CHAPTER 1

Boundary-making in the public sphere: Contestations of free speech

Arnfinn H. Midtbøen, PhD, Senior Research Fellow, Institute for Social Research
Kari Steen-Johnsen, PhD, Research Professor, Institute for Social Research
Kjersti Thorbjørnsrud, PhD, Senior Research Fellow, Institute for Social Research

Introduction

Freedom of speech is a fundamental human right and considered a core value in liberal democracies. However, it is also one of our time's most contested issues, constantly claimed either to be too wide-ranging, allowing continuous repression of minority groups, or too limited – restricting dissent and democratic deliberation. In this book we depart from conventional approaches to free speech, which tend to focus on whether specific types of public utterances should be legally allowed or not. Instead, we study how the boundaries of free speech are contested and

negotiated through social processes which silence certain groups and opinions while amplifying others.

Dramatic events in the past decade have demonstrated how free speech is deeply connected to global struggles over power and recognition. When the Danish newspaper *Jyllandsposten* published twelve caricatures of the prophet Muhammad in 2005, this led to heated debates and demonstrations in Europe as well as protests and the burning of Danish flags and embassies in the Middle East. The terror attack on the satire magazine *Charlie Hebdo* in Paris in 2015, resulting in the death of twelve people, led to renewed debate about the role of satirical cartoons in defining and pushing the frontiers of free speech in a global perspective.[1] The *Charlie Hebdo* attacks also served as a forceful reminder that the exercise of free speech may be followed by acts of violence.

While debates over free speech are heavily marked by political and ideological cleavages on the global level, they take place within specific national contexts. In Norway the horror of July 22, 2011, in which 77 individuals were killed by an extreme right-wing terrorist, was perceived as an attack on the leading political party, the Labour Party, but also on multicultural society itself. The July 22, 2011 terror attacks led to intense debates over growing anti-Muslim and anti-immigration sentiments in Norway. A more responsible public debate, where people behaved decently and extreme views were cracked down

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1   We refer to both the Muhammed caricatures and the drawings published in *Charlie Hebdo* as 'cartoons'. As pointed out by Klausen (2009 pp. 6-7), these drawings are strictly speaking mostly caricatures – that is, 'wordless drawings that use exaggerated physiognomic features to make a statement about the fundamental nature of a person or thing'. However, we follow Klausen and use 'satirical cartoons' or simply 'cartoons' when referring to the publishing of such caricatures because the 'cartoon crisis' has been established as the main reference in both public and academic parlance.

on, was called for. However, over time a discussion about the consequences of constraints on free debate arose. The core of the argument was that perceived moral taboos surrounded debates on immigration and minorities to the extent that the voices of those concerned about the future of the nation state and their own social status were silenced. Moreover, a too strictly monitored mainstream public debate could potentially lead to increased support for populist right-wing movements capitalizing on this very concern. Even though a debate following July 22, 2011 has its particular reference points in Norwegian society, the rise of right-wing populism across Western democracies in recent decades has made pertinent the confrontation between an elite dominated public sphere and anti-immigration ideas in many countries, and concomitantly raises questions about the implications for free speech practices.

Rapidly changing media technologies and platforms are vital factors in the struggles over the norms, principles, and practices of free speech. Today, both traditional and social media permeate people's life, spread messages instantly across the world and democratize public debates. Digitalization has entailed both a democratization of the possibility to speak publicly, a fundamental change in the role of traditional media as implied in the change from 'gatekeeping' to 'gatewatching', and a blurring of the conditions for boundary-drawing related to free speech (Ash, 2016; Benkler, 2006; Bruns, 2005). The continuous debates about the protection of free speech, on the one hand, and the limits for acceptable utterances in debates over religion and immigration, on the other, are shaped by this new media context. Hence, the role of the media, both new and old, is a central topic in many chapters in this book.

While much of the literature on the boundaries of free speech has been in the form of normative discussions on its

constitutional and legal limits (Maussen & Grillo, 2014, p. 176), there is now an emerging interest in studying the boundaries of free speech with perspectives from the broader social sciences. Arguing for a 'sociopolitical' approach to the study of the regulation of hate speech Maussen and Grillo, for example, advocate a conceptualization of hate speech as a social, cultural and political construct that depends on the context in which it is deployed (2014, p. 177). Moreover, they emphasize that speech, and how it is perceived and judged, is always embedded in power differentials, which has implications for how it can be analyzed.

The present book is in line with such a sociopolitical perspective, but places its emphasis on sociological processes and interactions on the elite, group and individual levels. Theoretically, we build on the concepts of boundaries and boundary-work. The study of symbolic and social boundaries has a long tradition in sociological and anthropological research (see Lamont & Molnár, 2002 for a review), but is less used in current scholarship on free speech. We believe that this field of research can benefit from employing this perspective because it allows us to study the social processes through which boundaries of free speech are drawn, maintained and changed. How are boundaries of free speech *defined* – explicitly or implicitly – by institutional elites? And how are these boundaries *perceived* by the mainstream public and from the margins of the public sphere?

