



ISSN 1800-7074 (print)
ISSN 2536-5622 (online)

Volume 14 * Number 1 * 2021



Research Media Center,
Podgorica, Montenegro

Scientific periodical journal of Scholarly Papers for Research Media and Society

Vol. 14, No. 1

2021

Quarterly publication

Publisher:

Research Media Center
Studentska bb, L8/16
Podgorica, Montenegro

Partnering with:

ELIT - Economic Laboratory for Transition Research, Podgorica, Montenegro
Centre of Sociological Research, Szczecin, Poland
Faculty of Visual Arts, Podgorica, Montenegro

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CrossRef
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The journal is published four times a year

Printing: 100 copy

Journal customer service:

Tel: + 382 68 583 622; + 382 67 092 768

E-mail: rookie@t-com.me

Web address: <http://www.media-dialogues.com>

Account: 540-1000031178051-32 (Erste bank, Podgorica, Montenegro)

Printed by: "3M Makarije" - Podgorica

Decision of the Ministry of Culture and the Media No 05-1203/2 of May 05, 2008

"Media Dialogues / Medijski dijalozi" was registered to the records media under the number 647

CIP - Katalogizacija u publikaciji

Централна народна библиотека Црне Горе, Цетиње 659.3/.4

ISSN 1800-7074 = Medijski dijalozi (Podgorica)

COBISS.CG-ID 12734480

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Data Journalism as a New Type of Media Communication

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ARTICLE INFO	Received: March 17, 2021 / Revised from: April 19, 2020 Accepted: May 19, 2021 / Available online: January 15, 2021
DOI	doi.org/10.14254/1800-7074/14-1/1

ABSTRACT

What influence professional identity of journalist? The answer is not easy. We regard this identity as a composition of various journalistic ideals, such as objectivity, neutrality and scrutiny. But these ideals change over time. Media relations to both economic and political forces have changed, and the increasing commercialization of news work has been paralleled by a racing technological development and changes of the journalist corps structure. All these changes together constitute the field, shaping the particular shape of professional identity that dis-

tinguishes journalists. This paper will analyze influence of the above listed forces on shaping of professional identity with a particular attention technological development and changes

KEYWORDS: *Mass media, communication, the internet, database, data journalism, integration, open governance*

INTRODUCTION

In the 21st-century theoreticians and practitioners of mass media are searching new optimal economic and creative models of media. Experts (UNESCO, 2011) have identified a number of trends that could "grow" in practices of media next five or ten years, such as new technologies, new screens and portals for information delivery, increasing participation of prosumers based on creativity and self-expression, and the rise of using of game technologies in the discourse as well. Thus, the main features of media information and communication based on new technologies are interactive creative formats.

In Russia the media system has changed profoundly over recent decades market influence, and the consequences have been similar to those in foreign media: „a restructuring of the media system, quantitative growth, increased diversity in media channels and media content, regionalization of the media markets, and the introduction of ICT into the media infrastructure and into the media system itself“ (Vartanova, 2013). So, the trends of development of Russian media could be similar to those in world industry.

Digitalization, convergence and the Internet have constructed the features of the new models of communication for media professionals and audiences.

The most important feature of the communication in the Internet is hypertext, which determines the basic properties of technical, technological and social, human-centered levels of interaction in this space. The main characteristic of the Internet is hypertext, it provides through hyperlinks and multimedia a synergy of two opposite processing formats of communication such as logical and associative and also provides subject-to-subject interactivity. Other characteristics such as openness, non-limited access to information and communication, and enhanced speed of information distribution are sure to contribute.

In fact in the Internet due to those characteristics any content can be characterized as media content, a priori available for reading and changes by the audiences.

Media sector of Russian Internet is one of the most rapidly developing fields of professional information and communication. But there are digital divide factors which include the lack of broadband access to the Internet all over the territory of

the country, the low technical culture of society as well as rather high prices for Internet services, etc.

M. Lukina also mentioned that *“the development of the sector is also limited because of the lack of legal base in the field, the lack of respect to copyrighting, and poor personal data protection mechanisms”*. And concluded: *“However, despite the objective difficulties the dynamics of Internet usage in Russia is growing positively and contributes to consumers’ demand for online information. This fact encourages renovation processes in Russian digital media”* (Lukina, 2013).

1. DATA JOURNALISM: FEATURES & FUNCTIONS

Digitalization has changed media and journalism profoundly. In the 1950s due to electronic computer information the concept of use and presentation of information in journalism, primarily the U.S., has changed. The distinctive feature of the so-called computer-assisted reporting was the systematic using of computer and digital information, facts, statistics, studies, and the analysis of data bases to enhance the quality of content, strengthen the evidence base, especially in the investigations.

Among the essential characteristics of digitization are so-called open data (big data) bases of digital information.

The term “data” describes large volumes of digital computer information, but in the humanities, from the communicative point of view the database definition was not given. In this paper we use a definition based on the interpretation of Article 1280 of the Civil Code of the Russian Federation and a number of definitions of communication: the database is presented in the form of an objective set of materials (statistics, articles, etc.), systematized in such a way that the data materials can be found and processed digitally by audience.

Today the term is used to refer to various types of data bases, including the important social computer data that can be stored in the public domain, used free by the mass audience.

Data base is open and free used, so the main aims of journalist working with data are connected with methods of analysis, interpretation and presentation of content.

Data journalism as a kind of professional communication and creation of a converged media content based on the use of large amounts of computer and Internet data was born in the first decade of this century.

Foreign and Russian practices of data journalism are in the process of formation, but the main features are determined by ICT, and it’s possible to analyze this phenomenon from the theoretical point of view correctly.

The traditional (non digital) data and fact are the foundation of journalism, the appointment of the facts in the journalistic content is multifunctional: data can be the basis of the information message, can act as arguments and scientific evidence.

The examples of using the different types of data to create more effective journalistic text some scientists date back to the first third of the 21th century. In particular, Simon Rogers describes the article in the British newspaper "The Guardian" (1821), where a list of schools of Manchester with the number of pupils of different categories analyzed, as the first example of data journalism.

This example is not quite correct, as the term „data“ in respect of journalism refers primarily to computer data, Internet data communications network, which have specific properties, briefly indicated above.

The protoforms of the phenomenon of today's "*data journalism*" are the latest journalistic practices of using computer equipment and digital and Internet technologies for analysis and presentation of journalist information in various media sources.

The term "*data journalism*" was defined in 2006 by one of the first American data journalists Adrian Holovaty as outlined structured, machine-readable data, used by a journalist with traditional media text .

At present, such definition is not quite correct, because data journalists use not only a computer and Internet communication, but many new different types of convergence content, which become more and more diverse.

The specificity of data communication is that the authors use the digital data not as a tool for creating text or photo, picture, infographic series for it, but as a major source of formation of topics, concepts, as a key condition for choosing the genre. Implementation of this online format means the use of converged multimedia hyper-text type of message as a new type and method of media communication in every media model: the data and the author, the author and the text / content, the data and the audience, the audience and the text / content, the audience and the author, etc.

Various patterns of data communication and journalism, and online journalism, noted above, are different from the classical analytical journalism types of text as report, correspondence, interview, survey, discussion, comment, reply, profile, sociological summary, review, article, version, experiment, epistle, an essay, a recommendation.

The typical example of data journalism is data blog of "The Guardian" (Guardian Datablog, launched in 2009 by Simon Rogers). Today at least five journalists write to the blog several times a day, which illustrates the increasing demand on such information.

The practices of BBC and NYT demonstrates that data journalism becomes more and more popular.

In Russia examples of data journalism are rather rare. The best example is the project "Accidents with pedestrians in Novosibirsk", started in 2011, which won the first prize of Data Journalism Awards-2012, organized by the Global Editors Network. Journalists and citizens of Novosibirsk collect and analyze the data of the local traffic police and hardware resource that provides information about the most dangerous for pedestrians streets of Novosibirsk for a year.

What are the main features of data communication model? They are formed at all stages of the process. For the subject it's finding the threads of information, analysis using the software MySQL, Python, etc., visualization and original presentation of statistic data in the form of journalistic story (or as an equal part of the plot). The journalist must be a good analyst, and writer, and user of technical tools for data visualization (f.e. Google Docs, IBM ManyEyes, Excel, etc.). Thus, data journalist should possess the features of two different types of thinking: logical and associative, and two types of communication: on-line virtual and off-line real. Also web-designer and web-programmer are the subjects of data-communication model.

The most important point of data journalism is interactive and personal involvement of audience in the process of communication. F.e. "Financial Times" offers the reader an interactive form of personal budget connected with the global financial trends, or the overall level of national unemployment rate for a particular family, etc.

Data communication audience could take part in communication, so, the consumers might to have skills and tools rather equal to journalist.

Journalist Sarah Slobin ("The Wall Street Journal") gives simple, understandable to the reader, personally oriented and effective example on data journalism, realized by "The Las Vegas Sun". Journalists published several articles about health care, prepared on the analysis of 2.9 million hospital records, invoices from public sources, which are allowed to disclose the 3600 injuries, infections and surgical errors that could have been prevented. The interactive graph, identifying problems of all hospitals, gave the readers opportunity to view information, specific to each of them, and then choose the best hospital for themselves.

Thus, data, both computer and net, is not only a source of information for journalists, the original tool for creating a new type of content and communication, but it's a basis for all journalistic classic genres, from news up to investigation in all types of digital media.

Also the data bases are widely used as a source of information for the development of innovative processes, and in March 2013 the European Institute of Innovation and Technology (EIT) conducts a large-scale international conference "*Data-innovation: the new imperative of growth*".

And, of course, the potential damage from the incomplete disclosure of information, error in the analysis of large data sets, especially in the forward-looking research, of course, is potentially great, and this damage increases the responsibility

of the analyst, etc. Another problem, despite the obvious potential of big data, is a growing amount of private personal data, and disclosure, that may violate the rights of readers. Also, there are many technical problems, in particular most of the data generated now, is unstructured and casually organized, this cannot affect the validity of the analysis.

CONCLUSION

The study of the first data practices of journalism as a phenomenon and process allow us to formulate a working definition: data journalism is a set of specific skills to search, analyze, visualize data information from digital sources for the construction of a unique interactive analytical content for effective interaction with the audience; the method of its creation, transmission, consumption, which can be used as meta-method and meta-base for other journalistic genres.

From a theoretical point of view the paper fixes a new format of the integration of different approaches of using of facts as the main category of journalism and the possibility of synthesis, and synergy of all journalistic genres. This type of content and communication is new to journalism but it seems a logical continuation of convergent trends of development of mass media.

These qualitative changes in media communication makes relevant the concept of an integrated theory of media (medialogy) based on a digital media communication, offered by the author.

From the point of view of professional journalism, construction of data communication strengthens human, rather than technocratic trends in media communication, because the creation of original journalistic content based on open standard statistical materials requires the specific interpretation and the choice of digital form.

The emergence of data as a new type of factual information and media communication, displays journalism to a new level of functioning in society.

The transition from the concept of "genre" to the phenomenon of media content, and communication process corresponds to the dialectical nature of social communication, which is both a function of society and its institution, the backbone element and the product of it.

Data journalism communication can be defined as social integrated communication, because of its influence on social processes.

