

Public Values and Social Communication

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Abstract In the Country system, the political-institutional level, the economic, cultural, social and media levels are strictly connected and interdependent. Their relationships are physiological when they retain their identity and function independent; they are pathological when they claim for submission and exploit and corrupt by using power or money. Recent laws are not helping innovation, but consolidating old rents. Spaces between information and communication skills are increasingly blurred. Social communication is not a sector of activities, it's a value choice based on an extended, interdependent ethical awareness of all social system. Social system is guaranteed by the truth of information and by ethical values choices of communications.

Keywords Social • Country-system • Information • Communication • Public administration • Education • Profession

1 Introduction

Social communication is here understood in two senses:

- as complex information flows crossing typically a contemporary society, and that contribute to the emergence of a public sphere (or general interest);
- as a value choice of each communication, based on the awareness and interdependence of all the ethical dimensions of a social system (institutional, political, economic, cultural, civil).

With social communication you want to refer to the communication that characterizes the entire society and not only to the activities of a part of it, intended to campaigns—functional and symbolic—of empowerment, awareness and social

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promotion. These, in fact, are only a field of public institutions communication (required by law) and of private profit and nonprofit organizations.

According to the first meaning, communication is social communication as a whole society; it affects the processes of formation, existence and experience of the society (culture, daily interaction, socialization, institutionalization, social change). In the second sense, communication is social every time, from any field comes from, who is attentive to the discomfort and intervenes for his care and protection. The communication can only be “relational social attention”.

The two meanings can be said to be complementary: the communication of the whole society, and attentive to it.

2 Social Communication and Country-System

In a State of pluralist democracy—based on universal suffrage, secrecy and freedom to vote, periodic elections, the multiparty system, the principle of tolerance of dissent-social communication can be a fundamental process of feeding, conveyance and protection of historical public values as the general interest (or the common good) and the right to the truth of the information.

It acts as a communication between the multiplicities of interests, ideas, values, social groups present in the system—because each country has effectively guarantee edits existence, the possibility of free development and to be recognized by the general interest pursued. The general interest (or the common good) does not have an objective consistency, but it is what emerges by comparing ideas, different opinions and different values of warranty; and is always open to criticism and overcome because what is achieved with the comparison is every time a particular conception of the general interest. For this in pluralistic democracies is ensured wider constitutional guarantee “freedom of expression” and “pluralism of the media” (television, radio, newspapers) that allows the formation of so-called “public sphere”: “In it act and express individual members of the political class, journalists, opinion leaders, intellectuals, and are activated opinion movements of various kinds, which often lead to envisage forms of society. This public sphere, free and pluralistic, is distinct from and independent of political parties and the Parliament electorate-circuit, but is politically influential and listened, because it is here that form the ideas, opinions and programs that then feed both proposals party is the life of the Parliament” (Bin and Pitruzzella 2011: 52).

It is in the public sphere that the social system, or civil society, can point to get it towards a goal, when organizing (associations) and is expressed (public opinion). It is, however, an increasingly differentiated and diversified in the political, economic and socio-cultural, where “processes and products highly evolved state systems articulated in the territory, mobility between social classes and ethnic groups multiply active subjects, the rights, expectations and points of view” and this means that it is harder to reach it and listen to it, and that the ways to do that are “more

long, laborious and conflicting, (...) bear the mark and scars of contrasts, contrasts of hard and social conflicts, often in preparation the political confrontation radicalized” (Scandaletti 2003: 68).

In the public sphere bounce contents and meanings through which institutions make themselves known. Parliament, Government, Courts, Authority, Bank of Italy, regions, provinces, municipalities, health agencies inform “duty” (the content of parliamentary debates, laws, government measures, procedures, services) and to communicate political objectives (the meanings that must enter the field of the knowledge and belief of the people in order to guide their social behavior and political-electoral).

Since the eighties, they bounce through the media system. With the liberalization of the airwaves (Constitutional judgment no. 202/1976), the means and tool so information and communication, public and private, they become co-stars in the public arena. The media system—economically and politically independent, with up its own network environments, cultures and professional techniques—constitutes the place of visibility of all other systems, able to activate and to influence social change. Parties evanescent, television lounges, political telegenic, gatherings and rituals sensitive to filming, slogans from the military and sports lexicon, great representative economic, professional and social mix private interests and associative, weave relations with Parliament for benefits in exchange for regulatory approval, with the media for the visibility of their proceed, with citizens to get attention and adhesions.

Flock to social communication that has no social vocation. The political-institutional, economic, cultural and social systems are interdependent with the media system and profile of communication depends on the objectives for which trigger their function of mutual attraction. Their interaction must assume autonomy and mutual control, collaboration and competition; can be functional and pathological.

The interaction of political and institutional system with media system is functional, for example, when defining the legal framework for the government of the media (l.no. 103/1975 on the redefinition of the public monopoly of Italian television—RAI; law in support of publishing in crisis, 1981; establishment of the Authority, 1997).

It is pathological when the political and institutional system defines the legal frame work or the government of the media according to interests related to “political and economic affairs”. For example, favoring the outcome of the dispute between the “big business for maximum private operator and the deal political in the public service entrusted to RAI”. It is pathological when a decree “save” illegal developments of the media system; when influence the choices of the information world, “the pressures of parties, bodies institutional publishers, directors and editor sto get on the attenuation of unwelcome new so harmful, avoid investigations, favor the recruitment or appointment of directors and editors friends” (Scandaletti 2003: 77).