These questions direct our attention to the fundamental dynamics of the public sphere: Public debates are shaped by social mechanisms which silence certain groups and opinions, while amplifying the voices of others. These mechanisms create boundaries that are not (primarily) defined through judicial paragraphs, but rather barriers made of different types of perceived pressure, self-censorship, exclusion and stigma. Sometimes

the boundaries of free speech appear bright and clear-cut, based on a strong consensus regarding which opinions and groups are considered to be legitimate or illegitimate in the public sphere. However, they are more often blurred and ambiguous, leaving room both for explicit conflict over where the boundaries are or should be drawn, and for individual maneuvering in the public sphere based on assumptions about the subtle rules defining 'the game' of public participation. In a sociological perspective, we argue, the public sphere can be seen as a locus of 'boundary struggles': Constant debates over the boundaries of free speech shape the dynamics of public debates and gradually change which actors and opinions are granted a legitimate space in the public sphere.

Boundaries of free speech are shaped by a range of key actors and institutions. In this book, we look at how free speech is debated in Norwegian mainstream media, how it is conceived and experienced by young politicians, and how editors and journalists define the limits of the difficult immigration debate – encompassing questions of immigration policies, integration, and religious and ethnic diversity – perhaps the topic in which boundaries between legitimate and illegitimate opinions are most hotly discussed. However, boundaries are also set by and experienced through the everyday activity and interaction of ordinary people. Drawing on a survey among a representative sample of the Norwegian population as well as in-depth interviews with individuals at different margins in debates over free speech – ethnic and religious minorities and immigration critics – we demonstrate the value of a boundary perspective by showing how patterns of self-censorship may keep certain topics and opinions away from the public debate, and how groups at the margins may feel excluded from and stigmatized in mainstream society.

The book demonstrates that boundaries of free speech are 'real' in the sense that they shape individuals' propensity to speak their mind, but also that the way boundaries are perceived varies among actors with different social positions. Indeed, boundaries also vary across time and context: What were seen as illegitimate opinions in the field of immigration ten or twenty years ago, for example, may be seen as completely legitimate today. And what are viewed as boundaries of free speech in Sweden or the US may not be perceived as such in Norway. This book concentrates on the Norwegian context. However, the social and cultural processes analyzed are also part of a larger picture involving religious and political contestation on a global scale. We believe that both the empirical insights and the theoretical ideas presented here have relevance far beyond Norway, and may be employed in other contexts as well as in a comparative perspective. It is our hope that knowledge of how these processes work might contribute to the development of spheres of communication that are both sufficiently welcoming and open enough for people of all backgrounds to contribute and take part.

Conceptualizing free speech

In its broadest sense, freedom of speech can be defined as the right to communicate in public unhindered by judicial, economic or social forces (Lipschultz, 2000). A long tradition, harking back to the classic works of Locke (2005) and Mill (1989), has defended the value of freedom of speech within a legal-normative framework (Greenawalt, 1989). On the one hand, freedom of speech is presented as a democratic good, by promoting truth, providing a check on the abuse of authority (especially government authority), and as a basic premise for deliberation and

democracy. By affording people the opportunity to hear competing arguments, freedom of speech is thought to promote independent judgement, tolerance and individual autonomy. On the other hand, freedom of speech may also be argued for on the basis of the existence of inherent human qualities that warrant protection in themselves, such as rationality, autonomy, dignity and the right to self-determinacy (Waldron 2012). In liberal democracies the right to free speech is generally protected by national law, and also by international conventions such as the European Human Rights Convention[2] and the UN Convention on Civil and Political Rights.[3] A much-cited ruling by the European Court of Human Rights, states that freedom of expression is 'one of the essential foundations of [a democratic] society', and that the right applies also to information and ideas that 'offend, shock or disturb the State or any sector of the population.[4]

Still, freedom of speech is always subjected to limitations defined by alternative societal concerns or human rights. In this book we are particularly concerned with the boundaries to free speech that are drawn based on the concern for protecting groups and individuals from hate, prosecution and discrimination, what is often in legal terms defined as 'hate speech' (Wessel-Aas, Fladmoe, & Nadim, 2016, p. 19). There is also a set of national laws and international conventions that serve to define such a protection legally, as for example the EMC, article 17 and the UN Civil and Political Convention, article 20 (ibid.).

