Bringing Permeability Back In

Transnational Communication in the Debate on the Constitutional Treaty in Two Swedish Quality Newspapers

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ABSTRACT

Bringing Permeability Back In. Transnational Communication in the Debate on the Constitutional Treaty in Two Swedish Quality Newspapers. The academic discourse on the need for a shared political public sphere at the level of the European Union has in recent years produced the conventional wisdom that an emerging transnational community of communication is already observable in the mass media. However, the empirical indicators on which this notion rests tend to accommodate *parallel* national public spheres rather than a genuine transnational communicative space. Arguing that the mutual *permeability* of national public spheres is a key precondition for the emergence of spaces for transnational opinion formation, this article analyzes to which extent the debate on the Constitutional Treaty in two Swedish quality newspapers has been characterized by transnational communication. While showing certain embryonic elements, the debate analyzed still falls short of fulfilling the normative requirements for a European public sphere understood as a genuine communicative community.

1. Conceptualizing Transnational Communication

How can we imagine a shared political public sphere at the level of the European Union? While the issue of the normative and empirical viability of such a *European public sphere* has yielded a substantial body of scholarship in continental and particularly German political science and sociology (for an overview, see e.g. Trenz 2005b, or the contributions in Bach 2000), the debate has been slow to advance into Swedish political science, giving us all the more reason to follow up on Lucas Pettersson's recent review article in this journal (Pettersson 2005) and further discuss some of the key

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concepts and emerging conventional wisdoms in the academic discourse on the (non-)emergence of a European public sphere.

This article has two ambitions: Firstly, it investigates the key concepts with the help of which we are trying to understand what sort of public sphere is normatively desirable and empirically possible at the EU level. The main argument advanced here is that a conceptualization of the European public sphere as existing already when speakers in different European countries debate *the same issues at the same time with the same criteria of relevance* (Eder – Kantner 2000; 2002) is normatively unsatisfactory in that it allows us to speak of a *transnational community of communication* (Risse 2002) even in the absence of direct communication *across* borders (cf. Wimmel 2004). On this basis, the article advances a view of a shared European public sphere that, while based on the notion of the transnational community of communication, furthermore involves an indicator for transnational communication that has not been included in previous analyses. This fourth indicator is specified as the mutual *permeability* of national public spheres, i.e. the *recognition* of non-national speakers as "legitimate participants in a common discourse" (Risse 2003: 9). To speak of a European public sphere as a shared "social room" (Eriksen 2005: 341) is normatively and empirically meaningful only when speakers from other national contexts are given – and make use of – the opportunity to join in an ongoing debate.

Secondly, the article presents a qualitative analysis of the debate on the European Union's Constitutional Treaty in two Swedish quality newspapers (*Svenska Dagbladet* and *Dagens Nyheter*) before the backdrop of the idea of transnational communication thus conceptualized.[2] Sweden is an interesting choice primarily because empirical studies in the field have remarkably tended to overlook more recently acceded EU member states. Prior to Pettersson's study of the reporting on the Madrid bombings in amongst others *Dagens Nyheter* (Pettersson 2005), no studies had included empirical material from Swedish newspapers; much the same goes for the other Nordic countries. The empirical analysis basically asks two questions: (1) who are the speakers represented in the debate, i.e. is the debate *transnational* in the sense of permeability indicated above, and (2) what are the frames that speakers in the debate employ in the construction of the issue of the Constitutional Treaty: is the question of a constitution for Europe viewed as a shared European or exclusively national concern?

We need to emphasize already at this point that the scope of the study is relatively limited insofar as it covers a public debate on one specific issue only in one member state only. In this context, the study has no generalizing ambitions, but aims instead at challenging the established empirical record on two counts: (1) that a broader vari-