Not in summary but in clarification let's note that data journalism corresponds the government programs of open governance, around the world and in Russia, which contribute to the development of this type of data bases, and, consequently, to data journalism as a new and significant driver of social development.

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Steve Jobs –Visionary and Manager Who Was Walking on Iclouds

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ARTICLE INFO	Received: October 03, 2020 / Revised from: November 0,1 2020 Accepted: December 02, 2020 / Available online: January 15, 2021
DOI	doi.org/10.14254/1800-7074/14-1/2

ABSTRACT

Virtually, all human beings are complex creatures. We are full of intricacies some of which we will never be aware of, such is human nature. We all have inherent contradictions, we are hypocritical and we are inconsistent. All of this, together with our choices, makes us who we are, unique in a billions. Steve Jobs, the cofounder of Apple, was one such person. His self-belief and ability to convince others hel-

ped found one of the most successful companies in the world. He even managed to convince a large following of people that his company was not a company at all. The aim of this paper is to present Steve Jobs as a manager - the manager of the most secretive companie in the world.

KEYWORDS:

Steve Jobs, Apple, Manager, Visionary, the Media.

*In the Old Testament there was the first apple,
the forbidden fruit of the Tree of Knowledge,
which with one taste sent Adam, Eve,
and all mankind into the great current of History.
The second Apple was Isaac Newton 's,
the symbol of our entry into the age of modern science.
The Apple Computer symbol....
represents the third Apple, the one that widens
the paths of knowledge leading toward the future.*

Jean-Louis Gassée

(A former President of Apple Products)

INTRODUCTION

Over the past 100 years, management theory has followed a smooth trajectory, from enslavement to empowerment. Silicon Valley has always been at the forefront of this kind of egalitarianism. The 20th century began with Taylorism — engineer Frederick W. Taylor's notion that workers are interchangeable cogs - but with every decade came a new philosophy, each advocating that more power be passed down the chain of command to division managers, group leaders, and workers themselves. In the 1940s, Bill Hewlett and David Packard pioneered what business author Tom Peters dubbed "*managing by walking around*", an approach that encouraged executives to communicate informally with their employees.

In 1977, Robert Greenle- af's Servant Leadership argued that CEOs should think of themselves as slaves to their workers and focus on keeping them happy. In the 1990s, Intel's executives expressed solidarity with the engineers by renouncing their swanky corner offices in favor of standard-issue cubicles. And today, if Google hasn't made itself a Greenleaf-esque slave to its employees, it's at least a cruise director: The Mountain View campus is famous for its perks, including in-house mas-seuses, roller-hockey games, and a cafeteria where employees gobble gourmet vittles

for free. What's more, Google's engineers have unprecedented autonomy; they choose which projects they work on and whom they work with. And they are encouraged to allot 20 percent of their work week to pursuing their own software ideas.

The result? Products like Gmail and Google News, which began as personal endeavors.

Jobs, by contrast, was a notorious micromanager. No product escapes Cupertino without meeting Jobs' exacting standards, which are said to cover such esoteric details as the number of screws on the bottom of a laptop and the curve of a monitor's corners. *"He would scrutinize everything, down to the pixel level"*, says Cordell Ratzlaff, a former manager charged with creating the OS X interface.

When it comes to Apple, we can talk about the management theory that is not written or established, but that, through ideas and works of Steve Jobs, changed the world. In short, Jobs has been „*secretive management theory*“.

1. „EVIL“ MANAGER WITH A POENT

Apple's street address, One Infinite Loop, is a programming in-joke — it refers to a routine that never ends. But it is also an apt description of the travails of parking at the Cupertino campus. Like most things in Silicon Valley, Apple's lots are egalitarian — there are no reserved spots for managers or higher-ups. Even if you're a Porsche-driving senior executive, if you arrive after 9 am, you should be prepared to circle the lot endlessly, hunting for a space.

But there was one Mercedes that didn't need to search for very long...

...and it had belong to Steve Jobs.

If there's no easy-to-find spot and he's in a hurry, Jobs has been known to pull up to Apple's front entrance and park in a handicapped space (sometimes he takes up two spaces). It's become a piece of Apple lore — and a running gag at the company. Employees have stuck notes under his windshield wiper: "Park Different". They have also converted the minimalist wheelchair symbol on the pavement into a Mercedes logo.

Jobs' fabled attitude toward parking reflects his approach to business: For him, the regular rules do not apply.

Everybody is familiar with Google's famous catchphrase, "Don't be evil." It has become a shorthand mission statement for Silicon Valley, encompassing a variety of ideals that, proponents say, are good for business and good for the world: Embrace open platforms. Trust decisions to the wisdom of crowds. Treat your employees like gods.

It's ironic, then, that one of the Valley's most successful companies ignored all of these tenets. Google and Apple may have a friendly relationship, but by Google's definition, Apple is irredeemably evil, behaving more like an old-fashioned industrial titan than a different-thinking business of the future. Apple operates with a high level of secrecy. It locks consumers into a proprietary ecosystem. And as for treating employees like gods? Yeah, Apple doesn't do that either.

Apple creates must-have products the old-fashioned way: by locking the doors and sweating and bleeding until something emerges perfectly formed. It's hard to see the Mac OS and the iPhone coming out of the same design-by-committee process that produced Microsoft Vista or Dell's Pocket DJ music player. Likewise, had Apple opened its iTunes-iPod juggernaut to outside developers, the company would have risked turning its uniquely integrated service into a hodgepodge of independent applications — kind of like the rest of the Internet, come to think of it.

And now observers, academics, and even some other companies are taking notes. Because while Apple's tactics may seem like Industrial Revolution relics, they've helped the company position itself ahead of its competitors and at the fore-front of the tech industry. Sometimes, evil works...

2. JOBS - AUTOCRATS WITH CHARISMA

At most companies, the red-faced, tyrannical boss is an outdated archetype, a caricature from *Heaven*. Not at Apple. Whereas the rest of the tech industry may motivate employees with carrots, Jobs is known as an inveterate stick man. Even the most favored employee could find themselves on the receiving end of a tirade. Insiders have a term for it: the "hero-shithead roller coaster". *"More than anywhere else I've worked before or since, there's a lot of concern about being fired"*, said one former Apple engineer.

But Jobs' employees remain devoted. That's because his autocracy is balanced by his famous charisma - he can make the task of designing a power supply feel like a mission from God. Andy Hertzfeld, lead designer of the original Macintosh OS, says Jobs imbued him and his coworkers with "messianic zeal." And because Jobs' approval is so hard to win, Apple staffers labor tirelessly to please him. *"He has the ability to pull the best out of people"*, says Ratzlaff, who worked closely with Jobs on OS X for 18 months. *"I learned a tremendous amount from him"*.

Apple's successes in the years since Jobs' return - iMac, iPod, iPhone - suggest an alternate vision to the worker-is-always-right school of management. In Cupertino, innovation doesn't come from coddling employees and collecting whatever froth rises to the surface; it is the product of an intense, hard-fought process, where people's feelings are irrelevant. Some management theorists are coming around to Apple's way of thinking. *"A certain type of forcefulness and psychologist at Stanford*

who wrote an appreciation of "great intimidators" - including Jobs (February 2006 Harvard Business Review).

Likewise, Robert Sutton's 2007 book, *The No Asshole Rule*, spoke out against workplace tyrants but made an exception for Jobs: *"He inspires astounding effort and creativity from his people"*. A Silicon Valley insider once told Sutton that he had seen Jobs demean many people and make some of them cry. But, the insider added, *"He was almost always right"*.

"Steve proves that it's OK to be an asshole," says Guy Kawasaki, Apple's former chief evangelist. *"I can't relate to the way he does things, but it's not his problem. It's mine. He just has a different OS"*.

Jobs was a complicated character and was certainly far from the nicest of people. What made him so unique was his ability to spot trends and go with them. He may not have been a great innovator. But perhaps he didn't have to be as he surrounded himself with people that could realise his aims for him.

He was a futurist. When it came to large scale, big-picture thinking in the computer industry Steve Jobs was unrivalled. Yet Steve Jobs had, not just a darker side, but a brutal uncaring selfishness without empathy that permeated his every existence. Steve Jobs was, according to the author, Michael Maccoby, a productive narcissist. Maccoby writing in the Washington Post in 2009 stated: *"Steve Jobs is one of the most creative business leaders of our time. His products combining technological innovation with beauty of design are a gift that keeps giving. But he is not a good model for others to imitate. Who would want to follow a leader who is often insulting to his subordinates, who uses people only as long as he needs them and then discards them, and who demands that they are on call at all hours? Some people would and do, because Jobs creates great products that change people's lives and those who can stand him are inspired by him and can also make a lot of money. Steve Jobs is unique, but he resembles other leaders who want to change the world. I call them productive narcissists..."*

Some people who worked closely with Jobs for any long period of time have testified to this. Writer, Robert Cringely, who worked with Jobs during the early years of Apple, certainly was not enamoured with the personality of the head of Apple. He said: *"Everyone in Steve Jobs's life went through three phases. They were either being seduced, ignored or scourged. And it all depended upon whether he needed you or not. If he needed you he was your best friend and he would seduce you. And then you would work like a dog and if you weren't working hard enough he would scourge you. And ultimately he would throw you away... Steve ultimately betrayed everyone"*.

Despite this it is important to acknowledge the importance of Steve Jobs. He changed the nature of the computer industry by leading the way in transforming consumer patterns. Jobs didn't so much predict changes in trends as create them. His

marketing ability was second-to-none. He created a narrative for Apple products which focused people's attention.

In 1984 he shifted the focus on a perceived battle, whether real or not, between IBM and Apple in what was a great marketing coup. Jobs succeeded in transforming a company into a movement. Instead of consumers Apple had followers. This gave the company unprecedented power and a voice that went beyond the normal constraints of a consumer products company.

3. THE MEDIUM IS THE MESSAGE... AND MUCH MORE

In 1964 Marshall McLuhan offered his now-famous dictum that "*the medium is the message*." Few people have done more to illustrate that than Steve Jobs. Apple's products have changed not just how we communicate but what we communicate and even, arguably, what we think. The phenomenon McLuhan identified was one of framing, of inadvertent shaping: a group that watches a political debate on television may have a different take on who won than the group that listened on the radio.

Jobs's approach had a teleological dimension. "*A lot of times, people don't know what they want until you show it to them*", he once said. With his products, the medium often made the message. Unlike something like Twitter or Facebook, where developers have seemed content to let users repurpose and improvise, Apple has a more interventionist ethos: here is the product, you should use it to do this, and if you need help, go to the Genius bar. It's a testament to his phenomenal career that this only seems like a part of his legacy.

To some extent, this is just as McLuhan predicted. Apple has a distinctive aesthetic that prioritises simplicity and straightforwardness. This aesthetic is just the surface of Apple's deeper design principle: that cutting-edge technology should be easy to use.

Ten years ago, this would have seemed bizarre. Now it is the norm, a common feature of high-tech products and a widely shared goal. The iPhone, the iPad and the MacBook are the medium; the message is that technology should be easy, intuitive, and fun.