Crucial to the present book, however, is the perspective that such judicial frames provide necessary, but still not sufficient

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2   EMC, article 10, http://www.echr.coe.int/Documents/Convention_ENG.pdf

3   UN, International Covenant on Civil and Political Rights, article 19, http://www. ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx

4   *Handyside vs. Britain*, case no. 5493/72.

conditions for the exercise of free speech by citizens – or for agreement on its boundaries in social life. Hence, there is a need both to define a set of sociological perspectives for studying how freedom of speech is exercised and a need to garner empirical knowledge about the social processes which enable and restrain it. While there exists literature on polarization and debate within new and old public spheres (Brundidge, 2010; Stromer-Galley & Muhlbeger, 2009; Sunstein, 2003), growing literature on the occurrence of hate speech (Hawdon, Oksanen, & Räsänen, 2015; Nadim, Fladmoe, & Wessel-Aas, 2016), and studies that shed light on the public experiences of ethnic and religious minorities (Bangstad, 2015; Midtbøen, 2016; Midtbøen & Steen-Johnsen, 2016), each of these bodies of literature can only throw limited light on the particular social dynamics linked to the practice of freedom of speech in a given society. Our aim in this book is to provide a broader sociological lens on free speech and the dynamics of the public sphere.

In this book we use the terms 'freedom of speech' and 'free speech' interchangeably. However, as Terje Colbjørnsen shows in his chapter in this book (Ch. 6), freedom of speech may be seen as merely one aspect of the broader concept of freedom of expression, which includes not only written and oral speech, but, for example, the publishing of art and satirical cartoons. As most of the chapters deal with free speech issues, we have chosen to use this concept while pointing it out explicitly when we discuss freedom of expression in a wider sense. Importantly, all types of speech in any type of arena do not fall within the scope in this book. In line with Maussen and Grillo's approach (2014, p.175), we limit our study of boundary-drawing to speech that might be seen as *controversial*, which is expressed in *public forums* and which conveys *public matters*, whether they be political, religious or target values, norms or practices. Inspired by

Bader (2014) we also tend to look at free speech as a matter of communication, implying an interactive perspective in which the speaker, the audience and the arena where a statement is uttered matter for how it is interpreted and acted upon socially (2014, p. 322). In this respect it is particularly important to distinguish between public, semi-public and private arenas. Even though our main focus is on public and semi-public spheres, we believe that the social processes that occur in these arenas interlink and mutually shape each other, and some of the chapters in the book are particularly concerned with these links (see especially chapters 3, 8 and 9).

The advantage of this project is to combine studies of how boundaries of free speech are established and maintained on an institutional level (media, politics) with studies of individual experiences of boundaries to free speech, both in the population at large and in very different groups at the margins (ethnic and religious minorities, immigration critics).[5] The design allows us to examine the specific dynamics of boundary-making related to different groups and topics, but also to seek out more general social mechanisms through which free speech is being restricted. Conceptualizing the public sphere as a locus of 'boundary struggles' indicates that we view boundaries as shifting rather than permanent, and that they are objects of contestation; between institutions and individuals, between different groups in society, and as reflexive processes within individuals who are exposed to or challenge them.

Boundaries of free speech are drawn constantly, but appear particularly potent and contested in some areas and for certain groups. In this book we center on immigration, culture and religion – as key areas of public debate, and as lines of demarcation.

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5   Please consult the appendix for a detailed description of the survey methodology.

Since the Rushdie Affair, and, even more, since the Mohammed cartoon controversy in 2005/6, debates about free speech have come to be intertwined with discussions on religious freedom and concerns for the rights of specific ethnic, cultural or religious groups (Favret-Saada, 2015). In these debates, freedom of speech is, from one perspective, viewed as a problem for minority groups, as it allows the media to publish texts and drawings which may be considered offensive or blasphemous. From another perspective, freedom of speech is seen as not wide-ranging enough, since complaints about offensiveness and blasphemy may keep critical voices and satire from being published. As political scientist Erik Bleich has observed, all liberal democracies struggle with the dilemma of preserving the freedom of their citizens while simultaneously combating racism (Bleich, 2011). In this book, we analyze how media actors and politicians strike this balance, and how ordinary citizens – in the mainstream and at the margins – experience the opportunity to engage in matters important to them.

A sociological perspective on boundaries of free speech

The literature on free speech originates from philosophy and is still dominated by legal-normative perspectives. Ever since Habermas ([1962] 1989), however, theories of the public sphere have formed an important element in the sociological tradition and in recent years a range of middle-level theories applicable for empirical studies of the dynamics of public debates have been developed. In this book, we build on this tradition by departing from the conventional focus on freedom of speech as a corollary to explicit legal and normative principles, and rather bring in sociological theories concerned with social norms,

group identity and power in order to understand how the public sphere – and thereby principles of free speech – function in practice.

