and intimidating messages.

Instances of adoption of codes in the blogosphere throughout the world are sparse experiences. For example, the Brazilian Association of Travel Blogs adopted a code of ethics, which mainly aims at ensuring transparency (regarding, for instance, the audience numbers, sponsorships and advertising texts) and respect for copyright – an initiative framed by the business context of many of these blogs. In Nepal, a code of ethics was made and signed by leading bloggers of the country<sup>11</sup>, largely inspired by principles of the journalism world. Furthermore, the initiative resulted from the collaboration between a network of bloggers and the Online Journalists Association of Nepal (member of the Federation of Nepalese Journalists), the initial idea of the code being authored by a senior journalist, adviser to the President of the country.

These initiatives have resulted from the enterprise of bloggers and members involved in the community. They stem from the often-made assumption by Internet stakeholders that a normalization of the online conduct is required to ensure compliance with certain ethical criteria, thus suggesting the adoption of a self-regulation strategy. But initiatives of hetero-regulation also emerged in the blogosphere. Until now, two attempts failed, which shows that, if self-regulation causes a strong disapproval among bloggers, the discontent with initiatives coming from outside is much greater.

The need for some form of regulation – or, at least, registration – has been raised by the European Parliament, which argued for the need to clarify the status of blogs. The initiative was received very negatively by the blogging community<sup>12</sup>. Bloggers benefit from

<sup>10</sup> [http://web.archive.org/web/20070416101941/http://radar.oreilly.com/archives/2007/04/draft\\_bloggers\\_1.html](http://web.archive.org/web/20070416101941/http://radar.oreilly.com/archives/2007/04/draft_bloggers_1.html); <http://news.bbc.co.uk/2/hi/technology/6502643.stm>

<sup>11</sup> <http://www.nepalivoices.com/nepal-blog/2011/07/27/historic-bloggers-sign-code-of-ethics/>

<sup>12</sup> See, for instance, <http://www.jonworth.eu/more-eu-controlling-blogging-outrage-a-more-careful-analysis/>

some institutional recognition, especially by political parties that give them accreditation for their conventions, and by the federal government of the United States which passed the 'Free Flow of Information Act', thereby granting them the same protection as journalists in regards to sources confidentiality. However, bloggers have refused to formalize their existence, as well as any form of external regulation, considering it an attempt of censorship. When the Swedish press wrongly reported the concern of the European Parliament as a plan to register all blogs, politicians from all sides condemned the initiative, seeing it as a new example of Big Brother. The MEP Marianne Mikko clarified that she did not claim for the exact identity of the blogs, but argued that 'some credentials, a quality mark' was necessary; these arguments were, once again, rejected by the blogosphere (EUObserver.Com, 27/06/2008)<sup>13</sup>.

The same rejection was faced by a government initiative in Singapore that, following the 2011 general election, proposed an Internet code of conduct in order to fight problems such as anonymity, fake rumours, and even extremism. For bloggers, this initiative would result in a limitation of freedom of expression, and therefore was rejected. In 2013, the chairman of the media literacy dropped the intention to regulate behaviour on the Internet, stating that the focus of government action should be placed on public education<sup>14</sup>.

Despite the adoption of codes of ethics (by self- or hetero-regulation) not being a generalized practice in the different communities of bloggers (for each geographic or thematic area), these concerns are by no means absent from the daily practice of the millions of authors that feed the blogosphere. A study conducted by Cenite et al. (2009) showed that bloggers value ethics and adhere to practices such as truth-telling, accountability and identification of the source of information, and that most of them would be in favour of a code of conduct. The authors note, however, that it would be 'unrealistic to expect bloggers to agree on much at all, or to be bound by any code' (2009: 591). The reason for this is the diversity of the blogosphere, which scatters its members and dilutes any attempt of cohesion. Additionally, the interactive nature of the blogosphere does indeed allow any less than ethical behaviour to be immediately denounced by readers or other bloggers.