The interaction of information with the political-institutional is functional: when each system does its part with “roles chosen and not suffered”; when the information they provide citizens with the media, careful to “delays, errors and omissions” that press releases of political power and the public never return; when the information has a publishing company active, a line recognizable, is the watch dog of power and voice to civil society, within queries true; when politician can choose between more media and therefore be less affected by any confrontations with editorial guidelines, editors and journalists, and when the information is pluralistic and balanced (in established democracies big newspapers can stand for target reader sand in some elections, but not always for the same part); when newspapers keep their vantage points far from the centers of power and when journalists are preparing well to the profession and update themselves in continuity; when the information shall ensure the act of political power and the politicians can not restrict the dissemination of information in convenient defused by the plurality, the commercial purpose of the media, independence of the judiciary guaranteed.

The interaction is pathological when political figures, strong, imposing conditions to director weak (for example requiring a certain number of minutes in the main news program and choose the interviewer, not wanting that opponent); when the public places of political debate are reduced to a single medium (such as television) and when the same party newspapers are reduced to “flags” rather than real instruments of broad and effective communication policy; when journalists go to lunch with politicians and “publishing is impure” (for example publishing that uses information to make business and politics).

The interaction of the media system with the social system is functional: when the social system influences the market with the demand for quality and the media system provides products consequential when ally in the control of the political and institutional system, when the system of media chooses the editorial line of “service” and the commitment to build, over time, a more detailed information production the facts.

The interaction is rather pathological: when the social system influences the market with the question not of quality and the media system fields (for example with products and tabloid gossip); when the media system chooses editorial “unscrupulous” (use questions lowest on the market to make profit or induce some to support electoral interests) or “all-encompassing” (as it offers uncritical container of messages of others), always in the name of the numbers, that is, of the audience and its advertising space.

The interaction of the social system with the media system is functional: when readers directly support the media (buying every day the newspaper); when choosing the head (changing when it no longer meets the information needs); when not only read but ask, offering quality issues by correspondence as readers-active users. It is pathological when lower levels of reading put at risk the independence of the newspapers, readers do not react by changing the head, or program, if they no longer meet the information needs.

3 Information as Public Value

In the crowding of social communication, is the information having to represent and defend the right of all to the accuracy and controllability of sources. The functional interaction with the information, and information with civil society, is crucial because it allows the use of the weapon with which it is expected that fight, in a democracy, the political and social conflicts, and that they make choices: dialectics (Miglino 2006). Social communication is its shuttle: ago by shuttling between the parties because it congeals and affirm the will of the majority, because they are under surveillance powers on the community.

In the democratic, just the flow of information becomes a factor of realization of fundamental social values such as freedom, equality, and solidarity. The social work of all communication is intentional or specifically professional then that of a help to the deployment by providing the social plural possibilities of expression, evaluation, action. It is to bind the word for the knowledge of necessity, conditions, references, solutions of social reality (information) and the contact between the ideas, the values, and the opinions that you have it (communication).

Very simply, we can replace the value of public information in the daily necessity, of each of us, to inform and be informed. In one of the first volumes in the seventies have been responsible for the initiation, in Italy, the reflection on the need to “secretary” the social through information, is wrote: “The simplest cases of life teach us that it is not possible choose, orient, evaluate, judge whether or not on the basis of sufficient information. All choices, decisive or trivial, we do in everyday life, in work, in business, in any kind of activity, our relations with others depend on the information available to us and on our willingness to use the mat the right time. This is, at least, the condition of their success; and without this condition are not choices, but wobbles randomly or unrest in a vacuum. (...) When information is missing or when, being available, it is not used, the problems remain in soluble. (...) And those who invested with any power, deliberately conceal or disguise information that would be useful to the people to make their choices, you are taking a serious responsibility and unforgivable. Because any decision or project, any plan reform is to revolutionary, without a base of information, as much chance of success than they can have those flows from top of a skyscraper to reach the ground un harmed” (Tavazza 1973: 16).

As previously highlighted, communication is inherently “relational social attention”, but in practice is implemented only if it is a repeated value choice of an extended ethical awareness of an entire social system. Public ethics of social communication is to let it use only as a process of movement and power of those values above, essential to all mankind. In this sense, there is no social relationship that has not, in the communication, the responsibility of transparency and credibility of information: in the way hinders or supports it, in the way the condition so meets, as where it is considered part of an ethic of mutual shared responsibility, all dutifully and al so directed to an exterior that is the context of everyone’s life. And there is no ethical principle (well, justice, truth) that can be used differently depending on what, where and for what it operates in society.

The Pontifical Council for Social Communications told it about forms and communication skills, but it can be applied to every area of the human-social: no one can break away from the primary duty to express and foster an authentic vision of human development in its sized material, cultural and spiritual; no relationship should be able to deceive statement or omission because every person has the right to preserve, as much as possible, its freedom of choice, without manipulation and suggestions (Pontifical Council for Social Communications 1997).

For that “you cannot do good journalism if it lacks a social vocation. In this sense, the journalist is like the doctor, or teacher. The “virtue ethics” or “care” applied to information put the emphasis precisely on the dedication and responsibility that should take each moving on its own more freedom” (Fabris 2009: 1009).

From a regulatory standpoint, the information is to report the facts as they are and as fully as possible. From the point of view of values, we have to decide every day not to ignore aspects of human suffering and discomfort that pushes the edge of social participation. Otherwise, the information makes an indefensible selectivity. Already indefensible than art. 2 of the Italian Constitution on the inviolability of human rights (dignity, equality, participation) than art. 21—freedom of information—(nothing should prevent to deal specifically of capital); than art. 33 on the freedom of movement of knowledge (it has therefore always the responsibility to know everything that is in the interest and co-responsibility of the community to know) and respect the art. 2 on the rights and duties of the journalist (l.no. 69/1963, *Ordinamento della professione di giornalista*) who is free to inform, but responsible for the “respect for the truth in the facts observed” and “source” cannot go wrong, but should “rectify” and repair errors.