We argue that sociological perspectives may contribute to a more overarching model of the role of social and symbolic boundaries (Lamont & Molnár, 2002) for principles and practices of free speech. Our analysis is inspired by Jeffrey Alexander's (2006) theory of boundary-formations in the civil sphere, in which praised values in liberal democracies, such as individual freedom (including freedom of speech), dignity and autonomy, play a key part. In contrast to a legal-normative approach, Alexander argues that such values should be regarded not as static entities, but as the results of continuous boundary struggles. These higher values are, on the one hand, expressed in the founding documents of democratic societies, like laws, constitutions and bills of rights, and may thus seem given. On the other hand, the very same rights are historical, cultural and social in the sense that they are tied to a long chain of Western philosophy, religious thought, social movements and political struggle.

According to Alexander, civil societies are contradictory and fragmented. They are created by social actors at a particular time in a particular place. Arbitrary qualities (e.g. gender, race, nationality) become transformed into necessary qualifications for inclusion in the civil sphere. Processes of establishing or maintaining community, or solidarity, will always be characterized by struggle and contestation between interests, and by a tension between the particular and the universal. The contestation is, as we see in current debates over freedom of speech, not over the ideals as such, but over *who* or *what* can be defined as their antithesis, threatening the higher values of freedom through their uncivil, evil and contaminating force. The advantage of Alexander's perspective is that it links the communicative

processes that take place in the public sphere to core societal processes, that involve cultural identifications and struggles over interest and power. In his view, the civil sphere is seen as an independent societal sphere, but still as deeply intertwined with and limited by the relationship with the public and the private spheres, and dependent on a set of societal institutions. This broader view has the potential to inform the core discussion on how boundaries to freedom of speech are drawn, in the light of more fundamental societal struggles.

In the overall theoretical framework of this book, Alexander's theories are supplemented by a specific sociological theory of boundaries and boundary making. According to Lamont and Molnár (2002), symbolic boundaries are 'conceptual distinctions made by social actors to categorize objects, people, practices, and even time and space', while social boundaries are 'objectified forms of social differences manifested in unequal access to and unequal distribution of resources (material and nonmaterial) and social opportunities' (Lamont & Molnár, 2002 p. 168). In public debates, symbolic boundaries are used by individuals and groups in struggles over what are conceived of as legitimate and illegitimate positions and standpoints. At the same time, these struggles over symbolic boundaries may have social consequences in the sense that they can take on a constraining character which excludes certain groups and points of view from public debates. Importantly, symbolic and social boundaries are created in different societal spheres and levels: between institutions and individuals, between different groups and organizations in society, and as reflexive processes within individuals who are exposed to or challenge them. This means that we need to study boundary contestations within these different contexts, and as seen from the perspective of a variety of groups with different degrees of formal and informal power.

Based on this basic perspective, we establish a threefold approach in this book. First, we believe that it is important to look into the institutions that hold the power to actually draw up and define the boundaries of free speech, explicitly or implicitly. Institutional elites, like politicians and editors, do have this type of influence, the first through legislation, and the latter as central gatekeepers of public debate (Gans, 1979). In liberal democracies, legislation and journalism alike are deeply committed to principles of pluralism and freedom of speech. Concomitantly, politicians and media professionals are engaged in boundary-work that is continuously challenged with regard to where the limits actually need to be drawn. Their mandate is, in different ways, to identify the types of speech acts that in form or content are deemed unacceptable or illegitimate, and hence should be excluded from the public sphere. The theoretical framework offered in this book enables an analysis which studies the intersection of explicit normative values of liberty with practices and decisions that take place in a social reality where an opinion climate and power relations are indeed strongly present.

Second, a boundary-making perspective on free speech means mapping out how different groups and sub-sets of groups experience boundaries or control mechanisms limiting their participation in the public sphere. We also focus on the dynamic character of such boundaries, asking how and why they change. In this, we are inspired by Richard Alba's distinction between bright and blurred boundaries (Alba, 2005). Although writing from the perspective of changing ethnic boundaries in Europe and the United States, Alba's distinction is useful for studying boundary-making in the public sphere more generally: When boundaries are bright, what is conceived of as illegitimate positions in, for example, debates over immigration, are hardly up

for discussion. In contemporary contexts, however, boundaries between legitimate and illegitimate points of view are often not agreed upon. Rather, the boundaries are blurred, ambiguous and open to negotiation. Studying how this boundary-work plays out in public debates and how it gradually changes the demarcation line between insiders and outsiders, and legitimate and illegitimate points of view, is a task for sociological research.