### 3.2. CASES IN THE PORTUGUESE BLOGOSPHERE

Ethical concerns were debated in the Portuguese blogosphere almost since the beginning. Some of the first blogs presented defamatory practices that immediately challenged the credibility of anonymous blogs, and initiated a discussion as to how other blogs should handle these cases (Fonseca, 2007). Often, anonymous blogs present accusations and insinuations that lack evidence, but the process of identifying the authors is not always easy – which may encourage these unethical practices. This was the case of the 'Chicken Charles - the anti-hero' blog, whose contents offended the mayor of Covilhã, Carlos Pinto. Although the judicial authorities identified the suspect author via the IP address of the email associated to the blog, the court acquitted the defendant for lack

<sup>13</sup> <http://euobserver.com/871/26407>

<sup>14</sup> <http://therealsingapore.com/content/mlc-no-internet-code-conduct-now%E2%80%A6>

of evidence, the owner of the computer from which the posts were made, who alleged misuse by third parties (Kaminhos, 28/02/2008)<sup>15</sup>.

In 2008, a Portuguese blog hit the headlines in the blogosphere of several Western countries when a court decision shut it down. The case involved the Póvoa Online, an anonymous blog focusing on the local politics of Póvoa de Varzim, which Google (that at the time hosted the blog platform) closed, following a court order. Further to a complaint for defamation filed by the Mayor of Póvoa de Varzim, Macedo Vieira, two individuals were later identified as authors (through the trail of the IP address associated to the blog). Unsurprisingly, once the blog was shut down, another one created by the same authors, the Póvoa Offline blog, soon emerged, which received wide media coverage. This demonstrated, firstly, that the law often faces difficulties when handling this new area, and, secondly, that the strategies of damage limitation in this medium are usually useless: the issue that was local in nature then became national, and even a worldwide coverage case, thus amplifying almost exponentially what the mayor had tried to silence. Thus, 'traditional solutions are difficult to apply in terms of liability for unlawful acts committed on the Internet' (Silva, 2005: 20), because the identification of anonymous authors is not easy, especially if using public computers. Consequently, the adoption of ethical behaviour becomes even more relevant as it becomes difficult for legal authorities, with their current resources, to handle the new technological possibilities.

The legal decision to shut down the blog, which made jurisprudence in Portugal, was widely discussed in the blogosphere. The opinions were divided between those who considered this case an attack to the freedom of expression and an act of censorship, and those, like Vital Moreira, from Causa Nossa blog<sup>16</sup>, who claimed for the accountability, considering that defamation is a crime. This case fuelled the discussion over the possible need for the blogosphere to respond to ethical principles, such as the presentation of evidence in case of accusations, and the weighting of language. Some bloggers assumed that the adoption of a certain standard of ethical behaviour and of a certain self-regulation were required. The blogger and journalist Paulo Querido, for example, who closely monitors this new universe, argued for the need to establish a status for the authors: 'whether the bloggers like it or not, and most of them are clearly screaming against it, the clarification of the blogger's status is inevitable. (...) This all comes about with the increasing responsibility that blogs, or at least some of them, shade on the communicational sphere' (Expresso, 30/09/2008)<sup>17</sup>. This status would be based on self-regulation and free membership, in order to separate and classify blogs. No initiative, however, was put forward.

Another 'regulatory' issue related to the ethical concerns is the personal condition of the author, that is, whether the blogger is a journalist, and, if that is the case, whether the blogger should be required to follow professional ethics and deontology. The stances

<sup>15</sup> <http://www.kaminhos.com/artigo.aspx?id=7798&seccao=1>

<sup>16</sup> <http://causa-nossa.blogspot.pt/2008/06/pretensa-imunidade-penal-da-blogoesfera.html>

<sup>17</sup> <http://expresso.sapo.pt/erc-e-blogoesfera-o-estatuto-sem-debate=f413054>



on this issue were not always clear, and demonstrate that there is not a linear understanding about it, with the same actors showing different perspectives at different times. The first case dated 2008, and involved the journalist Eugénio Queiroz<sup>18</sup>, who, following an opinion posted on his personal blog 'Bola na Área', was investigated by the Ethics Council of the Journalists' Union. This letter showed a lack of knowledge about the world of blogs, as it referred to a 'complaint about the comment signed in the blog 'Bola na Área', of whose board of administration you are also a member', and asked the journalist whether he considered that he himself was 'not required to follow ethical and deontological principles, as well as the letter of the law, when publishing edited opinions'.