But Apple's influence-and it feels right to use Apple and Jobs interchangeably-goes beyond that. In so far as Apple was the first company to make this technology attractive to a general audience, it encouraged people to use computers for pleasure. Apple's stylish, user-friendly products fostered a greater willingness to spend time online, to blog, to tweet, to have constant access to a handheld computer.

Some of Steve Jobs' moves were market-driven. More often, though, Apple struck out alone with projects that seemed quixotic. Ultimately people gave Jobs the benefit of the doubt even on ideas that would have been scoffed at if they had come from another source. When Apple debuted the iPad, for example, consumers were

suddenly game to embrace tablet computing, even though earlier tablets from other companies had never drawn much popular attention.

And one final note about medium and message... The Apple worldview has a significant point of internal dissonance, which is aptly summarised by its old exhortation to *"Think different"*. That has long been taken to mean "think differently", but the medium gives the lie to this interpretation. Inside the Apple ecosystem, conformity is the order of the day: Apple products build on each other, with the effect that Mac users are somewhat locked in to both the company and its design metaphors. This has caused critics to grumble that despite their professed free-thinking, Apple aficionados are actually suffused with groupthink. It's an interesting irony. For a company that has demonstrated that the medium makes the message, it stands to reason that the medium will sometimes contradict the message, too.

4. INSTEAD OF CONCLUSION: WHERE TO FROM HERE?

The biggest question on everyone's lips now is what will happen to Apple without its leader? What will befall the company? No one knows the answer to this. What we do know is that previously without Steve Jobs the company did poorly. Lacking the necessary focus it launched too many products causing sales to plummet. It had missed out on what makes Apple so successful, its cache. Having loads of products destroys the impression of prestige. To ask the question of whether the products truly were premium or not would miss the point. The fact that people perceived that they were was the most important aspect. Jobs played an integral part in this.

With Steve Jobs' death the true question is can followers of Apple attribute the same status to the company's products or will they start to see them as vastly overpriced compared to their competitors. Only time will tell... For now, we know that the religious side of the Mac phenomenon has become particularly acute. Cards and messages such as the following were to be found at the Apple stores around the world:

"Thank you for changing the world for the better"

"You changed my life"

"You made me a believer"

That's it... That's the end...

"See you in the 'Cloud' Steve"

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Rutovic, Z. (2021), „Globalization of Media – Globalization of the Problems (Challenges in Protection of Privacy)”, *Media Dialogues / Medijski dijalozi*, Vol. 14, No. 3, pp. 23-29.

Globalization of Media – Globalization of the Problems (Challenges in Protection of Privacy)

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ARTICLE INFO	Received: January 22, 2021 / Revised from: February 24, 2021 Accepted: March 24, 2020 / Available online: January 15, 2021
DOI	doi.org/10.14254/1800-7074/14-1/3

ABSTRACT

The paper deals with the issue of protection of privacy in the media, low levels of self-regulatory ethical standards, dominance of profit in relation to ethical reporting. The paper gives an overview of the relevant documents as sources of protection of the rights of individuals in the media.

KEYWORDS: Privacy, human rights, media, legal protection.

INTRODUCTION

The media are, among other things, products of distinct national history, culture, political situation, value orientation and ethical outlook of a society. The historical and cultural diversity necessarily generates differences in the understanding of and respect for the human rights concept. There have been many examples where the European continent experienced and went through turbulent periods because of hatred and lies published by the media. Regardless of all previous circumstances, the development of civilization and the lessons (not) learned, at the level of the global community, there is still an open and not less problematic question – how to find a balance between freedom of the media and respect for privacy rights?

For example, even in the cradle of democracy, due to violation of the right to privacy by a part of the British media, the Parliament in Westminster adopted the Human Rights Act in 1998, which requires the British courts to comply with the European Convention on Human Rights. When it took effect in 2000, privacy was finally incorporated into the British law. But despite everything, the events that led to the Leveson Inquiry (which referred to phone hacking of a murdered girl) and the attitudes that were disclosed during the investigation indicate that the disrespect of privacy still remains wide-spread among British tabloids. Hence, one of the key Levenson recommendations was that all employment contracts of journalists should contain a clause on freedom of consciousness.

That would imply a commitment by the employer that no journalist can be dismissed because he/she refused to violate this code. Of course, this example is only vividly showing that this is an obviously present problem, both in countries with long democratic tradition, and in those in transition, i.e. young democracies. What is paradoxical is the (multi)medial and civilizational shift in which the medium of message is transfigured into a medium of vices. Trends in the media industry, unauthorized concentration of economic ownership structure of media, convergence of platforms and overproduction of new technologies and distribution of contents via those that is illegal from the perspective of human rights, greatly complicates protection of the privacy panel of an individual.

1. DISCUSSION

In the globocentric capital industry everything is on the market, everything is purchased and sold. And there is often no clear regulation of such relations. Certainly, private life has long been a lucrative commodity, with different semantic contexts within which privacy becomes currency for the sake of ratings, listeners and readers of the media. The special exclusivity belongs to public figures and their private life. And the “ordinary” people are definitely not spared. Again, depending on whether there is sensationalism, spectacle, violence, gossip. Is there a balance to

the torn poles of profit on one hand and more and more unprotected privacy on the other.

For this topic, let us quote the definition of a public figure, for which Recommendation no. 1165 (1998) in the narrow sense states that these are “persons holding public office and/or using public resources”, and in the broader sense, “all those who play a role in public life, whether in politics, the economy, the arts, the social sphere, sport or any other domain”. Although they should be subject to public scrutiny more than anonymous citizens, the European Court found that the politicians’ privacy should be protected in cases where the sole purpose of publishing information from their private lives is to meet the interest of the public and to provide profitable material for the media (admissibility decision in the case of *Société Prisma Presse v. France* (application no. 66910/01 and 71612/01).

In the context of the definition of a public figure, protection of privacy, public interest and the interests of capital, there is a recurrent central question under this topic: is information a social public good or a commodity? Is the journalist accountable to the public or to the owner’s capital? Does the journalist act in accordance with professional ethics or desirable capital aesthetics of the media founder?

Private life also includes the personal information of every individual for which he/she legitimately expects that they will not to be made public without his/her prior consent. The European Court of Human Rights found that the disclosure of information, which are true and represent actual events, may be prohibited on the account of the obligation to respect the right to privacy (*Markt Intern Verlag GmbH and Klaus Beermann v Germany*, 1989, p. 35). Invasion of privacy in the media is a situation where the published information concerns the private life of a person who has not consented to the disclosure, and at the same time there is no legal authority to publish such information.

Use of medical records i.e. information on health condition, private photographs, voice, private records and correspondence (diaries, letters, personal messages) represent invasion of privacy. Exceptionally, when there is prevailing broader public interest in publishing the information in relation to the individual right to privacy, this is a situation where exception to the right to privacy is made. But this is only an exception. Of course, we should bear in mind the need to balance public and private interests, and the exception should be subject to analysis through a test of potential harmfulness, which means that each individual case should be evaluated as separate and specific.

The vector analysis should focus here on the exempted practices recognized by the European Court of Human Rights. Interpretation of the relation of balance between the right to privacy and freedom of expression includes, of course, a lot of challenges and is still not fully and precisely defined in the European Court practice.

The balance between the right to full information about the public figures, and in exceptional cases about ordinary people, and the rights of such persons to have their privacy protected, is an integral element of any democratic society. These rights are neither absolute nor is one older than the other. In this context, the elements important for the protection of privacy are professional standards in reporting, respect for the principles of regulation and self-regulation, and respect for the right of reply. In accordance with Recommendation (2004)16 of the Committee of Ministers of the Council of Europe on the right of reply in the new media, it is absolutely relevant in the context of reporting on private life, since it provides the possibility to publish promptly any denials of disputed information. Inciting violence and invasion of privacy by the media allows regulation by the states through introduction of formalities, conditions, restrictions or penalties. Of course, the restrictions must not go beyond what is necessary in a democratic society and beyond the legitimate aim.

For example, in two cases in Germany concerning the royal family of Monaco, *Von Hannover v Germany* from 2004 and (no. 2) 12 2012, the criteria to be taken into account when there is a conflict of the right to freedom of expression and privacy are defined in detail. Namely, this was a case of a series of photographs of Princess Caroline of Monaco, where she is shown riding horses, skiing and stumbling on something on a private beach. These photographs were published in many journals in Germany. Stressing the importance of freedom of expression, the court stated the following: *“in the cases in which the Court has had to balance the protection of private life against the freedom of expression it has always stressed the contribution made by photos or articles in the press to a debate of general interest”*.

Of course, public figures should be subject to the public interest test, i.e. that they enjoy a lower level of privacy protection, as the European Court stated: *“It would be fatal for freedom of expression in the sphere of politics if public figures could censor the press and the public debate in the name of their personality rights”*.

Political journalism may even contain, according to the European Court, a certain “degree of exaggeration or even provocation” (*Prager and Oberschlick v. Austria* no. 15974/90 25 April 1995). The focus of this topic of protection of (overall) privacy may be as stated by the European Court of Human Rights *“on the issue of whether disclosure is in the public interest, and not on whether the public is interested”*. As regards ordinary people, the media should have special responsibility and act professionally in situations where people are in grief, shock...

The media must also take due account when interviewing individuals or about the circumstances that directly affect the state of shock, grief, etc. the individual has suffered. In this context, one needs to be particularly sensitive to children when, for example, taking their statements in such situations. Ethical responsibility must be above the interest to inform the public through the child’s statements. Professional balance, ethics and the public interest should also be kept in mind when publishing details of the private life of a child whose parents hold public office in the society.

That privacy is threatened from several aspects in the global corporate system is proven by increasingly widespread examples of banks and insurance companies (especially in countries in transition), i.e. their practice of requiring their clients to provide their health records to be used in the procedures of (not) granting loans and effecting insurance policies. Moreover, there are examples where, in addition to the medical records, banks require of their clients a certificate of acute conditions, i.e. the degree of life-threat.

2. OVERVIEW OF INTERNATIONAL STANDARDS IN PROTECTION

2.1 European Convention on Human Rights

a) In accordance with this Convention and the well-known Article 10 as a guarantee of the freedom of expression “everyone has the right to freedom of reporting”. This right includes “freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers”. This article that provides specific guarantees, the right is given to an individual citizen, and not to institutions that provide the right to freedom of expression, such as the press and radio broadcasting. Article 8 of the Convention states that “*everyone has the right to respect for his private and family life, his home and his correspondence*”. There are, of course, exceptions but they must be “in accordance with the law and necessary in a democratic society”. The right to privacy may be violated if it is in the “interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others”.

b) However, since the exercise of these freedoms entails duties and responsibilities, this Convention does not provide for unlimited freedom of the press. Because “*the exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society*”. As referred to in Article 8, all restrictions of this right must be either

- In the interests of national security, territorial integrity or public safety
- For the prevention of disorder or crime, for the protection of health or morals
- For the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence,
- For maintaining the authority and impartiality of the judiciary.

As one of the fundamental civil and political rights and freedoms, the right to information is supported by the practice of the Court of Human Rights and the European Commission under Article 10 of the European Convention on Human Rights

and Freedoms and is recognized under Article 9 of the European Convention on Transfrontier Television as well as in all democratic constitutions.