When dealing with the “social”, the information of the major mainstream media becomes “alternative” or non-mainstream information. “Social” is rather to be considered as matters relating to the whole phenomenology of a society, not just as problematic dimension generated by the society. For a society, social is the problem herself, always and everywhere present. It is really a problematic context, connecting the functional and symbolic structure that paradoxically and simultaneously marginalizes and excludes. Marginalizes and excludes in all areas (political-institutional, economic, cultural, and civil).

Society and its social as such, physiological and pathological, is therefore all the source, content and commitment to the information. Would not need to give itself the task of social: journalism should always be social, as a profession able to bind the word to protect everyone.

4 Main Limits to Social Vocation of Information

4.1 *Impure Publishing*

“As a pure publishers, publishing Italian matters, there has never been a shadow”. Even worse is gone era fascist “with censorship and top ministry official, the

abolition of party newspapers, the Press Federation channeled in fascist unions, dismissal of uncomfortable director, servitude full of new born radio” (Scandaletti 2004: 116). Still prevails a publishing information derived from economic and financial interests (*La Stampa* from car industry, *Corriere della Sera* from textiles, *Il Resto del Carlino* and *La Nazione* by sugar producers, *Il Mattino* and *La Gazzetta del Mezzogiorno* by Naples Bank); also the State has adequate promoting, through the oil company, *Il Giorno* and the Agi agency.

All legitimate under art. 41 of the Constitution on economic freedom: therefore information as free economic enterprise too. However, “doing business” with information means ask conditions, require result so particular interest when it consists deploying pact of honesty with the public interest. It means to confuse freedom and truth of information with market needs (internal conditioning of ownership of the means such as costs and profits) and politics (external constraints a rising from the middle powers such as consent, visibility, benefits).

In particular, freedom of information must continuously free from dangers within and outside the professional system. In 1990, the *Patto sui diritti e i doveri del giornalista* of the newspaper *la Repubblica* reiterated its autonomy as a single war head for not “suffer interference of a political, economic, ideological (...) from organizations, institutions, associations, public or secret, public companies or private pressure groups”. In 2004, the *Carta del Corriere della Sera* has confirmed the vocation and mission of free information to guarantee the readers; in 2005, *Il Sole24Ore* is committed to control conflicts of interest with its own *Codice di autodisciplina*.

The *Carta Informazione e pubblicità* of 1988 shows that the information may end up doing advertising, to shuffle their role intentionally or not with that of communication of the advertising industry and public relations; the *Carta dei diritti e dei doveri del giornalista del servizio radiotelevisivo pubblico* of 1990 refers to how well information programs of public service broad casting can be constrained by advertising and sponsor ships if, for example, relate to individuals, corporations, institutions from which the journalist can accepting, directly or indirectly, “gifts and donations as payments, reimbursements, free loans, invitations to travel, travel and free trips” (art. 18 “Informazione e pubblicità” and art. 19 “Regali e donazioni”).

The *Carta di Treviso* of 1990 (and additions of 1995) on the protection of minors in information was not signed by the editors (Scandaletti 2005). Cost of equity and the needs of profit can push the information is not restricted even in front of the person of the child, both as actor and as a victim of a crime, allowing its identification and exploiting “his case life” except as sensational. The *Codice di autoregolamentazione tv e minori* in 2002 remembers to information and television companies that the person of the child is also a spectator and that the news should not disseminate, in the time slot protected, “sequences particularly brutal or scenes that might create disturbances and imitative forms (...), which may harm the mental or moral integrity” (art. 2.3 “Programmi di informazione”).

The news on health or on the problems of the psychological sphere, emotional and sexual “can induce in speculative interpretations or distorting the facts”; may overlook any particular conditions in which a citizen, reading a newspaper or watch

a newscast, it can be: can cause “(...) alarmism, disturbances and any possible distortion of the truth (...)” (1995, *Carta di Perugia*, art. 7 and art. 8). Data can be published opinion polls, of political attitudes, market research that are not always “reliable, complete, relevant, meaningful” and they are responsible for the sources issuers (opinion polling organizations, journalists and clients) (1995, *Carta Informazione e sondaggi*). The information can also be partial in public service broadcasting, where the duty of impartiality is the most ideally required not only to broadcasts, but to all kinds of books (1995, *Carta dell’informazione e della programmazione a garanzia degli utenti e degli operatori del servizio pubblico radiotelevisivo*). Cannot retain or adequately protect the data processed for journalistic purposes so unbalancing the delicate relationship between the right and duty of the press and respect for fundamental rights of the citizen (dignity, confidentiality, protection of identity and personal data). It can collect, record, store and disseminate news about “events and events relating to persons, collective bodies, institutions, customs, scientific research and of thought”, without being identified and not only to pursue strictly professional purposes; may in correctly use “invasive techniques” that do not protect all the specificity of places, from home to those of care, detention or rehabilitation (1998, *Codice deontologico relativo al trattamento dei dati personali nell’esercizio dell’attività giornalistica*, art. 1 “Principi generali”, art. 2 “Banche-dati di uso redazionale e tutela degli archivi personali dei giornalisti”, art. 3 “Tutela del domicilio”; 2003, *Testo unico sulla privacy* D.lgs. n. 196).

May disturb the market reporting, so intentional or negligent, news that alter “the trend of stock prices or that hide situations of instability”; can “make profit staff or third parties” with economic and financial information, disseminating facts, circumstances and assessments useful to their interests (2005, *Carta dei doveri dell’informazione economica*; 2007, Consob approves the process disciplinary).