Finally, boundaries may be drawn, not only by actors or institutions external to the individual, but by individuals themselves, as part of processes of inclusion or exclusion from the public sphere. Shared norms, beliefs and attitudes within a specific social culture create solidarity, integration, identity and belonging. Yet at the same time, these shared norms and attitudes can lead to the suppression of freedom of speech, because each person risks being excluded from the community if they challenge what is generally accepted. In order to shed light on such processes from the individual's point of view, several of the chapters in this book also draw on the theory of the spiral of silence, originally formulated by Noelle-Neumann (1974). This theory is based on the idea that individuals constantly relate to the opinions of others and that they adjust their behavior and their own opinions according to what is perceived to be the majority opinion (in a group or in a particular setting). Based on this theoretical perspective, a spiral of silence arises when individuals do not dare to deviate from the majority attitude and express unpopular opinions. The reason for this is fear of isolation, and a risk of being excluded from the communities one belongs to or feels part of. A crucial point in this theory is that individuals may misperceive the opinion climate, since they often do not have sufficient information about people's real opinions, and since some viewpoints are given more space than others in public debate.

The concepts of boundaries and of boundary struggles thus form the theoretical nexus of the present book. In our view these concepts add to our sociological understanding of how the conditions for free speech are formed in society, by looking at the institutional, group and individual levels. In this perspective, boundaries of free speech are the results of normative control and different actors' power to define where the boundaries are to be set, but always also as objects of cultural construction and struggle and thus continuously changing.

The Norwegian context

This book offers a novel theoretical perspective on free speech and employs it on a rich collection of data, and we believe the insights offered are relevant in a range of contexts. Still, the analyses provided in the following chapters are based on empirical data from the specific Norwegian context which needs to be briefly outlined. We start by describing how free speech legislation in Norway has developed. Next, we describe the Norwegian history of immigration and the current composition of the immigrant population, and show how immigration has come to be a key political issue in public debates through the changing role of the right-wing Progress Party. Finally, we highlight important characteristics of the Norwegian media landscape, including the changing patterns of participation that we have witnessed over the past decade.

Free speech in Norway – historical development and current status

In the Norwegian Constitution from 1814, the right to the Freedom of Print was established by law, which implied a ban on

pre-censorship (NOU 1999 p. 27, 3.3). The paragraph included particular protection of political utterances, as it declared that any person might raise free criticism of the state and other objects. The formulation of the paragraph can be considered as liberal and progressive for its time, and reflected the need to build the foundations for a new nation and a new societal order (ibid.).

Although historically not the case, today all Norwegian citizens are formally granted the same rights – including the right to free speech. Freedom of speech is protected in the Norwegian Constitution (§ 100), in the European Convention on Human Rights (Article 10) and in the UN Convention on Civil and Political Rights (Wessel-Aas et al., 2016). When §100 was voted on in 2004 it was intended as a general strengthening of freedom of speech, which had been relatively unchanged in the Constitution since it was enacted in 1814. Most centrally, all forms of pre-censorship were abandoned,[6] the role and responsibility of the state in ensuring the conditions for a 'positive freedom of speech' (Kenyon, 2014) through open and pluralist media was emphasized (NOU 1999 p. 27), and the abolition of the law against blasphemy was suggested. The latter change in the law was voted on at a later point, and first came into effect in 2015 after the attacks on *Charlie Hebdo* in Paris (Steen-Johnsen, Fladmoe, & Midtbøen, 2016). Norway also has a law against hate speech, revised in 2015. The Norwegian Penal Code, section 185, protects against hateful or discriminatory speech about persons or groups of persons because of their a) skin colour or national or ethnic origin, b) religion or life stance, c) homosexual orientation, or d) disability.[7]

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6   The only exception being censorship of films in the case of protecting children and youth, by the imposition of age limits.

7   Translation cited from http://app.uio.no/ub/ujur/oversatte-lover/data/lov-19020522-010-eng.pdf

Surveys of attitudes towards free speech in the Norwegian population indicate general support for the principle of free speech, but with some reservations (Steen-Johnsen et al., 2016). Criticism of religion is far more accepted than criticism of religious and ethnic minorities. There is also a tendency to want strong social sanctions for racist speech or speech that is critical of ethnic minorities, especially when uttered in social media (Steen-Johnsen et al., 2016 37). In accordance with the so-called 'balance of harms' approach to free speech (Waldron, 2012), there is thus a general tendency to balance the value of freedom of speech against other values, such as protecting minority groups (Steen-Johnsen & Enjolras, 2016).