2.2 Universal Declaration of Human Rights

One of the rights directly connected with the journalistic profession is the right to privacy. Under Article 12 of the Universal Declaration of Human Rights it is stated that *“no one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks”*.

Article 17 of the International Covenant on Civil and Political Rights also states that *“no one shall be subjected to arbitrary or unlawful interference with his private life”*...

The right to privacy, guaranteed under Article 8 of the European Convention on Human Rights, was defined by the Parliamentary Assembly of the Council of Europe in the Declaration on Mass Communication Media and Human Rights, contained within Resolution no. 428 (1970), as *“the right to live one’s own life with a minimum of interference”*. Bearing in mind the new communication technologies, Resolution no. 1165 (1998) considers that this definition should be expanded so that it includes the right to control one’s own data.

2.3 Parliamentary Assembly Resolution 1165 on the right to privacy

It is often in the name of a one-sided interpretation of the right to freedom of expression, which is guaranteed in Article 10 of the European Convention on Human Rights, that the media invade people’s privacy, claiming that their readers are entitled to know everything about public figures.

Certain facts relating to the private lives of public figures, particularly politicians, may indeed be of interest to the citizens, and it may therefore be legitimate for readers, who are also voters, to be informed of those facts.

It is therefore necessary to find a way of balancing the exercise of two fundamental rights, both of which are guaranteed in the European Convention on Human Rights: the right to respect for one’s private life and the right to freedom of expression.

CONCLUSION

Privacy is today perhaps more than ever in the history of civilization threatened, unprotected and left on the sidelines of the globocentric protection of human rights culture. There is an essential question of what is today the aim of the journal-

ism's mission: to contribute to the public debate – facts and dialogue in the public interest, or to invade arbitrarily the privacy and cause a context that generates an atmosphere of distrust, arrogance of the media and encouraging intolerance of a larger social scale.

Sporadic cases and plural voices of protection are only incidental phenomenology that cannot essentially be a substitute for the predominance of profit-driven tabloid journalism. In addition, the information age and the hyper production of “smart” platforms have further crippled the legal instruments for the protection of the individual. It is obvious that, in this unequal struggle, spectacle prevails over the traditional mannerism of long outdated educational and informational aspect of the media. Taking contents uncritically and distributing them at a large scale have become a problem and a challenge for the global media culture, or more precisely for consumers of such culture.

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Brautovic, M. (2021), „E-Learning and Lifelong Education of Journalists: Case Study, Poynter Institute”, *Media Dialogues / Medijski dijalozi*, Vol. 14, No. 3, pp. 31-41.

E-Learning and Lifelong Education of Journalists: Case Study, Poynter Institute

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ARTICLE INFO	Received: May 14, 2020 / Revised from: June 13, 2020 Accepted: July 13, 2020 / Available online: January 15, 2021
	DOI doi.org/10.14254/1800-7074/14-1/4

ABSTRACT

This case study describes the lifelong education of journalists at one of the best institutions for journalism education, The Poynter Institute and its News University. News University was one of the first organizations to provide this form of education and now offers more than 85 courses. All courses are an extremely narrowly focused and available 24 hours a day, seven days a week. The problem of lack of adequate instructors is resolved through a partnership with 45 different institutions that are interested in the education of journalists. News University conducts four types of fully online courses: self-directed courses, online group seminars, webinars and seminar snapshots. Instructors at The Poynter Institute mentioned these issues as problems they encounter in leading the above-mentioned courses: technology problem, the problem of development of the course and limitations of online envi-

ronments to perform translational learning. *The Future of News University* is dependent upon of students and expansion of topics.

KEYWORDS: *E-learning, lifelong education, journalism, The Poynter Institute, News University.*

INTRODUCTION

Lifelong education in any profession is the logical (and only possible) direction after education at higher education institutions. It is almost impossible to imagine any professionals who are not updating their knowledge after formal education.

In a time of economic crisis there is an increasing need for such education, whether to start a new career or acquire additional qualifications.. That need is equally present in the field of journalism. Newspapers and journalists who concentrated solely on print constantly recorded dropping circulation. Therefore, reporters are now forced to study the more modern forms of broadcast journalism and online journalism as a logical way to update their skills or take an alternative direction in their careers. With new technologies, the journalists have faced all kinds of major ethical problems that they are unable to respond because they do not have adequate knowledge. On the other hand, cost cutting in newsrooms has made editors less concerned about the education of young journalists.

According to a survey conducted by The Poynter Institute in 2004, 72 percent of journalists want to have eLearning training in the field of journalism to improve performance in their current jobs and advance their careers. On the other hand, factors such as course length, location, faculty, or even recommendations from supervisors - were not seen as "very important" by more than one-third of respondents (Poynter, 2004, 4).

However, because such studies are not conducted in Croatia, we can only make an educated guess about what is happening there. After the end of the war (1991-1995) in South East Europe and the political changes in year 2000 that led to the democratization of Croatian society, a large number of international activities educating journalists in Croatia ended. The Croatian Journalists Association and their International Center for Education of Journalists stopped running their journalism seminars.

There are five Croatian university programs in the field of journalism; none provide lifelong education. The only school of online journalism, run by the Institute for New Media, offered by the Faculty of Political Sciences (at the University of Zagreb) does not offer the ability to educate journalists, regardless of geographic location and in accordance with the needs of the workplace.

The aim of this case study was to answer questions arising from the previously mentioned problems. The Poynter Institute has been chosen as the subject of the study because it is a leading institution in eLearning and in lifelong education of journalists in the world.

1. METHODOLOGY

The study was conducted as part of broader studies on models of journalism education as a part of the author's post doctoral training and was financed by a Fulbright exchange program.

The Poynter Institute and its Center for eLearning, News University - NewsU (www.newsu.org) were selected for analysis. In-depth interviews and document analysis were the methods used to collect data for the case study.

In-depth interviews were conducted with Howard Finberg, director of interactive learning at The Poynter Institute for Media Studies who is responsible for News University; Al Tompkins, a Poynter Institute faculty member; Vicki Krueger, the manager at News University; Casey Frechette and Vanessa Goodrum, interactive learning producers; and Sara Quinn and Regina McCombs, the lecturers at News University and faculty at the Poynter Institute. Interviews were unstructured and conducted on October 19 and November 17, 2009 at The Poynter Institute.

Documents for analysis were selected based on criteria that explain the establishment of center, course list selection and the course content, audience and other relevant data.

2. SHORT HISTORY AND ESTABLISHMENT OF NEWS UNIVERSITY

Nelson Poynter (1903-1978), who was publisher of the St. Petersburg Times, founded the Poynter Institute as a school for education of journalists in excellence, editorial integrity and independent ownership. The Institute was founded in 1975 and financed with controlling stock of the Times Publishing Company and other donations.

There are two factors which led to the creation of News University. Howard Finberg started to work at The Poynter Institute as a Presidential Scholar. His research interest was to explore the intersection of technology, journalism and education. As result of his research, he wrote a report stating that Poynter should be involved in eLearning, but should not replicate the existing courses that are physically held in the Poynter Institute. According to his analysis, eLearning should solve several problems for the journalists:

- Courses must be very targeted and focused on specific knowledge that the journalist wants to learn, restore or improve

– Courses must respect participants' time. Journalists are very busy and don't have time to spend a full week on a course. It is more likely that they can spend several hours. This meant courses must be available 24 hours a day, seven days a week and must be self guided.

The second factor which led to the establishment of News University is that in 2002 The Knight Foundation sought a partner for an eLearning program. After The Poynter Institute expressed interest, The Knight Foundation gave the institute a grant for the first five years of News University's operation. After obtaining the grant, it took the Poynter personnel 18 months to launch the site, because they did not want to start with only one course. They needed a number of courses that would cover different areas of journalism.

When Poynter's News University launched 2005, the site had two goals (NewsU, 2009, 8):

– To serve as an eLearning portal that would take the best of training from across the journalism community and make it accessible using the Internet.

– To learn more about eLearning and share that information across the industry.

In April 2005, News University had 2247 students, while by February 2009 their number increased to more than 100,000.

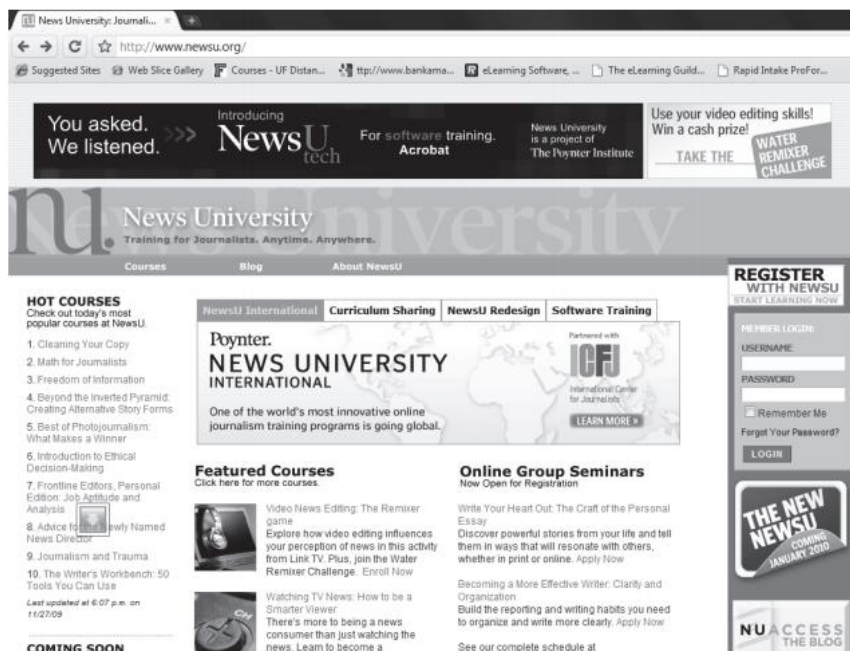


Figure 1. Home page of News University

3. ORGANIZATION OF NEWS UNIVERSITY

News University is organized as a separate branch of The Poynter Institute. At the lead is a director whose job is to find partners. Under the director's leadership are a manager and interactive learning producers and other staff. The role of the manager is the promotion and management. On the other side, the role of the interactive learning producer is the implementation of online interactive learning courses. The Interactive learning producer's job duties include project management, programming and development. News University, besides director and manager, employs two interactive learning producers, two assistant producers, one interactive design fellow and one interactive learning administrative assistant.

TYPES OF COURSES AT NEWS UNIVERSITY

In keeping with News University's initial goals, all courses are focused and they last for a period of few hours. Exceptions are online group seminars. News University offers 4 types of eLearning courses:

- Self-directed courses
- Online group seminars
- Webinars
- Seminar Snapshots

All four types of courses belong to the category of fully online eLearning - e-Learning which is performed entirely in the online synchronous and asynchronous form with and without the participation of instructor.

Self-directed courses are online courses that are self guided, so students do not have contact with the instructor and classmates. A student starts and stops whenever he or she likes, progresses entirely at his or her pace and comes back any time to review material. These courses use learning activities, such as interactive games, simulations and multimedia, that are more engaging than a screen filled with text.

Online group seminars are structured much like a classroom course. Participants gather in virtual space - logging in from anywhere, day or night — over the course of several days or several weeks. An instructor guides the group through new materials, moderates discussions and provides individual feedback.