Can promote, “if characterized by emphasis or dramatizations (...), strong expressions or threatening both oral and written”, all attitudes in sports events can cause accidents, acts of violence, or violations of laws and regulations by the public or fans; cannot ensure “correct information about any crimes being committed during competitive events” (2008, *Codice di autoregolamentazione delle trasmissioni di commento degli avvenimenti sportivi*; 2009, *Decalogo del giornalismo sportivo*).

Can use misnomers, spread inaccurate information, summary or distorted in front of socio-cultural reality emerging and urgent as those of “migrants, asylum seekers, refugees and victims of trafficking”; the superficiality of information can “arouse unwarranted alarms, expose them to retaliation (...) so by the authorities of the country of origin, that of non-state entities or criminal organizations” (2008, *Carta di Roma*).

Can contribute, on television show so legal proceedings in progress, to make them “process-show”, mixing news and commentary, investigated, indicted and convicted, the prosecution and defense without “respect the rights to dignity, honor, reputation and to privacy guaranteed by the Constitution to the people directly, indirectly or occasionally involved in the investigation and in the process” (2009, *Codice di autoregolamentazione per i processi in tv*).

Cannot recognize and respect the dignity and the professional quality of the journalists themselves, rendered “condition able and black mailed by inadequate remuneration, corporate policies are more attentive to the economic savings that investments editorial and final product quality journalism, from choices of work organization also by fellow journalists placed in positions hierarchically superior” and the lack of collaboration and solidarity (2011, *Carta di Firenze*).

Can became less when dealing news regard in prisons, people in need of protection privileged citizens deprived of freedom or in the difficult phase of reintegration into society; can provide data not always reliable and updated on the prison context, to confuse the alternative measures and the different modes of execution of the sentences equivalent to freedom and raise an un justified social alarm (2013, *Carta di Milano*).

4.2 Mingling with the Political Communication in the Public Administration

Until the nineties, the communication of the Public Administration was primarily political, namely promoting the image and profile of the summit of combining public in order to obtain or reconfirm the popular support through elections or other designation (Razzante 2002).

From the nineties onwards, there have been legislative measures that have sought to transform the relational schema between State and citizens:

- l. no. 142/1990 (*Ordinamento delle autonomie locali*) reorders matter of local autonomy, recognizes the right of citizens and provides forms of access and participation in the administrative proceedings;
- l. no. 241/1990 (*Nuove norme in materia di procedimento amministrativo e di diritto amministrativo*) regulates the right of access to administrative documents (transparency, participation in the administrative order, speed of administrative action, the statement of reasons of the proceedings, the principle of consensual);
- Decree of the President of the Republic June 27, 1992, no. 352 precise organizational tools to implement the law no. 241/1990 and refers for the first time Urp (*Ufficio per le relazioni con il pubblico*) as an opportunity that each government can be assessed; will be the art. 12 of Legislative Decree no. February 3, 1993, no. 29 (*Razionalizzazione dell’organizzazione delle amministrazioni pubbliche e revisione della disciplina in materia di pubblico impiego*) to define the transition from the opportunity to the compulsory Urp; Directive October 11, 1994 (*Principi per l’istituzione ed il funzionamento degli Uffici per le relazioni con il pubblico*) will give clear objectives, activities and organization while the circular of 21 April 1995, no. 14, define the objectives of staff training;
- D.lgs. of 12 May 1995, no. 63 (*Misure urgenti per la semplificazione dei procedimenti amministrativi e per il miglioramento dell’efficienza delle pubbliche amministrazioni*) introduces general schemes of reference for the

adoption of the *Carta dei servizi*, intended for the definition and maintenance of standards of quality of services and the recognition of role of control and re-orientation of the services by the citizen-user;

- interventions definitive simplification and transparency of administrative actions are then set by Bassanini read: l. no. 59/1997 (*Delega al Governo per il conferimento di funzioni e compiti alle Regioni ed enti locali; per la riforma della Pubblica Amministrazione e per la semplificazione amministrativa*);
- l. no. 127/1997 (*Misure urgenti per lo snellimento dell'attività amministrativa e dei procedimenti di decisione e di controllo*); l. no. 191/1998 (*Modifiche ed integrazioni alle leggi 15 marzo 1997, no. 59 e 15 maggio 1997, no. 127, nonché norme in materia di formazione del personale dipendente e di lavoro a distanza nelle pubbliche amministrazioni*); l. no. 50/1999, (*Delegificazione e testi unici di norme concernenti procedimenti amministrativi*).

Each measure has understood and implied information and communication as necessary to organize, simplify access to, participate, choose, and verify requirements, guidelines and actions of the State and citizens. It matures, in fact, the need to legitimize them as regulatory product: they restore the space and the role of journalism as an autonomous and co-essential to democracy; elevate communication from propaganda activity or bureaucratic function to service for citizen-user, citizen-voter, and distressed citizens.

Information and communication will be redefined as though two areas of activity other than the law 7 June 2000 no. 150 (*Disciplina delle attività di informazione e di comunicazione delle pubbliche amministrazioni*). In this sense, it was previewed as a new feature of our system (Ingrao 2000), winning the internal resistance of the bureaucracy with the political alliance Frattini-Di Bisceglie, with the support of the Federazione della stampa and of the Associazione italiana della comunicazione pubblica e istituzionale. It was a law especially extraordinarily waiting to return to the Uffici stampa rights and duties of the information; for the range of public communication as institutional, political, social, but not journalism; to define the respective structures and profiles professional employees.