The immigration context

Norway is often thought of as ethnically and religiously homogeneous. To some extent this is the case. Norway has historically been a country of emigration, mainly due to the substantial number of Norwegians emigrating to the United States in the 19th and early 20th centuries, and did not become a net immigration country until 1967, when large-scale immigration from outside Europe became a permanent phenomenon (Brochmann & Kjeldstadli, 2008). However, Norway has always had an indigenous Sami population, and for centuries Jews, Kvens, Forest Finns, Rom and Romani have been part of Norwegian society as relatively small ethnic minority groups immigrating to the country at different points in history. Several of these groups have been targets of aggressive state assimilation policies, and partly as a compensation for this treatment these five groups were granted status as national minorities in 1999 (Brochmann, 2002; Lund & Moen, 2010).

In the late 1960s and early 1970s, Norway received a substantial number of labour migrants from countries such as Pakistan, Turkey, Morocco and India, starting a process of ethnic and religious diversification that has continued ever since. Despite a moratorium on labour migration, introduced in 1975 and made a permanent policy measure in 1981, the immigrant population has steadily grown through humanitarian migration, family reunification and family establishment, and since the EU enlargements in 2004 and 2007 labour migration has again been the main source of immigration to Norway (Brochmann & Kjeldstadli, 2008). In January 2015, almost 16 percent of the Norwegian population was either immigrants or born in Norway with immigrant parents. The largest immigrant groups are currently from Poland, Sweden, Lithuania and Somalia. Among the children of immigrants born in Norway, individuals with Pakistani origin make up the largest group, followed by descendants of Somali and Iraqi immigrants (Egge-Hoveid & Sandnes, 2015). Today, immigration is an established reality in the Norwegian context. As in most other liberal democracies in the world, however, it is also a source of constant conflict in the political and public spheres.

The political context

Norway is a small, stable and relatively consensual democracy, which ranks high when it comes to voter turnout and trust in institutions (Allern, Heidar, & Karlsen, 2016; Lijphart, 2013). Elections are based on proportional representation, within a multi-party system. Parliamentary democracy emerged in the late 19th century, and in the mid part of the 20th century Norway had one of the most stable party systems in the world, consisting of a conservative (the Conservatives), a social-liberal (the Liberal Party), a social democratic (the Labour Party), an

agrarian (the Centre Party) and a Christian (the Christian People's) party (Allern et al., 2016, p. 36). From World War II to the end of the 1960s the social democratic Labor Party was the dominant party, and governed alone in an unbroken line until 1963. From this period on government has alternated mostly between minority governments in several combinations, either single-party Labour, centrist-right or centrist (2016 p. 38).

The Progress Party, founded in 1973 as a right-wing protest party against the growth of bureaucracy, state intervention and tax levels, has been important in shaping the Norwegian political debate about immigration (Hagelund, 2003). From a situation of marginal support in its early years, the Progress Party gradually gained importance when immigration came to be a contested political issue in the late 1980s, increased its support to above 20 percent after the turn of the millennium, and saw its electoral breakthrough in 2009 (Jupskås, 2015). The party experienced a decrease in the elections following the July 22, 2011 terror attacks (Allern et al., 2016 p. 38), which has been interpreted as a reaction to the relationship between the right-wing ideology of the perpetrator and the Progress Party (Bergh & Bjørklund, 2013). Nonetheless, after the Parliamentary election in 2013 the Progress Party entered the government in a minority coalition led by the Conservative Party.

The Progress Party is often seen as the Norwegian equivalent to right-wing parties in Europe, such as the Danish Popular Party, the Dutch Party for Freedom, and the National Front in France. Importantly, however, the Progress Party itself has rejected similarities to these other parties and has regularly turned down invitations for collaboration (Hagelund, 2003). This is probably an important explanation of why the party has been able to build political legitimacy in a country characterized by high affluence, high social and institutional trust, and

comparatively low levels of anti-immigration attitudes. By deny-ing labels and linkages related to fascism or right-wing extre-mism, the Progress Party has avoided connections to European right-wing parties while simultaneously emphasizing its oppo-sition to immigration and multiculturalism (Jupskås, 2015). The ability to build political legitimacy and become part of the poli-tical establishment does not prevent the Progress Party and its political ideas from remaining a point of great contestation in Norwegian public debate. The party has continued to play a key role especially in debates about immigration and integration, domains which it has had political control of since entering the government with the Conservatives in 2013.

The media context

Norway has a far-reaching freedom of information act (1970, revised 2009) to keep government agencies transparent and open to scrutiny. The objectives of Norwegian media policy have been to increase freedom of expression, improve access to information, and improve equality of access to information (NOU 1999 p. 27; NOU 2013 p. 4; Rolland, 2008). This relates directly to the requirement in the Norwegian constitution that state authorities must create conditions that facilitate an open and enlightened debate (§100).