Eugénio Queiroz responded to the Ethics Council, stating that he had not breached the code, and that 'a little daring is sometimes required to initiate the discussion, and the blogosphere is a space that allows for other freedoms'. This rationale was rejected by the Ethics Council, which considered the attitude of Eugénio Queiroz worthy of repair and ethically reprehensible, concluding that 'the journalist should apologize to the ones offended' by his opinion<sup>19</sup>. As far as we know, this was the only case involving journalists and the blogosphere, so the lack of dimension inhibited a broad discussion over this issue. However, later in 2013, the Ethics Council itself acknowledged that 'ruling on the nature and content of blogs' was out of their jurisdiction. But it also considered that 'some of them are means of expression for journalists', and still argued for 'the need to respect the rights and duties of journalism, to which they are bound'. In their final note, they regretted 'the improper conduct that some of them show in this respect'<sup>20</sup>.

Conversely, the Journalists' Union itself considers that social networks and personal blogs cannot be subject to corporate regulation, which raises some doubts as to the requirement to meet professional ethical rules in those contexts. Further to a service notification issued in November 2009 by the news director of the public television channel RTP, which included a set of 'common sense recommendations that journalists should observe' in social networks (in reference to RTP professionals with personal accounts in blogging services, Twitter, Facebook, etc.), the Journalists' Union utterly rejected that which they considered to be an interference. 'The news directors have to define, within the limits of the law and professional ethics, the editorial guidance of information services, and even the social networking accounts hosted by the media in which journalists accept to cooperate, but their authority does not apply to the personal initiatives of journalists or their private lives', the organization stated<sup>21</sup>. These stances, which allow for ambiguous interpretations, do not enable a clear clarification as to whether any journalist must comply with the professional ethical rules when writing a personal blog: the Ethics Council seems to consider that such compliance is mandatory, whereas the Journalists' Union seems to consider that this belongs to the private domain of the professional.

<sup>18</sup> [http://bolanaarea.blogspot.pt/2008/09/para-qu\\_24.html](http://bolanaarea.blogspot.pt/2008/09/para-qu_24.html)

<sup>19</sup> <http://www.jornalistas.eu/?n=6882>

<sup>20</sup> <http://www.jornalistas.eu/?n=9207>

<sup>21</sup> <http://www.jornalistas.eu/?n=7717>

Politics is another area of the blogosphere in which issues of ethical nature are also particularly relevant. Political blogs are considered a special case in the blogosphere: they are responsible for a major dissemination of the phenomenon, thus receiving greater attention from the mainstream media (Silva, 2009; Tremayne, 2007). And the blogosphere is not absent of problems in this field. As far as less transparent strategies in political campaigns are concerned, blogs have been involved in allegations of public opinion manipulation. The Simplex blog, for example, was accused of being a governmental creation (and paid for with public funds) to support the candidacy of José Sócrates for prime minister in 2009, forcing the blog owners to publicly justify themselves (Público, 19/02/2010)<sup>22</sup>. Later, the Câmara Corporativa blog, which other bloggers consider to be written under false identities, was referred to in the blogosphere as a space of propaganda at the service of Prime Minister José Sócrates.

#### 4. WHICH ETHICS FOR THE PORTUGUESE BLOGOSPHERE?

This mapping of the issues about ethics in the blogosphere, although not comprehensive, allows us to reach, until now, two conclusions: the theme is presented and discussed on a regular basis, although there is no agreement on the principles or values to which priority is given; initiatives to formally transform procedures into codes of conduct have not been well received, except for some sparse, special cases. However, the lack of consensual stances on regulatory issues does not remove substance from the facts. Therefore, firstly, these cases demonstrate that the topic is relevant, that it is discussed internally within the community, and are subject to a wide spectrum of opinions. Secondly, the lack of a specific authority, and the formal and/or institutional non-adoption of any code of practice thereof, does not mean that the blogosphere is a space without rules. A credible, respectable and attractive presence in the blogosphere equates with the fulfilment of certain ethical criteria, and the guarantee of respect for certain values, such as truth and verification (Serra, 2006).

As part of a wider research on the Portuguese political blogosphere, in the exploratory phase, we surveyed elements considered to be a kind of stakeholders of the blogosphere: bloggers, journalists and Portuguese politicians (see Silva (2013) for a description and methodological justification). We conducted semi-structured interviews addressing wider issues such as the influence of the political blogosphere, its polarization and its collective character. Although none of the questions (which were, by nature, open and non-directive) had directly asked the individuals about issues related to ethics, the responses revealed some insights on the subject, showing that these concerns underlie the presence in the blogosphere.