Mandatory distinction between information communication not sufficiently distinctive, however, already in the text of the law. As paragraph 4 of art. 1 (*Finalità e ambito di applicazione*) specifies that “information” is the focus on the means of mass communication, through print, audiovisual and computer tools, in paragraph 5 the purposes of information and communication are confused because they all relate for communication activities such as:

- (a) “to illustrate and promote the knowledge of the regulatory provisions, in order to facilitate implementation;
- (b) illustrate the activities of the institutions and their functioning;
- (c) promote access to public services, promoting knowledge;
- (d) promote knowledge widened and deepened on topics of public interest and social;

- (e) to facilitate internal processes to simplify procedures and modernization of the equipment as well as the knowledge and the start of the route of administrative;
- (f) promote the image of the government, as well as that of Italy, in Europe and in the world, giving knowledge and visibility to events of local, regional, national and international”.

So journalism of *Ufficio stampa* would also public communication. Not only that, he also carried out some basic services of Public relations: “The activities of information and communication of public administrations are conducted, as well as through programs provided for institutional communication is not advertising, even through advertising, distributions or promotional sales, billboards, the organization of events and participation in specialized exhibitions, fairs and conferences” (art. 2, *Forme, strumenti e prodotti*, paragraph 1).

In addition, *Ufficio stampa* and *Portavoce* are shown both as information structures: “information activities are carried out through the *Portavoce* and *Ufficio stampa* and those of communication through the *Ufficio per le relazioni con il pubblico* (Urp), as well as through similar structures such as *Sportelli per il cittadino*, *Sportelli unici* of public administration, *Sportelli polifunzionali* and *Sportelli per le imprese*” (art. 6, *Strutture*, paragraph 1).

The *Portavoce* is a person appointed by the political leadership and not necessarily have to be a communicator. Therefore cannot be a structure of information in the sense in which this activity is to be understood by a Press. In fact, art. 7 (*Portavoce*) defines implicitly a political communicator: “The organ of the summit of the public may be assisted by a *Portavoce*, also outside the administrative authority, responsible for working directly for the purpose of political-institutional relations with the media”.

It is the same art. 9 on *Ufficio stampa* to give to failure interpretations, doubts and uncertainties:

- paragraph 1, “The government (...) can provide itself (should not?) (...) of an *Ufficio stampa*, the activity of which is addressed in priority to the means of mass information” (as a matter of priority? It’s or not is a primary source of official information?);
- paragraph 2, “The *Uffici stampa* are made up of staff registered with the *Albo Nazionale dei Giornalisti*” (art. 6 of the *Regolamento* provides that during the first application can be confirmed the position of the staff although without a specific securities provided for access and the requirement of entry in the professional journalists; art. 3 says that it is not sufficient enrollment in and that it must have a bachelor’s degree);
- paragraph 3, “The *Ufficio stampa* is headed by a coordinator who assumes the title of *Capo Ufficio stampa*, who, on the basis of directives issued by the summit administration, liaise with the media, ensuring the highest degree of transparency, clarity and timeliness of communications to be provided in the areas of interest of the administration” (in what sense “directives issued” and by whom?, the information should not be independent?).

In the *Carta dei doveri* is made clear that the responsibility of the journalist to the citizens will prevail against any other and that the journalist can never subordinate to the interest of others, particularly to the publishers, the government or other bodies of State. “(...) We thought, with the arrival of the new law on public communication of the State and Local Government—on which, however, we have not formulated a few reserves—to be able to pull, as they say, a sigh of relief and there were also flattered that for the occasion always opposing political forces in Parliament had reached agreement in order to allow the launching of an instrument long awaited by category. (...) But it was realized immediately—by the *Regolamento*—that an article of the law, which speaks of State secret, of secrecy, of protection of personal data privacy and ethical compliance of the cards (art. 1, paragraph 4) is in stark contrast to the rules contained in the law establishing the Ordine dei Giornalisti, for which the journalist is obliged only to secrecy about the source of the information, if that is confidential and that the journalist must bear the substantial truth of the facts” (Bianchini 2001).

Since 2000 we are witnessing a tiring unresolved reconquest of Ufficio stampa to the journalistic information. The *Carta dei doveri del giornalista degli Uffici stampa* of 2002 had shown the difficulty of the same Consiglio Nazionale in rereading the role of information in public administration based on the specificity of structures (Ufficio stampa, Portavoce, Ufficio per le relazioni con il pubblico) and activities (information and communication) due of the l. no. 150/2000.

The *Carta* was written: “The journalist, within the government sector, operates in full awareness to safeguard two fundamental principles (...). This is the right (instead it is the duty) to inform the public institutions and the equally important principle, this time directed to the citizens to be informed (...). The Ufficio stampa in which the journalist works should be considered as a place in which materializes the exchange of information between the institution and the citizens. This exchange operates in two directions: on the one hand the journalist “tells” the body, the way it works, the other is a carrier, within the entity, the needs of citizens with respect to the institution of reference”.

The information that is not provided as unidirectional, but as exchange, finding a reciprocity or a direct relationship with the citizen. The information is not, however, an impersonal service that reaches the city through the media?

Always in the *Carta* of 2002: “(...) A particular duty of the journalist that works in the institutions is to foster dialogue between body and user, working to perfect knowledge of the rules, for the full transparency of administration, for the improvement of services and the removal of barriers to their full enjoyment: he therefore facilitate dialogue and organizes listening tools, using their own professional specificity not only to make clear the institution to citizens but to make her understand and abide by them. In this sense, the journalist while in active research and collaboration with colleagues of the media for the discussion of issues and news of a specific nature, organizes professional tools for direct information, able to give voice to citizens administered or that go anyway in the direction of reducing the

distance between the institutions and the citizens”. Information is confused with what to do instead of the Ufficio per le relazioni con il pubblico (Urp).