The co-existence of commercial media, media with roots in civil society and political groups, and public service media, make the Norwegian media system representative of a Nordic democratic corporatist model (Hallin & Mancini, 2004). However, the Nordic media model has moved towards a com-mercial, liberal model in recent years, and this also applies to Norway (Allern & Blach-Ørsten, 2011; Nord, 2008; Syvertsen, Enli, Mjøs, & Moe, 2015). In line with global developments,

Norwegian media have been deeply affected by the impact of digitalization and the challenges it poses to traditional business and organization models, and the industry is currently going through profound processes of adaptation and downscaling (Steen-Johnsen, Ihlebæk, & Enjolras, 2016). Digitalization has, for example, influenced how broadcasters work strategically to keep and move audiences between different platforms and services (Ihlebæk, Syvertsen, & Ytreberg, 2014). So far the impact on citizen news consumption, fragmentation and polarization remains unclear, but the public broadcasting still has a strong position and news reading remains at a high level, even if carried out on new platforms (Steen-Johnsen et al., 2016).

Contemporary Norwegian media are increasingly diverse, with high levels of social media use, high internet use per capita, and a decentralized media structure (Syvertsen et al., 2015). Comparatively, Norway is characterized by high access to technology. In 2015, 94 percent had used a PC at home during the past three months and 89 percent had used the internet to read or download newspapers and magazines. 97 percent of the population was connected to the internet at home, reaching almost 100 percent among people under 45.[8]

Even though there are limited digital divides when it comes to access to digital technology, there is still a question as to whether divides exist in relation to use (Hargittai, 2010). Previous research has demonstrated that those who participate in public debates and political activities through social media are younger and less educated than those participating offline (Enjolras, Karlsen, Steen-Johnsen, & Wollebæk, 2013). Also, gender differences persist; women are less active than men in digital debates on most platforms, except on Facebook (ibid.). Further,

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8   Numbers collected from Statistics Norway: https://www.ssb.no/teknologi-og-innovasjon/statistikker/ikthus/aar/2015-10-01

a set of surveys carried out within *The Status of the Freedom of Speech* project showed that ethnic minorities were as active as the majority in expressing their opinions through social media, but unlike the majority population ethnic minorities are more likely to experience negative comments targeted at core identity features such as their ethnic, national or religious background (Midtbøen & Steen-Johnsen, 2016; Staksrud et al., 2014; see also Ch. 7 and 8 in this book).

Immigration has been debated intensely in Norwegian media in recent decades. The media coverage has been characterized as polarized and dominated by stereotyped representations of immigrants (Eide & Simonsen, 2007; Lindstad & Fjeldstad, 2005). More recent research suggests that whereas the coverage is still frenzied and dominated by single news stories rather than systemic analysis, the debate has become more inclusive: Stories with different perspectives, sources, debaters and to some extent reporters with a minority background have entered mainstream media, and are gradually challenging the majority dominance (Figenschou & Beyer, 2014; Midtbøen & Steen-Johnsen, 2016; Thorbjørnsrud & Ustad Figenschou, 2014). In other words, while immigration continues to be a major source of conflict, immigrants and their descendants are increasingly also active participants in public debates.

An overview of the book

The book consists of ten chapters, including this introduction. The first three chapters paint a broad picture of how boundaries of free speech are drawn, based on population representative survey data. In the next two chapters we zoom in on the media, both from the production and the content side. The final three empirical chapters of the book delve more deeply into the

processes where boundaries are drawn and enacted, through qualitative studies of the experiences of free speech among young politicians, ethnic and religious minorities and immigration critics, respectively. In the last chapter of the book, we develop a theoretical lens for studying free speech and the dynamics of the public sphere as social phenomena, as well as applying this theoretical framework on the empirical findings presented in this book. In what follows we present the chapters of the book in more detail.

Chapter 2, authored by Marjan Nadim and Audun Fladmoe, focuses on the extent and consequences of personal experiences of hate speech and other unpleasant comments in social media. As the authors note, hate speech brings discussions of freedom of speech and social boundaries to the fore, as any ban on hate speech is a limit to free speech, while hate speech simultaneously is a tool for creating and reinforcing boundaries and hierarchies between groups. Drawing on a large-scale survey among Norwegian adults, Nadim and Fladmoe find that people of immigrant backgrounds are more exposed to hate speech directed towards legally protected grounds, but that the majority population is as equally exposed as immigrants to other, more general unpleasant comments. However, hate speech directed towards legally protected grounds have more encompassing consequences for women and people of immigrant backgrounds, suggesting that hate speech may have negative democratic consequences by silencing certain groups.