Among the ethical values - that seem to emerge from this set of stakeholders (here with the caution that, although some may be applied to the blogosphere in general, others reflect a concern more prone to the political space of the internet) are: identification (against anonymity and presence under fake identities); assignment (against plagiarism,

<sup>22</sup> <http://www.publico.pt/Política/coordenador-do-blogue-simplex-assegura-que-nao-ha-apoio-financeiro-externo-1423469>

by identifying sources and the origin of the published information); quality (of the information and opinion that is provided); diversity (of opinions, ideas, and against strategies that limit the freedom of expression, or tries to colonize the blogosphere with other interests), and rationality (especially in the discussion of political nature, against argumentation based on the defence of personal honour).

Thus, bloggers tend to detach themselves from the presence of the anonymous author (which does not mean that people cannot use pseudonyms, but their identity is commonly known): the blogosphere is, according to the journalist and blogger Pedro Correia, 'a space where opinions are increasingly issued on behalf of the authors, fully assumed without the cowardice of anonymity (exceptions, that are public and notorious, only serve to discredit the inspiring sources of these blogs)' (interview available in Silva (2013)). The possibility of linking, more than a tool of interactivity, is primarily a mechanism for the identification of sources, which firstly allows checking the information, and, secondly, works as a courtesy – to acknowledge the other voices present in the blogosphere. This practice, blogger João Miranda states, corresponds to the initial 'ethic of the linking to whom you are speaking about' (interview available in Silva (2013)), regardless of whether the blog is liked or not. Likewise, the blogger Gabriel Silva notes that links to other blogs are 'mandatory: a kind of a basic rule; no one comments on a post from another blog without inserting the link' (interview available in Silva (2013)). That is, the logic of verification operates as a strategy for the credibility of the message conveyed, as well as a self-regulation mechanism. Gabriel Silva states that the link allows the verification of the data, which gives authority to the one who speaks (interview available in Silva (2013)). In the words of Pedro Correia, hyperlinking serves to counter the 'guessing that unfortunately still prevails in some of our commentators' (interview available in Silva (2013)).

Also essential in this kind of contract between bloggers and their readers is the quality of the information and opinion conveyed, because this is the warranty seal that blogs can bear: 'The authority of blogs comes from the quality and from the relevance of what is written', blogger Gabriel Silva states (interview available in Silva (2013)). The issue of diversity and the inclusion of several trends in the blogosphere is also crucial, since the blogosphere is a 'very fragmented space, and represents a very broad political spectrum' (journalist Jorge Pinto, interview available in Silva (2013)), in which 'the most diverse influences (...) and the most diverse orientations' coexist (Pedro Correia, interview available in Silva (2013)). Therefore, the blogosphere is, in the words of politician Augusto Santos Silva (interview available in Silva (2013)), 'a relatively plural field – which seems to be, by the way, a healthy condition for its assertion'. Also in the field of the argument for the diversity against uniformity of thought, and for the freedom of expression, blogger João Miranda criticizes the colonization of the blogosphere by the media and by the political agents, that made it 'more like traditional media', and that may come to be the result of an attempt of control by 'some professional journalists and members of political parties' (interview available in Silva (2013)). Finally, another value that seems important to the ethics of online discussion is the rationality of the arguments against strategies based only on the defence of personal honour (Gabriel Silva, interview

available in Silva (2013)). The rational argumentation must be enriched with ‘other levels of information provided to the readers’, which may be given by links (Pedro Correia, interview available in Silva (2013)).

There might be many authors in the blogosphere that do not follow these rules, and issues like anonymity, defamation and lies will continue to emerge. But the consequence of self-regulation for the ones who adopt it, the bloggers believe, is the adherence of readers to their blogs, that is, audience and visibility – which is ultimately, the goal of those who publish and share messages, content and information. As the journalist Leonete Botelho explains, ‘a certain blog written by respected bloggers, with well-informed opinion, becomes a centre of attraction’ (interview available in Silva (2013)). Therefore, ethics is essential to the blogosphere, but will it need to be expressed in a written code that functions as a hallmark? Or will it be enough to practice ethics, while leaving the decision on whom to trust and read to the readers?

A possible legal framework for blogs – which, at this stage, is not a very specific possibility – should be carefully considered, in order not to threaten their inherent diversity. Blogs are a free space of self-expression, where people can discuss diverse topics of interest to them, and build communities. In the particular context of the political debate, blogs may promote a new discourse, which emphasizes an interpretive approach and provides denser and less linear contents than the traditional political discourse. Bloggers regularly provide hyperlinks, and often compromise their ‘sayings’ to other voices, relinquishing control over their discourse and providing its readers with opportunities that are unusual in other instances of the political game. Thus, the Portuguese political blogs can provide a forum for ideological debate, undertaken by citizens. Furthermore, this can be conducted without the backing of political parties, which revitalizes civic participation and mobilization about the governance of societies.