Webinars are synchronous courses. These are live seminars or events broadcast over the Internet. Students tune in from a home or office computer and ask questions of the instructor in real time. After the seminar ends, students can access recordings of the course.

The last category of course is a seminar snapshot. This type of course includes edited highlights from presentations, seminars and lectures at the Poynter Institute.

At the beginning The Poynter Institute wanted to have only self-guided seminars, but they found that “*rather than force the course to the container change the container*” (Finberg, 2009) was in keeping with their initial goals. “*We don’t have a formula. We can’t say put it in this container and it’s done. The Problem how to transfer knowledge to eLearning environment we are solving collaboratively.*” (Finberg, 2009)

In addition to these courses, the University conducts News and Technology Training and Tutorials. The first consists of software simulations that give students a feel for working in programs like Flash, Dreamweaver and Illustrator without buying any software. Tutorials include step-by-step instructions and screen shots, which guide users and demonstrate the basics of working with these applications.

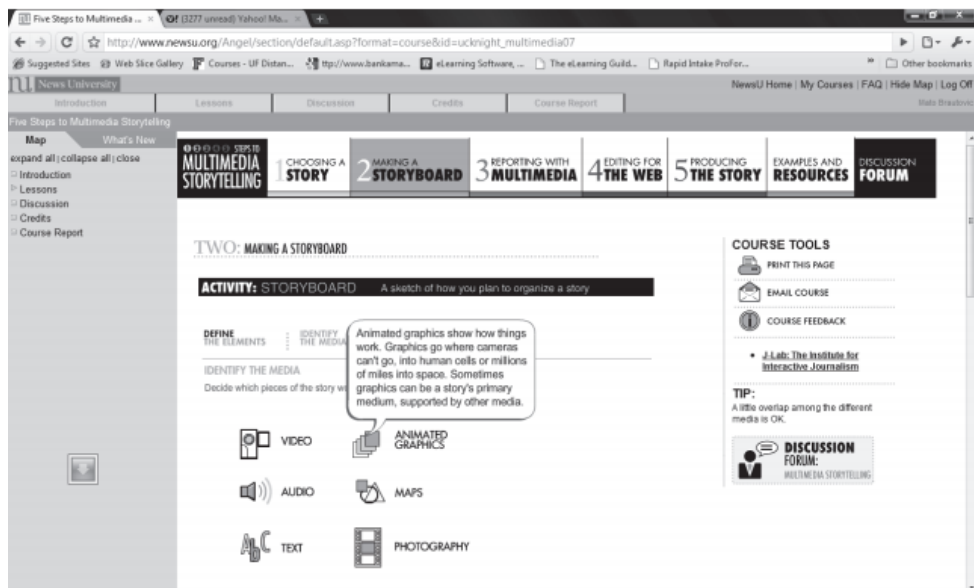


Figure 2. Print screen of course 5 steps to Multimedia Storytelling

4. SELECTION OF COURSE TOPICS

The education of journalists is facing several problems:

- The speed of changes and the introduction of new technological innovations
- Finding new instructors who have knowledge (actual and practical)
- Selection of the current trend (topics) which will be developed into courses

Journalism today is really experimental because most newsrooms are mainly trying to find the best way to present content (multiplatform publishing) and business models that will lead to profit for publishers. Because of this, finding instructors with sufficient knowledge and selecting topics that will remain current after a few years is very hard, even impossible. The Poynter Institute found a solution for these problem - they went into partnership with a wide variety of course partners.

At the time this research was conducted, Poynter was a partner with 45 different institutions. News University offers expertise in eLearning and partner organizations offer knowledge and instructors.

Table 1. Partner institutions of The Poynter Institute

<i>Partner institution</i>	<i>Courses</i>
American Association for Public Opinion Research	Understanding and Interpreting Polls
Annie E. Casey Foundation	Covering Foster Care: A Seminar Snap-shot
American Society of Newspaper Editors	Community Service Photojournalism: Lessons from a Contest; Boot Camp for Scholastic Journalism Advisers; Introduction to Ethical Decision-Making
Dart Center for Journalism & Trauma	Journalism and Trauma
Department of Journalism, J-Ideas, Ball State University	First Amendment Training for the High School Journalist
Frontline Editors Project	Frontline Editors Introduction: Understanding Leadership Styles; Frontline Editors, Personal Edition: Job Aptitude and Analysis
GuideStar	Reporting on Nonprofits
Hechinger Institute on Education and the Media	On the Beat: Covering Education
International Reporting Project, Johns Hopkins University School of Advanced International Studies	International Reporting Basics: What You Need to Know Before You Go
Kent State University	Boot Camp for Scholastic Journalism Advisers
Knight Center for Specialized Journalism, Merrill College of Journalism, University of Maryland	The Economy in Turmoil: Challenges to the White House, the Statehouse and Your House
Knight Digital Media Center,	Five Steps to Multimedia Storytelling; Using Social Media to Build Audience

University of California-Berkeley Graduate School of Journalism	
The Maynard Institute	Anatomy of a Multimedia News Organization; Anatomy of a Newspaper: Understanding the Business
Media Bloggers Association	Online Media Law: The Basics for Bloggers and Other Online Publishers
Metcalf Institute for Marine and Environmental Reporting	Covering Climate Change: A Seminar Snapshot
National Association of Black Journalists	NABJ Webinar Series, Part I: Making the Transition to Supervisor; NABJ Webinar Series, Part II: Coaching and Counseling for Outstanding Performance; NABJ Webinar Series, Part III: Managing Today's Newsroom: Doing More with Less; NABJ Webinar Series, Part IV: Mastering Newsroom Politics: Making Alliances and Wielding Influence
National Press Photographers Association	Best of Journalism: What Makes a Winner; Lessons from a Contest: Inside NPPA 2008: Broadcast; Lessons from a Contest: Inside NPPA 2008: Still Photography and Web Sites.
National Sexual Violence Resource Center	Covering Sexual Assault
Newseum, Knight Foundation	The "Be a Reporter" Game: the "Be an Editor" Game
Newspaper Association of America Foundation	Coaching Tomorrow's Journalists; Targeting New Audiences: Finding Your Niche
Online News Association	Developing online journalism projects
Radio and Television News Directors Foundation	Advice for the Newly Named News Director; Introduction to Ethical Decision-Making; Reporting Across Platforms
Reynolds Journalism Institute at Missouri School of Journalism	Local Readers and the Newsroom: The Online Credibility Gap
Reznet	Faculty-led advanced reporting course

Society of Environmental Journalists	Covering Climate Change: A Seminar Snapshot; Covering Water Quality: What You Need to Know
Suburban Newspapers of America Foundation	Build and Enlarge Local Audiences Online; Leading an Online Newsroom: What You Need to Know
Society of Professional Journalists	Freedom of Information; Introduction to Ethical Decision-Making
Stony Brook University	Watching TV News: How to Be a Smarter Viewer
Western Kentucky University School of Journalism and Broadcasting	Best of Photojournalism: What Makes a Winner

As an example of this cooperation, Finberg points to the Climate Change course which was just implemented with help of the University of Colorado. The University of Colorado has an expert on climate change, and there is no need for a Poynter faculty member in the field of climate change. Therefore, Poynter contacted the University of Colorado, which identified the instructor who is the subject matter expert, and with his help they have developed content for a Poynter course (Finberg, 2009).

Interactive learning producer Casey Frechette stressed that the subject matter expert is not expected to have teaching experience. *“Of course it's good that our subject matter experts have teaching experience, but the News University is there to help create content for the course. My job of Interactive learning producer is to take their content knowledge and to translate it into something that is not only good teaching but good eLearning.”* (Frechette, 2009)

Courses cover the areas of advertising, broadcast, design, diversity, editing, ethics, journalism basics, management, media audiences, convergence, newspapers, print, online, multimedia, photo journalism, reporting, writing and software.

5. USERS OF COURSES

News University is oriented toward journalism beginners and those with experience up to ten years (Krueger, 2009). Since April 2005, News University's courses have been taken by more than 100,000 users. According to registration data, 35 percent of users are journalists and editors, 20 percent are journalism students, and 5 percent are educators in the field of journalism. Fifty percent of participants are newspaper reporters, 25 percent are online journalists and 25 percent are TV and radio journalists. (NewsU, 3)

The 10 countries with the most registered users are the United States, Canada, India, Australia, Philippines, the United Kingdom, China, Brazil, South Africa and Nigeria (NewsU, 4).

An interesting phenomenon is that a large number of educators in the field of journalism encourage their students to take News University courses. Also, a large number of educators (as seen from previous data), use the courses.

“We know a number of teachers who are using News University for supplementing their work. They are telling us that News University has more power than textbooks. Students like interactivity and examples from real life, which are more updated than in textbooks. We become an adjunct member of many journalism departments.”(Finberg, 2009)

6. PROBLEMS IN IMPLEMENTATION OF COURSES

The Poynter Institute emphasizes the importance of a high level of student satisfaction. However, they warn that a major problem can be caused by technology. Sara Quinn, an instructor with years of experience in eLearning and the education of journalists discusses the problem of technology.

“What if at the time of performing a webinar online group seminar, or for technical reasons, 20 to 50 registered students cannot access the course? Then they will ask for notes or later you will be called and written e-mails and you have to do all the work over again”. (Quin, 2009)

Director Finberg, on the other hand, draws attention to the problem of eLearning as a teaching method.

“There are problems of completion, assessment, development problems, because eLearning courses are not easy to develop. It takes longer than most people realize...It’s still just an eLearning. In a classroom you can ask ‘Do you understand me?’ ELearning is impersonal. We are looking at ways to improve personalization of eLearning and making that a more satisfying experience for students. ELearning is not an answer to all the problems in teaching.” (Finberg, 2009)

Al Topkins warns of the lack of nonverbal communication, which makes ELearning very difficult to use for transformational learning.

“ELearning is the best for skills learning. To teach somebody how to edit. To teach somebody fundamentals of photography. To teach somebody how to write. All of these things are skills and eLearning is very good for that. ELearning is less useful for transformational learning, where I have to build a trust before I discover personal information and problems. Where trust is the issue, eLearning is not a solution. ELearning is a very good method for one-to-many teaching.” (Topkins, 2009)

7. THE FUTURE OF NEWS UNIVERSITY

Finberg said that in the future they will expand the number of courses and they will start with the internationalization of courses. *"The intention is to develop more courses in several languages, but to do this we must find funding. It's not enough to translate courses into another language; they must be localized. Courses must be relevant for journalists in that language group, which will allow courses to be effective."* (Finberg, 2009)

CONCLUSION

As we see from the case study, eLearning is a solution to the need for lifelong education of journalists. The approach that was chosen at The Poynter Institute shows us that journalists should be aware of the knowledge that they can get without geographical and time constraints (24 hours, seven days a week).

However, eLearning also has problems. It is good for learning skills, but not for transformational learning. There is also a problem with technology.

The Poynter Institute and News University are successful examples of how technology can be used to improve any profession, in this case journalism.