In the *Carta* of 2010, the structure and the professional profile of the Ufficio stampa are peremptorily recalled to the fundamentals of journalism. The *Carta* defines the activity of Ufficio stampa “a function purely journalistic”. Clarifies that the information is not public relations, not relations with citizens, not marketing or advertising and that the figure of the Portavoce “widespread, especially in politics and in elected bodies, is not within the field of journalistic information and is therefore not included in the definition of Ufficio stampa”. Moreover, “the Ufficio stampa is the primary structure of journalism to the outside and the journalist who works there is bound to observe the *Carta dei doveri del giornalista* and all other documents ethical reference for members of the Ordine dei Giornalisti, in regardless of the nature and type of contractual position held (...)”.

The *Carta* of 2010 plays and shares with the l. no. 150/2000 the two principles of “the right of citizens to be informed and the right/duty to inform the public institutions”: (...) both in public and private sectors, the journalist (...) is maintained, even in a normal scope of cooperation, to separate its task from that of other actors in the field of communication”. Its professional behavior must conform to the principle of information. It can accept “instructions and directives” but only by those who, as part of the institution, organization or company, has explicit title to provide it, and provided that “the provisions are not contrary to the law professional ethics, to *Carte deontologiche*, to Contratto di lavoro”.

From 2013, the journalists of the Uffici stampa can expect it from their colleagues in the effective cooperation of the public as much of the principles of impartiality and transparency, because they are required to do so.

Just in implementation of anti-corruption law (l. no. 190/2012) and in line with the recommendations of the OCSE in relation to integrity and public ethics, April 16, 2013 was approved the *Codice di comportamento dei dipendenti pubblici* (DPR no. 62). The *Codice* specifies the duties of conduct for employees of public administrations and their violation is a source of disciplinary responsibility.

If they fulfill the duties of loyalty, impartiality and good conduct—duties highlighted as *minimal*, basic—also contribute to the realization of the information service of an Ufficio stampa because, together, do not give in:

- the position and powers there they own, but pursue the public interest (art. 3, *Principi generali*, paragraph 1);
- in dependencies and conflicts of interest, information to be used for private purposes (paragraph 3);
- to unequal treatment of the content and recipient of information and services (paragraph 5);
- gifts, compensation and other benefits (art. 4);
- to take part in associations and organizations whose areas of interest may interfere with the conduct of the office (art. 5, *Partecipazione ad associazioni e organizzazioni*, paragraph 1);

- to decisions and actions that follow serious reasons of personal convenience or political pressure, trade union or superiors (art. 6, *Comunicazione degli interessi finanziari e conflitti d'interesse*, paragraph 2);
- the infringement of the obligations of transparency and cooperation in the unavailability, processing, retrieval and transmission of data subject to the obligation of publication (art. 9, *Trasparenza e tracciabilità*, paragraph 1);
- the mediation of third parties and promises of utility as an intermediary in the various moments in an administration may be in the conclusion of agreements and shops (art. 14, *Contratti e altri atti negoziali*, paragraph 1);
- indifference towards the misconduct of colleagues (art. 15, *Vigilanza, monitoraggio e attività formative*).

Together they could be more resistant to political conditioning, meanwhile that the policy reflects a possible ethics reference, since it is already a political practice such as a profession. One of the most critical determinants for ethics and deontology of the actual political-institutional system concerns the potential influence on the information and the system of professional media. In 2012, the magazine of the University of Applied Ethics “Ramon Llull” of Barcelona (*Ramon Llull Journal of Applied Ethics*) published the first Spanish code of ethics for politicians (*Code of Ethics for Politicians*). Inspired to the principles of the *Universal Declaration of Human Rights* human of 1948, the *Code* summarizes those to qualify a political career (justice, respect, service, responsibility, integrity, professionalism, transparency) and in Chapter IV (*Relationship with the media*) these principles are translated into the political duty to respect the “autonomy of the media, without interfering, coerce or put pressure on their practices” (art. 17).

4.3 “Optional” Training and “Confidential” or “Uncontrolled” Access to the Profession

7 August 2012 was approved the reform of the regulated professions (DPR no. 137, *Regolamento recante riforma degli ordinamenti professionali*) and the draft bill no. 3270 on associations of non-regulated professions has become the law of the State January 14, 2013 (l. no. 4/2013, *Disposizioni in materia di professioni non organizzate*).

For a long time, the Italian legislature was called to dissolve the fundamental issues of specific training, the procedures for access to the profession, the conduct of such business as well as the ability to take disciplinary definitive (Spalletta 2007). In 2007, it was hoped in the approval of the bill on the reform of intellectual professions (Ddl no. 2160). The urgency of a significant intervention was explained by the now “(...) strong presence in our area of professional studies and consulting firms in other countries, the marked quantitative difference between the offer global service from professionals italian and the demand of users who are increasingly oriented towards the quality of the service, the peculiar asymmetry of information

and the relevance of the social costs resulting from inadequate performance” (Atti della Camera XV Legislatura 2007: 2).

Failure reform included: the reorganization of access to intellectual professions, the reorganization of Ordini, Albi and Collegi Professionali, recognition of professional associations, the discipline of the professional company and the union of these provisions with the rules of Secondary and higher university.

The DPR no. 137/2012 on regulated professions and l. no. 4/2013 on non-regulated professions have changed little:

- the information has remained a *protected* profession, yet dispensable from university and internship controlled only by the Ordine dei Giornalisti;
- the communication skills can self-regulate.