In chapter 3, Audun Fladmoe and Kari Steen-Johnsen discuss the extent to which individuals self-censor when engaging in public debates. The theoretical backdrop of the chapter is Noelle-Neumann's (1974) theory of spirals of silence, which predicts that individuals will tend to adjust to what they perceive as dominant public opinion, and will be less willing to speak out if

they perceive that they are part of a minority. Examining the case of religious cartoons, Steen-Johnsen and Fladmoe find that people with opinions incongruent with the dominant positions held by the general public, are less willing to discuss the publication of religious cartoons, but also that spiral of silence mechanisms seem to be stronger in private than in public arenas. This result indicates the significance of peer effects when engaging in controversial issues, and suggests that symbolic boundaries work to reinforce majority positions in both public and private discussions.

In chapter 4, Hallvard Moe, Kjersti Thorbjørnsrud and Audun Fladmoe explore how Norwegian citizens perceive the credibility of journalists to provide mediating information from the centres of power to the public, and to present issues in a fair way. The authors find that confidence in the impartiality of journalists in general is low, and that political party preferences and attitudes towards immigrants and immigration, along with general trust in the media, are important indicators of perceptions of journalistic bias. These findings represent a major challenge to the news media's position in a democratic society, and may be a signal of changing expectations on the part of the public, and a changing role for the media as channels between the public and the rulers.

The next chapter shifts focus from this challenge posed by the citizens to the editors' and journalists' point of view. These professions draw the lines of free speech every day, choosing which issues deserve attention and to whom to give a voice, as well as which issues, opinions or groups are not granted the privilege (or burden) of media attention. The chapter authors, Karoline Andrea Ihlebæk and Ingrid Thorseth, study how the editors of Norwegian news media deal with issues of hate speech and racism, and how they work to achieve balance and diversity in a

polarized debate climate. The authors claim that even though social media have challenged the traditional media's position, opinion editors still represent an important type of gatekeeper who guards the legal and symbolic boundaries of public debate.

In chapter 6, Terje Colbjørnsen provides an analysis of newspaper debates on freedom of expression and freedom of the press in Norway over a twenty year period. Drawing on both quantitative and qualitative data, Colbjørnsen shows that the cartoon controversies in 2005/6 and 2015 stand out as 'critical moments' in the freedom of expression discourse. He also analyses the dominant arguments present in the debates, and discusses which types of argument are given validity. According to Colbjørnsen, historical-philosophical arguments appear as more legitimate in the media discourse than emotional arguments, which challenges the idea of a public sphere dominated by emotions and sentiments of 'offendedness'.

The next three chapters delve more deeply into subjective experiences and social processes related to free speech, based on in-depth interviews with individuals from three different groups. In chapter 7, Arnfinn H. Midtbøen centres the attention on youth politicians. Politicians have the power to influence which expressions are to be defined as legal and illegal, by virtue of their political involvement. However, they are also visible actors who face boundaries of free speech both as individuals and as representatives of particular organizations. Midtbøen explores how the leaders of Norway's political youth organizations experience being public figures in Norway, and how they deal with the 'cultures of expression' in different parties. He distinguishes between external and internal barriers to free speech, and discusses the implications of these barriers for the politicians' attitudes to free speech regulation and, more broadly, for the future of democracy.

Following a similar route, in chapter 8 Marjan Nadim explores the conditions for participating in public debate for individuals with a religious or ethnic minority background, and in particular how these individuals deal with their ascribed role as a representative of the group they are perceived to belong to. Drawing on in-depth interviews with people with an ethnic or religious minority background, Nadim shows how representation is a two-way street. On the one hand, ethnic and religious minorities are ascribed certain values and points of view by the media and mainstream society. However, being cast as representing specific communities in the public sphere also entails a question of 'internal legitimacy'; the people you are supposedly representing will to varying degrees accept you as their representative in public.

Importantly, those who are at the margins of society may be perceived in different ways. Often research in this area focuses on typical target groups, like ethnic, religious or sexual minorities. But in chapter 9, Kjersti Thorbjørnsrud explores experiences with public debates from the perspective of immigration critics; that is, people who defend more restrictive immigration policies and are concerned about the negative impact of immigration on society. Based on in-depth interviews with individuals who have influential positions in Norwegian public debate, as well as with people who are less visible and more active on social media, Thorbjørnsrud shows how immigration critics experience stigma, exclusion and marginalization in Norwegian society.

Although they are informed by theoretical concepts of symbolic boundaries, spirals of silence or competing philosophical ideas about justice, the above-mentioned chapters are first and foremost *empirical* in scope, showing how the boundaries of free speech in the Norwegian context are defined and maintained, but also experienced and challenged. In the final chapter,

Bernard Enjolras aims at laying the foundation for a sociological perspective on free speech by placing the findings of the preceding chapters in relation to a broader theoretical framework, thus proposing a synthesis between sociology of the public sphere and sociology of social boundaries. This final chapter of the book outlines a conceptual framework, which enables us to recast the empirical findings presented in the previous chapters, and to interpret them in terms of the processes of symbolic boundary struggles in the public sphere.

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