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A View on the European Standards and Bulgarian National Law Related to Hate Speech

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ARTICLE INFO	Received: April 03, 2020 / Revised from: May 03, 2020 Accepted: June 03, 2020 / Available online: January 15, 2021
	DOI doi.org/10.14254/1800-7074/14-1/5

ABSTRACT

The Article presents the international standards related to “hate speech” and the Bulgarian law and ethic standards with this respect. It presents relevant practice of the European Court of Human Rights and the provisions pertaining to criminal and civil responsibility for incitement to hatred and defamation. On another hand, it points some cases in Bulgaria and suggests some approach to the issues and conclusive remarks.

KEYWORDS: *Hate speech, freedom of expression, european convention of human rights, code of ethics, ethnic minorities.*

INTRODUCTION

People are able to identify certain expression as hate speech, but meet difficulties to define what hate speech is. Usually it is understood as addressed to a group of people rather than to an individual. That group could be united by different features such as ethnic, race, national, social, religious, sexual or other identity.

From legal point of view hate speech differs from defamation or statement of untrue facts as well as from intrusion in personal privacy. These are related to expression directed towards an individual. On another hand, usually hate speech is connected with discrimination thus valuing a group of people lower than other groups only on the ground of some feature.

Also, this way of speaking could be conveyed through the media or in public spaces such as streets and squares during protests or virtual places like social networks. Geographically there are territories where tension between groups is bigger than in other places and consequently hate speech is more likely to appear and be incentive to other problems. In addition, societies change and problems could sharpen, disappear or arise in a different place dependent on the circumstances. In Bulgaria hate speech is no or only exceptionally used by the media. Even in such cases it is more words or quotation of what do politicians say rather than qualifications given by the media themselves. Also, national and generally the influential newspapers and broadcasts often avoid such topics¹.

This relatively peaceful situation could be changed in cases of incidents which concentrate public tension. In September 2011 a car accident caused by a guard of well-known businessman killed a young man in a village near the city of Plovdiv. The businessman had been suspected for a long time for producing unauthorized alcohol, but more important the people in that village where his villa was situated were fed up by the arrogant stile of the family. By case that family was of Roma origin so the anger of local people easily grew into hatred expressed by units nationwide against the whole ethnic group. In a couple of weeks the situation gradually was calmed down, but the case raises the question of whether proper laws and effective implementation are in place to handle it. The legal framework and ethical norms and practices in Bulgaria will be in the focus here to give an impression of the system operating in as regards hate speech.

¹ See e.g. Alexander Kashumov, Analysis of the information from the database compiled based on the results from monitoring the Bulgarian media for instances of hate speech in the coverage of the anniversary of the Ilinden-Preobrazhenie Uprising in: Hate speech in Bulgarian and Macedonian media: examples, causes and solutions, Sofia 2011, published by the Broadcast Training Center ProMedia Foundation, Sofia and the Media Development Center, Skopje, pp. 19-20 (http://www.osf.bg/downloads/File/HateSpeech_Report_EN.pdf).

1. INTERNATIONAL AND REGIONAL STANDARDS

Legally as far as expression is a subject, the international standards related to freedom of expression are applicable. The right to freedom of expression is enshrined in Article 19 of the Universal Declaration of Human Rights, Article 19 of the International Covenant on Civil and Political Rights (ICCPR), and Article 10 of the European Convention of Human Rights (ECHR). According to these instruments freedom of expression is regarded as a principle and its restriction is narrowly interpreted. On another hand the International Convention on the Elimination of all the Forms of Racial Discrimination (Racial Discrimination Convention) obliges the states parties to it to criminalize hate speech (Article 4, a).

As regards the European Union (EU) legal framework, there are two directives related to the equality between genders and of ethnic minorities respectively. As binding legislation they oblige the country members to implement the rights and duties provided in their domestic legislation. Bulgaria is party to all these legal instruments as it ratified and published ICCPR already in State gazette No 43 of 1976, the Racial Discrimination Convention in State gazette No 56 of 1992 and ECHR in State gazette No 66 of 1992. It became an EU member since 1 January 2007.

2. HATE SPEECH AND EUROPEAN FREEDOM OF EXPRESSION STANDARDS

The more detailed approach to freedom of expression and its restrictions is found in Art.10 of ECHR. The main reason for this is the rich interpretation of this right given by the European Court of Human Rights (ECtHR). This provision declares the right of everyone to freedom of expression, which includes freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. These freedoms may be subject to restrictions only in cases the three-part test under Art.10, para. 2 of ECHR is met.

The test includes in the first place the condition that the restrictions should be provided by law. Next, they should be applied only with the purpose to protect other rights and interests listed in Art.10, para.2 of ECHR. These are national security, territorial integrity or public safety, the prevention of disorder or crime, the protection of health or morals, the protection of the reputation or rights of others, preventing the disclosure of information received in confidence, or maintaining the authority and impartiality of the judiciary. The conditions, restrictions and sanctions in this respect should also be “*necessary in a democratic society*”.

Consequently, restrictions to the freedom of expression are legitimate only when all the three elements of the three-part test are in place together. This means that restrictions should be: – provided in the national legal framework; – aiming to protect the rights and interests listed in Art.10, para.2 of ECHR; – “*necessity in a de-*

mocratic society”. Considering the relation between the freedom of expression and its restrictions, the ECtHR held that: Freedom of expression constitutes one of the essential foundations of a democratic society and is one of the basic conditions for its progress and for the development of every man. It is applicable not only to “information” or “ideas” that are favorably received or regarded as inoffensive or as a matter of indifference, but also to those that offend, shock or disturb the State or any sector of the population. Such are the demands of pluralism, tolerance and broadmindedness without which there is no “*democratic society*”².

According to the practice of the ECtHR, the question of the balance between the freedom of expression and its restrictions include “*hate speech*” matters as well. In such cases the national authorities are obliged to apply the three-part test. As to the question of what is the protected interest in such cases, the Strasbourg authorities have found that it could be “*the reputation and rights of the ethnic groups*”³, but in any case national authorities are obliged to maintain a sound legal framework ensuring effective measures for “*respect for freedom of expression with respect for human dignity and the protection of the reputation or the rights of others*”⁴.

As any other expression, cases of hate speech are subject to assessment whether measures, restrictions, sanctions are provided by law, following one or more legitimate aims and “*necessary in a democratic society*”. The latter includes assessment of the “*pressing social need*” and “*proportionality*” for imposing the measure.

The national authorities are in all cases obliged to take into account the context and contents of the publication at question. Even when a publication exposes certain country in a very negative light or contains hostile connotations, this is not sufficient to justify restriction of the right to freedom of expression. In order to conclude that a case involves hate speech, it should seek to arouse deep or irrational hatred against those presented as responsible for the given situation⁵.

3. NATIONAL LEGAL FRAMEWORK ON HATE SPEECH, INSULT AND DEFAMATION. CONSTITUTION

The right of everyone to hold opinions and disseminate it via various means is enshrined in Article 39 of the 1991 Constitution. According to paragraph 2 this right cannot be used to the detriment of the rights and reputation of others and for incitement to forcible change of the constitutional order, to hatred or violence against per-

² The famous passage is referred to in a number of ECtHR decisions: cf. *Handyside v. UK* judgment from 7 December 1976, para.49, *Sunday Times v. UK* judgment from 26 April 1979, para.65 and others.

³ See for example *Balsytė-Lideikienė v. Lithuania* judgment from 4 November 2008, para.73.

⁴ Principle 2 of Appendix to Recommendation no. R (97) 20 of the Committee of Ministers to Member States on “Hate speech”, drafted within the framework of the Council of Europe, referred to in the ECtHR case-law.

⁵ Cf. *Bingöl v. Turkey* judgment from 22 June 2010, para.38.

sonality. Therefore a “*hate speech*” exemption from freedom of expression is introduced at a constitutional level. The freedom of the media from censorship is guaranteed under Article 40, while Article 41 provides the right of everyone to seek, receive and impart information while its second paragraph gives the citizens the right to obtain government held information.

The right to freedom of expression is guaranteed also by Article 19 of the International Covenant on Civil and Political Rights and Article 10 of the ECHR, which are ratified by Bulgaria and by the force of the Constitution considered part of the domestic legislation. Therefore they are directly applicable, which is of particular importance in cases of conflict of rights or legal provisions. In such cases the international instruments always take precedence⁶.

The rights under Articles 39 – 41 of the Constitution were interpreted by the Constitutional Court in its Decision № 7 from 4 June, 1996, on constitutional case № 1/1996. The court held that in all these provisions the right shall be considered as the principle and the restrictions as the exception from the principle. Restrictions can be applied only with the aim to protect competitive rights and interests and should be interpreted narrowly.

4. CRIMINAL LIABILITY FOR HATE SPEECH

According to Article 162, para. 1 of the Penal Code, a person who propagates or incites discrimination, violence or hatred based on racial, national or ethnic affiliation is subject to sanction. Such an action represents a criminal offense if it is performed through print or other media as well as through electronic information systems (what is most probably meant here is internet). The penalty is imprisonment from one to four years. It was made graver in April 2011, which raised concern within the media for possible abuse in cases of criticism against government or politicians⁷. The possibility of criminal prosecution against protestors shouting anti-Roma statements in some Bulgarian cities in September 2011 contributed to the short end of the story. In fact, opening criminal cases on this ground happens very rarely in Bulgaria.

5. CRIMINAL RESPONSIBILITY FOR INSULT AND SLANDER

Like in most European legal systems, Bulgarian law distinguishes between defamation as statement of untrue facts and insult understood as speech/expression diminishing someone’s dignity. Article 146 of the Penal Code defines insult as criminal offense. One who says something degrading to someone’s honour and dignity is punishable with a fine of up to 3,000 BGN (approximately 1500 EUR). According to Article 147 defamation which means stating untrue and defaming facts about

⁶ Art.5, para.4 of the Constitution.

⁷ See e.g. an interview in the daily 24 hours: <http://www.24chasa.bg/Article.asp?ArticleId=653032>

someone or ascribing to him a crime is punished with a fine 3,000 to 7,000 BGN. In cases of publication the criminal offences are subject to more severe punishment. The fine is between 3,000 and 10,000 BGN and public reprimand. In criminal cases civil claim for damages could be filed by the alleged victim.

Insult or libel cases could be started only by the initiative of the affected person and are not prosecuted *ex officio* since 2000. Nevertheless such cases against journalists are not very rare. Statistics of the Bulgarian Helsinki Committee shows 131 pending cases in 2001. The number combines both criminal and civil court cases.

6. LIABILITY FOR DISCRIMINATORY SPEECH

The EU directives in the field of equality between men and women and the Racial Equality Directive 2000/43/EC were implemented by the special Protection Against Discrimination Act (PADA), published in State gazette No 86 of 2003. The law sets a prohibition of any direct or indirect discrimination on grounds of gender, race, nationality, ethnicity, human genome, citizenship, origin, religion or belief, education, convictions, political affiliation, personal or social status, disability, age, sexual orientation, marital status, property status, or on any other grounds established by law or by an international treaty to which the Republic of Bulgaria is a party. Special commission on discrimination operates under the law and considers complaints of discrimination.