Therefore, any proposal of adoption of a code of conduct for bloggers should be carefully considered. The existence of codes of conduct led to the professionalization of journalists and to their legitimacy (Traquina, 2007; Hallin, 2008), but it should be kept in mind that the consequent adoption of professional practices limited the exercise of diversity and, therefore, also the essence of democracy. The need for a ‘hook’, a pretext for the news, the prevalence of personalization and the use of quotes helped lift the ideological confrontation of the political discussion (McChesney, 2008). The need to ensure a steady flow of information has led to the cultivation of sources (McQuail, 2003; Wolf, 2003) and to the proximity between journalists and their sources (Franklin, 2003). Additionally, the defence of neutrality and objectivity, a hallmark of the journalism profession, places an emphasis on the factual perspective of the events, which is inconsistent with the partisan spirit of many blogs, in terms of causes, tastes, and interests. In that sense, as it is non-professionalized, the intervention of the blogger is freer, because it is not limited by the need for a pretext that meets standards or production routines, nor does it depend on information sources that can produce biases; the blogger discusses ideology, alternatives, questions political choices, and can introduce different topics on the agenda. Therefore, a potential regulation of blogs must avoid compromising the free

enterprise taking place in that area. Likewise, it must avoid limiting the citizen participation, by resorting to rules that may undermine the expression of diversity, normalizing the participation of citizens in the public sphere.

In that sense, one of the basic tenets should be the preservation of freedom with responsibility, but with no other strings attached – and responsibility may not need any external obligation, because that is where, as we have seen, the legitimacy of the blogger is built upon, and where their capacity of social intervention lays. Jay Rosen, an academic and professor at the New York University, follows that line of reasoning in a post titled: ‘If bloggers had no ethics, blogging would have failed. But it did not. So let’s get a clue’<sup>23</sup>. As he compares journalists to bloggers, this academic focuses on how the trust on the new authors of the Internet is built by their readers, highlighting that bloggers have an ethical practice (even without a written code), particularly the ethics of the linking, self-correction, transparency (not neutral), interaction with others and perseverance. The recognition by others as a member of the blogging community requires an ethical conduct, implicit and self-imposed, that plays in favour of the blogger’s authority. If a move is made towards a stage in which bloggers have to ‘professionalize’ or ‘adjust’, important tools for the promotion of diversity may be lost.

## 5. FINAL REMARKS

The assumption that there is ethics in the blogosphere, and that bloggers engage in a conduct that leads to trust and credibility, before the community and before their readers, does not, however, result in an absence of problems on the Internet. The recent case of a blogger<sup>24</sup> who, at the service of the electoral campaign for the elected-to-be Prime Minister, Pedro Passos Coelho, admitted to have lied and manipulated profiles on the Internet to promote the candidate, shows that the debate, the warning, and the consciousness are still necessary.

This article traces and identifies some significant cases, first at a general level, and then in the Portuguese scenario, related to ethical issues and practices in the blogosphere. It proposes, following an exploratory study, a range of values that appear to be present in the practices and considerations of the bloggers about this online space. However, one of the limitations of this article is that the identification of normativity in the blogosphere mainly refers to the political sphere - even if we can, theoretically, consider that it may be extended to the blogosphere in general, since the values can easily be adapted to any context where content production occurs in a blog format.

The blogosphere is a relatively recent phenomenon, many doubts persisting over its future and over the possible restrictions imposed by public authorities (national and international). There are certainly challenges that are not yet in clear perspective. But as far as freedom of expression is concerned, the blogosphere remains a plural space, which is beneficial and essential for an ethical practice. Credibility and trust, without the

<sup>23</sup> [http://archive.prssthink.org/2008/09/18/because\\_we\\_have.html](http://archive.prssthink.org/2008/09/18/because_we_have.html)

<sup>24</sup> <http://delitodeopiniao.blogs.sapo.pt/5848575.html>

backing of a professional organization or institution, are ultimately a matter of personal nature. And it is in the personal and individual relationship of the bloggers with their readers that these values are played. //

[Translation revised by Rui Sousa e Silva]

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