As for the regulated professions, then also the information, the main changes introduced by the DPR no. 137/2012 are:

1. *The reiteration of the exclusivity of what is defined profession* (art. 1, letter a)—“For regulated profession means the activity, or the set of activities, reserved by express provision of the law or not unique, whose operation is only permitted after enrollment in colleges or orders subject to professional qualifications or to the establishment of specific skills”.
2. *The training* is no longer required, the duration may be even shorter, compatible for civil servants (art. 6, paragraph 1)—“The professional training is mandatory when provided by individual legal professional, and has a maximum duration of eighteen months (paragraph 5). The training can be done in constant civil service or in private employment relationship, as long as the related disciplines provide methods and working hours appropriate to guarantee the actual performance. On the enforcement of that provision Council supervises the local body or association”.
3. *Continuing education* (art. 7, paragraph 1)—“In order to ensure the quality and efficiency of the professional service, in the best interest of the user and the community, and to achieve the goal of professional development, every professional has the obligation to treat the continuous and constant updating of their professional competence in accordance with this Article. Any violation of the preceding sentence constitutes a disciplinary offense”.
4. *The disciplinary function* (art. 8, paragraph 1)—“At the advice of the order or territorial college are instituted disciplinary councils territorial entrusted with the tasks of education and decision disciplinary matters relating to the register. (...) The members of the disciplinary council are appointed by the governing territorial president of the court in the district where they are located, among the persons specified in a list of names proposed by the corresponding advice body or association (paragraph 3). The directors of the National Councils of the College or exercising disciplinary functions cannot exercise administrative functions. For the distribution of functions between the disciplinary and administrative directors, pursuant to the provisions of the preceding sentence, the National Councils of the College or adopt implementing regulations, within

ninety days after the entry into force of this Decree, with the approval of the Minister vigilante” (paragraph 8).

5. *Compulsory insurance* (art. 5, paragraph 1)—“The professional is required to enter into, including through collective agreements negotiated by the national councils and the social security institutions of professionals, adequately insured for damage caused to the customer from the exercise professional activity, including the activities of custody of documents and values received by the customer. (...) The practitioner must disclose to the customer at the time of the assignment, the details of the professional policy, its ceiling and any subsequent change. The violation of the provision of paragraph 1 shall constitute a disciplinary offense” (paragraph 2).
6. *Permitted informative advertising* (art. 4, paragraph 1)—“It is admitted by all means advertising information concerning the activities of regulated professions, specializations, their qualifications related to the profession, the structure of the professional and the fees required for benefits (paragraph 2). The advertising information referred to in paragraph 1 must be functional object, true and correct, must not violate the obligation of professional secrecy and should not be ambiguous, misleading or derogatory (paragraph 3). The violation of the provision of paragraph 2 shall constitute a disciplinary offense”.

The reform of the professions was advocated in particular by the communicators. In the media system, to recognize, there was only the Order of Journalists. Recognize the professions and associations of communication meant to certify and constrain profiles, requirements, ethics and sanctions to ensure reliability users (Scandaletti 2006).

L. no. 4/2013 has, however, established only the voluntary self-certification. It refers to the non-regulated professions predominantly intellectual and redefines:

- as “(...) economic activity, also organized, once the provision of services or works to third parties, and habitually pursued mainly through intellectual work, or with the help of this, with the exception of activities reserved by law to registered in lists or pursuant to art. 2229 of the Civil Code, the health professions and activities and crafts, commercial and public exercise specific regulations” (art. 1—*Finalità e definizioni*, paragraph 2);
- as “(...) and free exercise of the profession founded on autonomy, competency and independence of judgment and intellectual technique, respecting the principles of good faith, the expectation of the public and customers, fairness, enlargement and specialization of services, the professional’s liability (paragraph 4). (...) Carried out individually, in a partnership, company, cooperative or in the form of employment” (paragraph 5).

The main changes introduced by l. no. 4/2013 are:

1. *Recognizes the role of associations* (art. 2—*Associazioni professionali*). Those who practice may in fact “form associations to professional character of a private nature, based on a voluntary basis, without any constraint of exclusive

representation, with the aim of enhancing the skills of its members and ensure compliance with the rules of professional conduct, facilitating the choice and the protection of users within the rules on competition” (paragraph 1).

You could also do this before with the difference that now, by law, the “statutes, clauses associative, ethical principles, organizational structures and technical-scientific” (paragraph 2), the “lifelong learning” of members (paragraph 3), the “points” of information and reference for the citizen-user customer or consumer (paragraph 4) become “requirements”, provided to ensure the transparency of operations and ownership of associations, to promote a code of professional conduct by which to proceed to disciplinary sanctions and to protect users.

2. *The associations may meet in turn in forms “aggregatives”* (art. 3—*Forme aggregative delle associazioni*), “preserving their independence” (paragraph 1). The group forms represent member associations in an independent and impartial and have functions of “promotion and qualification of their professional activities, dissemination of information and knowledge, representing the common instances in political and institutional”, control of the work associations themselves in terms of “fairness of professional standards and quality of operations and codes of conduct” (paragraph 3).
3. *Associations committed to the usefulness, transparency, fairness and truthfulness of their advertising information* (art. 4—*Pubblicità delle associazioni professionali*). The information on websites must be “useful, transparent, true and correct” (paragraph 1). It is guaranteeing the legal representative of the professional association (paragraph 2).
4. *Their advertising must ensure that the “full knowability”* (art. 5—*Contenuti degli elementi informativi*) of the memorandum and articles of association of the association, the association of professional activities which refers, in the composition of the deliberative bodies and holders of officers, the organizational structure, the requirements for participation in the association, with particular reference to the qualifications related to the professional activities of the association subject to the obligation of members to proceed constant retraining and the preparation of appropriate tools to verify the effective implementation of this obligation and the indication of the share to be paid to achieve the statutory purposes, the absence of profit. The “informational burden” is even more challenging when members use the affiliation to a particular professional association which “mark or certificate of quality of its services”. The full knowability is then extended to the code of conduct, to the list of members updated annually, to the headquarters of the association in Italy, in the presence of a structure dedicated to the scientific and technical training of associates, to possession of a certificate quality, guarantees activated to protect users.
5. *Promotes voluntary self certification* (art. 6—*Autoregolamentazione volontaria*). The party exercising an unregulated profession can proceed to the qualification of its business independently from accession to an association (paragraph 1). Self-regulation will be in accordance with the principles and