Although rare, there have been cases under PADA where individuals or NGOs complained of discrimination performed by public statement. In 2005 the Sofia Regional Court found that with his public declaration the leader of the Labour Union Podkrepa, had committed incitement to discrimination and harassment on the basis of ethnicity. The court qualified this way Mr. Trenchev's appeal that every Bulgarian should use weapon to fight "Roma criminality". In his decision the judge concluded that the appeal to raise arms against "Roma criminality" generated a perilous environment⁸.

7. HATE SPEECH ETHICAL STANDARDS

The Code of Journalistic Ethics of the Bulgarian Media adopted in 2005 by a group of the most influential print and electronic media contains a section titled "Discrimination". It does contain the following principles:

2.5.1. We respect everyone's right to live in security and safety, and we shall avoid publications that incite or encourage hatred, violence or any form of discrimination.

⁸ See at: <http://bulgaria.indymedia.org/article/33477>

2.5.2. We shall not refer to anyone's race, colour, religion, ethnic affiliation, sexual orientation, mental or physical condition, unless it is of substantial significance to the meaning of the information⁹.

In 2008 the Ethics Commission on Print Media drafted recommendations related to the manner in which the problems of ethnic, religious and other communities are to be presented. The commission emphasized that "hostile speech" demonstrates lack of journalistic and analytical skills for serious analysis of the social and economic problems of the society¹⁰.

CONCLUSIVE REMARKS

"*Hate speech*" often appears as a problem in transitional societies. Even if cases are not in place, strong legal norms and their implementation are necessary to prevent growing hatred and public tension on racial, ethnic or similar ground. However, such conflicts of rights should be approached diligently, not allowing undue interference with freedom of expression and pressure on the free debate on public matters. The best way to ensure that media refrain from such a language is by developing ethic standards and practices, leaving the role of public prosecution and courts only for exceptional cases of "*pressing social need*".

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Listen to Your Heart and Do What You Love: a Look at Steve Jobs Through His Own Words

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ARTICLE INFO	Received: October 11, 2020 / Revised from: November 12, 2020 Accepted: December 12, 2020 / Available online: January 15, 2021
DOI	doi.org/10.14254/1800-7074/14-1/6

ABSTRACT

Steve Jobs' natural talent for public speaking was widely noticed and invariably mentioned in descriptions of this truly inspirational inventor. This paper gives a brief description of the most remarkable elements of Steve's language, based on his keynote speeches at major trade expos and the Commencement address delivered at Stanford University in 2005. The paper also discusses the great life lessons we can learn from such an amazing person, who had the courage to base his goals on his deepest heart's desires. A strong proponent of living life to the fullest, Jobs inspired us to listen to our inner voice and follow it, because he believed it to be the only way to live the life with passion, love, and purpose.

KEYWORDS: *Steve Jobs, Language, Keynote Speech, Public Speaking, Figures of Speech*

*“Have the courage to follow
your heart and intuition.
They somehow already know
what you truly want to become.
Everything else is secondary.”*

S. Jobs,
Commencement address at Stanford University, June 12, 2005

INTRODUCTION

After the passing of Apple co-founder Steve Jobs on October 5, 2011, there were an estimated 10,000 tweets per second on Twitter social network. Several of the top “*trending topics*” over the following days were also Jobs-related. The outpouring of sympathy was remarkable, but even more remarkable is the fact that the exact words were inspired by Steve’s unique language, making it possible for comments such as “iSad”, “ThinkDifferent” or “StayHungry”. At the time of his resignation, and again after his death, Jobs was widely described as a visionary, pioneer and genius in the field of business, innovation and product design. After his resignation as Apple’s CEO, Jobs was characterized as the Thomas Edison and Henry Ford of his time. As of October 9, 2011, he is listed as either primary inventor or co-inventor in 342 United States patents or patent applications related to a range of technologies from actual computer and portable devices to user interfaces, speakers, keyboards, power adapters, staircases, clasps, sleeves, lanyards and packages. He has 43 issued US patents on 27 inventions.

His design was greatly influenced by the Buddhism which he experienced in India while on a seven month spiritual journey at the age of 19. Given his impact on our lives, be it his work in the personal computers (Apple, Macintosh), mobile phones (iPhone), mp3 players (iPod), music distribution (iTunes), tablet computers (iPad) and animation (Pixar), Steve (and his team) has undoubtedly made it much easier for people to work, live, and play, with his creations.

Steve Jobs has been a true role model to many people, in terms of how he lived his life and pursued his dreams. We may know him as the man behind Apple/iPhone/iPad etc, but there is much more to Steve Jobs than being just the leader of one of the world’s most valued companies.

1. “AND ONE MORE THING”

Steve Jobs was known for giving presentations that kept his audience engaged. He had a natural talent for public speaking that he had honed to an art form and he approached each presentation as an event. Even from the early days of Apple his gift of gab was widely noticed and invariably mentioned in descriptions of Jobs. His power of persuasion was termed “*a reality distortion field*” by Bud Tribble, an Apple software developer, who described it as “*a confounding mélange of a charismatic rhetorical style, an indomitable will and an eagerness to bend any fact to fit the purpose at hand.*” This unique talent, according to the ones who had the privilege to work with Jobs, meant that in his presence reality was malleable, that he could convince anyone of practically anything, but it also made it hard to have realistic schedules.

Jobs’s power of persuasion was later also applied to his famous keynote speeches (colloquially known as Stevenote addresses or Stevenotes), usually given at major trade expos. In the past, these have included the Macworld Conference & Expo and the Apple Expo. After 2010, the Worldwide Developer’s Conference, organized and held by Apple itself at the Moscone Center in San Francisco, was the only major conference at which Jobs delivered a keynote address. The first thing audience noted in nearly every keynote was his disregard of dress code. His outfit usually consisted of a black long-sleeved St. Croix mock turtleneck, Levi’s 501 blue jeans and New Balance 991 sneakers. This dress code expressed various things, most importantly an expression of individuality, anti-traditional, and an egalitarian attitude towards IT workers. Besides the rhetorical techniques, he also used a larger variety of methods and materials in his presentations, since the keynote contains audio-visual elements and technological gadgets. But the most notable moment of each presentation was his magic touch with language. Steve’s overall language was colloquial, he never used any difficult or uncommon words, the only exception being words concerned with technology (which was expected since his audience was tech-savvy).

His style of speech included a lot of short sentences, adjectives, superlatives, exclamations, figures of speech and rhetorical questions. However, his sleek words were crucial selling points for Apple’s equally sleek products. He had a way of using over-the-top superlatives that sounded like they were motivated by pure excitement and a fascination of a customer that bought a great product. He even resembled to a certain degree a child that is fascinated by its new toy, which could be seen by his playfulness and sometimes unconcerned behavior in front of a few thousand people, creating a natural equilibrium for his exaggerations.

In Stevenotes he would introduce new products with such terms as magic, revolutionary, insanely great, incredible, breakthrough and unbelievable, or even with sound effects like boom! His gift of showmanship excelled when he would seem to be finishing his presentation, and then say “*And one more thing...*” before revealing something “*insanely great*” that he was holding in reserve.

2. “YOU’VE GOT TO FIND WHAT YOU LOVE”

Steve wrote and delivered the Commencement speech to the graduates of Stanford University on June 12, 2005, in which he urged graduates to pursue their dreams and fulfill the opportunities in life’s setbacks. The style and content are very different from his Apple launch presentations. In one of the most inspiring graduation speeches Steve shared his life lessons via three stories in his life: his birth, when he got fired from Apple, and when he found out about his cancer.

In this speech Jobs adopted a simple and traditional structure, consisting of an opening, three stories and a conclusion. Just like in keynote speeches, he used conversational style and simple sentences, guiding the audience through his own life stories: *“Today I want to tell you three stories”...“The first story is about connecting the dots”...My second story is about love and loss”...“My third story is about death”.*

One of the most important topics in this speech is a recurring theme of birth/death/rebirth, which underlines it. In a literal sense, Jobs talks about his birth in his first story, and about confronting death in his third story, but the speech contains numerous other metaphorical references to these “circle of life” concepts. For example, his college career had a short “life” and the “death” of his formal academic career made way for the “birth” of his informal learning process; his relationship to Apple in his twenties was “born”, grew, and then “died” and when NeXT was purchased by Apple his career at Apple was “reborn”; he received the cancer diagnosis (a “death sentence”), but later was saved by an operation (a rebirth). In the end of the speech Jobs relates these metaphors to his college audience one last time with *“as you graduate to begin anew”.*

Another noteworthy element of this speech includes rich figures of speech, which can also be noted in his presentations. For example, he used antithesis rather effectively, juxtaposing contrasting words in a parallel structure: *“If I had never dropped out, I would have never dropped in”...“Again, you can’t connect the dots looking forward, you can only connect them looking backwards”...“The heaviness of being successful was replaced by the lightness of being a beginner again”...“Death is very likely the single best invention of Life”.*

Repetition is often used, adding strength to key arguments, especially in a conclusion. In some examples it takes the form of parallelism (*“that my mother had never graduated from college and that my father had never graduated from high school”*), in some anadiplosis is used (repetition of a phrase from the end of one sentence at the beginning of the next, e.g. *“the only way to be truly satisfied is to do what you believe is great work. And the only way to do great work is to love what you do”*), and in some other assonance is employed (repetition of vowel sounds, e.g. *“And whenever the answer has been 'No' for too many days in a row, I know I need to change something”*).

The Commencement address at Stanford University is anthological because of the memorable life lessons from such an inspirational figure. Most people probably never assumed that Steve did not have a privileged life and that success was not guaranteed for him. As a matter of fact, he was born out of wedlock, to graduate student parents who gave him up for an adoption; he was adopted and raised in a working class family and his foster father fixed cars for a living; he dropped out of a college, after only one semester, and his highest qualification was high school; in 1985 he was fired, very publicly, from the company he founded (Apple) after losing a power struggle with the board of directors; in 2003 he discovered he had cancerous tumor in his pancreas.

However, rather than let himself paralyzed by the situation and whine about it, he decided to make the best out of what he was given, creating the life he wanted, eventually becoming the CEO of one of the most valued companies in the world, a billionaire, and one of the most respected people in the world. Steve's first life story in Stanford Commencement address is as follows: *I am honored to be with you today at your commencement from one of the finest universities in the world. I never graduated from college. Truth be told, this is the closest I've ever gotten to a college graduation. Today I want to tell you three stories from my life. That's it. No big deal. Just three stories.*

The first story is about connecting the dots.

I dropped out of Reed College after the first 6 months, but then stayed around as a drop-in for another 18 months or so before I really quit. So why did I drop out? It started before I was born.

My biological mother was a young, unwed college graduate student, and she decided to put me up for adoption. She felt very strongly that I should be adopted by college graduates, so everything was all set for me to be adopted at birth by a lawyer and his wife. Except that when I popped out they decided at the last minute that they really wanted a girl. So my parents, who were on a waiting list, got a call in the middle of the night asking: "We have an unexpected baby boy; do you want him?" They said: "Of course." My biological mother later found out that my mother had never graduated from college and that my father had never graduated from high school. She refused to sign the final adoption papers. She only relented a few months later when my parents promised that I would someday go to college.

And 17 years later I did go to college. But I naively chose a college that was almost as expensive as Stanford, and all of my working-class parents' savings were being spent on my college tuition. After six months, I couldn't see the value in it. I had no idea what I wanted to do with my life and no idea how college was going to help me figure it out. And here I was spending all of the money my parents had saved their entire life. So I decided to drop out and trust that it would all work out OK. It was pretty scary at the time, but looking back it was one of the best decisions

I ever made. The minute I dropped out I could stop taking the required classes that didn't interest me, and begin dropping in on the ones that looked interesting.

It wasn't all romantic. I didn't have a dorm room, so I slept on the floor in friends' rooms, I returned coke bottles for the 5¢ deposits to buy food with, and I would walk the 7 miles across town every Sunday night to get one good meal a week at the Hare Krishna temple. I loved it. And much of what I stumbled into by following my curiosity and intuition turned out to be priceless later on. Let me give you one example:

Reed College at that time offered perhaps the best calligraphy instruction in the country. Throughout the campus every poster, every label on every drawer, was beautifully hand calligraphed. Because I had dropped out and didn't have to take the normal classes, I decided to take a calligraphy class to learn how to do this. I learned about serif and san serif typefaces, about varying the amount of space between different letter combinations, about what makes great typography great. It was beautiful, historical, artistically subtle in a way that science can't capture, and I found it fascinating.

None of this had even a hope of any practical application in my life. But ten years later, when we were designing the first Macintosh computer, it all came back to me. And we designed it all into the Mac. It was the first computer with beautiful typography. If I had never dropped in on that single course in college, the Mac would have never had multiple typefaces or proportionally spaced fonts. And since Windows just copied the Mac, it's likely that no personal computer would have them. If I had never dropped out, I would have never dropped in on this calligraphy class, and personal computers might not have the wonderful typography that they do. Of course it was impossible to connect the dots looking forward when I was in college. But it was very, very clear looking backwards ten years later.

Again, you can't connect the dots looking forward; you can only connect them looking backwards. So you have to trust that the dots will somehow connect in your future. You have to trust in something - your gut, destiny, life, karma, whatever. This approach has never let me down, and it has made all the difference in my life.

With his simple words and illustrative examples Steve showed us that even when things looked bleak, he managed to find the faith that they would work out the best possible way one day. No matter what rough patch he went through at the moment, he did not give up, but kept going and tried to make the best out of his life. He urged us not to lose hope, but to trust in the truth that everything happens for a reason.

Before Apple's rise in the last decade, Microsoft was the undisputed giant in the world of personal computers. Before iPod, mp3 players were known only as mp3 players and before iTunes it seemed almost unlikely for anyone to pay for music online, when music piracy was so widespread. And before iPhone, Nokia was the

longtime market leader for mobile phones. Even before iPad there didn't seem to be a need for tablet computers. In other words, in each situation no one would ever thought things would change. However, the status quo was broken each time, and with exceeding results. With each of these new products, Steve (and its team) revolutionized the industry and created a new movement. These happened because Steve had the courage to think outside the box and to base his goals on his deepest heart's desires. This is how he taught Stanford students to do the same in his second life story:

My second story is about love and loss.

I was lucky - I found what I loved to do early in life. Woz and I started Apple in my parents garage when I was 20. We worked hard, and in 10 years Apple had grown from just the two of us in a garage into a \$2 billion company with over 4000 employees. We had just released our finest creation - the Macintosh - a year earlier, and I had just turned 30. And then I got fired. How can you get fired from a company you started? Well, as Apple grew we hired someone who I thought was very talented to run the company with me, and for the first year or so things went well. But then our visions of the future began to diverge and eventually we had a falling out. When we did, our Board of Directors sided with him. So at I was out. And very publicly out. What had been the focus of my entire adult life was gone, and it was devastating.

I really didn't know what to do for a few months. I felt that I had let the previous generation of entrepreneurs down - that I had dropped the baton as it was being passed to me. I met with David Packard and Bob Noyce and tried to apologize for screwing up so badly. I was a very public failure, and I even thought about running away from the valley. But something slowly began to dawn on me - I still loved what I did. The turn of events at Apple had not changed that one bit. I had been rejected, but I was still in love. And so I decided to start over.

I didn't see it then, but it turned out that getting fired from Apple was the best thing that could have ever happened to me. The heaviness of being successful was replaced by the lightness of being a beginner again, less sure about everything. It freed me to enter one of the most creative periods of my life.

During the next five years, I started a company named NeXT, another company named Pixar, and fell in love with an amazing woman who would become my wife. Pixar went on to create the worlds first computer animated feature film, Toy Story, and is now the most successful animation studio in the world. In a remarkable turn of events, Apple bought NeXT, I returned to Apple, and the technology we developed at NeXT is at the heart of Apple's current renaissance. And Laurene and I have a wonderful family together.

I'm pretty sure none of this would have happened if I hadn't been fired from Apple. It was awful tasting medicine, but I guess the patient needed it. Sometimes life hits you in the head with a brick. Don't lose faith. I'm convinced that the only

thing that kept me going was that I loved what I did. You've got to find what you love. And that is as true for your work as it is for your lovers. Your work is going to fill a large part of your life, and the only way to be truly satisfied is to do what you believe is great work. And the only way to do great work is to love what you do. If you haven't found it yet, keep looking. Don't settle. As with all matters of the heart, you'll know when you find it. And, like any great relationship, it just gets better and better as the years roll on. So keep looking until you find it. Don't settle.

Steve Jobs started Apple in his parent's garage along with his school friend, which was not the most glamorous start for the world's largest technology company today. However, if he had been waiting forever for things to be perfect, he would never have achieved anything. He was fired from the very company he created, which would, by most people's standards, be the epitome of failure. However, he went on to create two successful companies (NeXT and Pixar), got rehired into Apple, turned it around in one of the biggest comebacks in business history, and made it the biggest technology company today. The message this amazing man sent us is that he never gave up on himself and fought for what he believed in. The setbacks we experience in our life are only one of the many mid-points towards our end goal. As long as we keep going and have no intentions to give up on our dreams, it is just a matter of time before we get where we want to be. As Apple's co-founder Steve Wozniak said about Jobs: *"People sometimes have goals in life. Steve Jobs exceeded every goal he ever set for himself."*

Jobs also talked about the importance of pursuing one's passion all the time. His example showed us that as long as one delivers top value and keeps outdoing oneself, it is a matter of time before one achieves both passion and success. He is the one who demonstrated that life is about doing the very things one loves. The question he made us and his audience ask themselves is: Am I living my life to the fullest? In his third story in the Stanford address he gave his answer:

My third story is about death.

When I was 17, I read a quote that went something like: "If you live each day as if it was your last, someday you'll most certainly be right." It made an impression on me, and since then, for the past 33 years, I have looked in the mirror every morning and asked myself: "If today were the last day of my life, would I want to do what I am about to do today?" And whenever the answer has been "No" for too many days in a row, I know I need to change something. Remembering that I'll be dead soon is the most important tool I've ever encountered to help me make the big choices in life. Because almost everything - all external expectations, all pride, all fear of embarrassment or failure - these things just fall away in the face of death, leaving only what is truly important.

Remembering that you are going to die is the best way I know to avoid the trap of thinking you have something to lose. You are already naked. There is no reason not to follow your heart.

About a year ago I was diagnosed with cancer. I had a scan at 7:30 in the morning, and it clearly showed a tumor on my pancreas. I didn't even know what a pancreas was. The doctors told me this was almost certainly a type of cancer that is incurable, and that I should expect to live no longer than three to six months. My doctor advised me to go home and get my affairs in order, which is doctor's code for prepare to die. It means to try to tell your kids e-everything you thought you'd have the next 10 years to tell them in just a few months. It means to make sure everything is buttoned up so that it will be as easy as possible for your family. It means to say your goodbyes.

I lived with that diagnosis all day. Later that evening I had a biopsy, where they stuck an endoscope down my throat, through my stomach and into my intestines, put a needle into my pancreas and got a few cells from the tumor. I was sedated, but my wife, who was there, told me that when they viewed the cells under a microscope the doctors started crying because it turned out to be a very rare form of pancreatic cancer that is curable with surgery. I had the surgery and I'm fine now.

This was the closest I've been to facing death, and I hope it's the closest I get for a few more decades. Having lived through it, I can now say this to you with a bit more certainty than when death was a useful but purely intellectual concept:

No one wants to die. Even people who want to go to heaven don't want to die to get there. And yet death is the destination we all share. No one has ever escaped it. And that is as it should be, because Death is very likely the single best invention of Life. It is Life's change agent. It clears out the old to make way for the new. Right now the new is you, but someday not too long from now, you will gradually become the old and be cleared away. Sorry to be so dramatic, but it is quite true.

Your time is limited, so don't waste it living someone else's life. Don't be trapped by dogma - which is living with the results of other people's thinking. Don't let the noise of others' opinions drown out your own inner voice. And most important, have the courage to follow your heart and intuition. They somehow already know what you truly want to become. Everything else is secondary.

When I was young, there was an amazing publication called The Whole Earth Catalog, which was one of the bibles of my generation. It was created by a fellow named Stewart Brand not far from here in Menlo Park, and he brought it to life with his poetic touch. This was in the late 1960's, before personal computers and desktop publishing, so it was all made with typewriters, scissors, and polaroid cameras. It was sort of like Google in paperback form, 35 years before Google came along: it was idealistic, and overflowing with neat tools and great notions.

Stewart and his team put out several issues of The Whole Earth Catalog, and then when it had run its course, they put out a final issue. It was the mid-1970s, and I was your age. On the back cover of their final issue was a photograph of an early morning country road, the kind you might find yourself hitchhiking on if you were so

adventurous. Beneath it were the words: "Stay Hungry. Stay Foolish." It was their farewell message as they signed off. Stay Hungry. Stay Foolish. And I have always wished that for myself. And now, as you graduate to begin anew, I wish that for you.

Stay Hungry. Stay Foolish.

Thank you all very much.

Jobs was a strong proponent of living life to the fullest, every day. If he had listened to his detractors when he was fired, he would never have achieved the success he did. Rather, he listened to his heart and did what he felt he had to do. Being guided by that led him to realize his goals and make meaning out of his life. Jobs inspired us to listen to our inner voice and follow it, because we can never go wrong with it. He reminds us not to live our life in regret, because life is meant to be lived with passion, with love, conviction and purpose. What we all cannot help loving about Steve Jobs is how he pursued betterment, both in his life and his work. He was already successful in his early years, but this did not stop him from wanting to become even better. He kept pushing for innovation, each time creating one game changing product after another. Because of that, he kept growing, and so did Apple. He was an inspirational man with an incredible spirit.

CONCLUSION

Since Job's death, millions of people have watched the YouTube video of his most inspirational Commencement address at Stanford University in 2005. The farewell message that Jobs quoted ("Stay Hungry. Stay Foolish") is a fitting farewell for Jobs, too, as he always hungered for new ideas and new words to express them, without fear of being called foolish in the process. Jobs was a perfectionist who always aspired to foresee and set trends, especially in innovation and style. He summed up that self-concept at the end of his keynote speech at the Macworld Conference and Expo in January 2007, by quoting ice hockey player Wayne Gretzky: *"There's an old Wayne Gretzky quote that I love. 'I skate to where the puck is going to be, not where it has been.' And we've always tried to do that at Apple. Since the very beginning. And we always will."*

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