criteria of accreditation required by “technical rules UNI” (paragraph 2) and will be the Ministry of Development to inform professionals and users about the technical standard UNI adopted by the bodies responsible for professional activities not regulated (paragraph 4).

6. *Allows associations to release its members, after the necessary checks and under the responsibility of their legal representatives, a certificate of guarantee of transparency in the professional services market (art. 7—Sistema di attestazione).* Aspects on the basis of such clearance may be issued are:

- the regular membership of the professional association;
- the presence of the necessary requirements for participation that association;
- respect, in the exercise of, the quality standards and professional qualifications for the purpose of maintenance of their association;
- guarantees provided by the user (for example the information desk);
- possession of an insurance policy for professional liability stipulated by the professional;
- possession by the professional writing of a certification issued by an accredited body on compliance with the technical standard UNI.

7. *The certificate is valid for the entire period in which the professional is duly registered association (art. 8—Validità dell’attestazione).* Convenes associations (individual or aggregate) to the collaboration for the development of the UNI with specific technical bodies or by the institution of standardization their contributions during the public inquiry, in order to ensure maximum consensual, democratic and transparent (art. 9—*Certificazione di conformità a norme tecniche UNI*, paragraph 1). The certificate of compliance to the technical standard UNI defined for single profession can be issued at the request of the individual practitioner, by the certification bodies accredited by the sole national accreditation body “Accredia” (paragraph 2).

The correct implementation of the law supervises the Ministry of Economic Development (art. 10—*Vigilanza e sanzioni*, paragraph 1). And sanctions under the Consumer Code (Legislative Decree no. 206/2005), especially the publication of “false information” on the website of the association or in certificates issued (paragraph 2).

5 Discussion and Conclusion

Ethical codes evidence that Italian information is subjected to *artifices and undue pressure*. They are the most obvious and reliable repertoire of all that information to work can really happen when the properties and powers over the media and communications follow business logic or policies. The codes reveal a laborious emancipation from the risks of mingling with economic, political and ideological.

At the same time, it is not easy to respect *the dialectic between the political forces and between different institutions, bringing the positions so correctly, uncensored nor forcing and by promptly correct any errors or mistakes*. It had already admitted the Consiglio dell'Ordine dei Giornalisti della Lombardia in 1998: "the autonomy of the profession and individual journalists rests solely on ethical principles. (...) Only the journalist, who works in compliance with professional ethics, has not "awe" (...). Freedom of information, in fact, needs rules (...) fixed by the legislature and "built" from category through the *Codici* and *Carte* freely signed" [*Massimario della giurisprudenza professionale* 2002].

The task of protecting and guaranteeing the right of all to the truth of information not only about the Uffici stampa, but all the political and institutional system: every professional context must be an ethical community communication.

Finally, social communication can neglect the values of the public interest and the truth of information because it is not bound by rules of professional practice.

The Italian model of professions was drafted by the Consiglio Nazionale dell'Economia e del Lavoro (CNEL) in 2005, in the *Quinto Rapporto di monitoraggio sulle professioni non regolamentate*.

In the universe of self-employment, that is done outside of traditional employment, sometimes as an alternative or as a complement to it, the most common occupations are those concerning skills, enterprise activities, the activities of the trade, intellectual activities and health activities.

If you refer to how they are governed, are identified, in our system, three types of professions:

1. *Protected* professions, for the exercise of which is planned enrollment in Albi and the establishment of an Ordine to which is delegated the control function of the activity;
2. *recognized* professions or regulated by law, for which, however, will require only the entry in Albi or lists, without the need for the establishment of an Ordine (such as insurance agents and insurance adjusters);
3. *unregulated* professions, that is, not subject to regulation but are present in the labor market and are represented by their associations.

According to Cnel, the three types of professions—whose classification is useful to highlight how the law has intervened in an articulate and graded, providing a *maximum* intervention (the establishment of an Ordine), *medium* (a regulatory law, without the establishment of an Ordine), or *absent* (all other professions)—can congeal into two basic categories: *ordered, regulated* or *protected* professions and *unordered, unregulated* or *unprotected* professions.

In order to pursue a regulated profession you need to follow a training process established by law (generally required qualifications details and an internship), pass a qualifying examination (to check the level of preparedness of the candidates, to protect the community) and enroll in a register.

The exercise of the non-regulated professions, however, while requiring intellectual knowledge and techniques also very high, does not need, from a legal

standpoint, the possession of a specific educational qualification or subscribing to an Ordine or Albo.

From this point of view, in the media system essentially operate a *regulated* profession information (*journalism*) and many (all others) communication skills (advertising, public relations, public communication, lobbying, show, and all the operators that are emerging from the Registro degli Operatori della Comunicazione—Roc—established by the Authority for the Communications) without recognition and regulation.

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