2 The articles included in the analysis have been obtained using the online databases *Mediearkivet* and *Press Text*. The analysis covers the period from the beginning of June 2003 until late April 2005. The main principle for selecting articles was that they had to express an opinion on the *substantive content* of the Treaty. A significant part of the Swedish debate on the Treaty soon turned out to revolve around the question of whether or not a *referendum* ought to be held on the issue. Articles debating this question were only selected if the argumentation was based on substantive elements of the Treaty text. Mere news reporting is not included. Letters to the editor are included, however, provided that they fulfill the specified requirements. DN articles stem from the sections *Ledare*, *Debatt*, and *Insändare/Läsarnas DN*; SvD articles stem from the corresponding sections *Ledare*, *Brännpunkt*, and *Synpunkt*, plus *Kultur*. This approach yielded 43 articles from Dagens Nyheter (DN) and 38 from Svenska Dagbladet (SvD). The articles were then coded using the *atlas.ti* work package.

ety of member states in terms of size and length of (and contestation about) membership has to be included before general claims about the existence of a European public sphere can be made; and (2) that transnational communication has to be operationalized in a way that captures communicative exchange across borders if we are to address the core of what is identified as the EU's public sphere deficit (Kielmansegg 1996).

In line with this challenging ambition, it might certainly be argued that the case selected is a hard one insofar as certain aspects of the subject matter may be – and were – construed as infringing on national sovereignty, making the kind of transnational debate prescribed here for a European public sphere somewhat unlikely. On the other hand, these considerations make it all the more intriguing to analyze the dynamics of the present debate and determine which frames resonated the most strongly in defining the problem at hand. Is the Constitutional Treaty actually a matter of national sovereignty in which the European voice shall not have a say?

2. A European Public Sphere: Communicative Preconditions and Empirical Indicators

Although the public sphere certainly has a variety of functions (cf. Marx Ferree et al. 2002; Peters 1994; Gerhards – Neidhardt 1991), the issue of the public sphere deficit at the level of the European Union is almost always in some way connected to the discourse on the democratic deficit (e.g. Eder – Kantner 2002), independent of whether the public sphere deficit is viewed as an *expression* or a *consequence* of the democratic deficit (e.g. Gerhards 2000). On this count, arguments about the public sphere deficit broadly fall into two camps, corresponding to contending readings of democratic politics and their respective associated models of the public sphere[3]: on the one hand, there are those who argue that a shared political public sphere in the EU is impossible, an argument often with some sort of "communitarian string" (Eriksen 2005: 343) to it, consequently also associated with the so-called *no-demos-thesis* (e.g. Kielmansegg 1996). The question with which this sort of approach grapples is a fundamental one: What degree of social integration has to be in place for individuals to recognize one another as worthy of deliberating with (cf. Kantner 2004 chap. 1)? At the level of the European Union, proponents of the no-demos-thesis find this minimum level of social integration absent (e.g. Grimm 2004); the EU qua polity is not based on *one* coherent demos, but much rather on a multiplicity of separate demoi. From this perspective, the prospect for fully democratizing the EU polity is portrayed as bleak.

On the other hand, there are those who – reading the concept of the public sphere from a discourse theoretical angle owing much inspiration to Jürgen Habermas – arrive at a very different set of conclusions (e.g. Kantner 2004; Eder – Kantner 2000; 2002; cf. Habermas 1992). The minimal social requirements for a modern democracy are here viewed to be (1) the coexistence of legal subjects in a legally integrated sphere

3 To this, we should add that the debate about the EU's public sphere deficit, where it is discussed in connection to the democratic deficit, is informed by one particular reading of democratic politics, i.e. the discourse theoretically informed *deliberative* reading of democracy (e.g. Habermas 1996).

characterized by high density of interaction; (2) the opportunity for these legal subjects to participate in public political communication on shared concerns; and (3) the mutual recognition of these legal subjects as members of the same political community (Kantner 2004: 12). Despite its adherence to the idea of some sort of minimum level of social integration as a necessary precondition for a shared public sphere, this discourse-theoretical reading not only fundamentally subscribes to the possibility of, but is also better apt to develop a model of the public sphere under the conditions of the highly diverse European polity in the making (cf. Habermas 1996).

From there, the communicative preconditions of a European public sphere shift from notions with a fairly clear communitarian ring to them – shared language, shared media system, and not least a thick sense of collective identity often construed as pre-political – to more procedural notions. This body of literature sees a European public sphere already emerging e.g. as some form of *transnational community of communication* in the mass media (e.g. Risse 2003, 2004; Risse – van de Steeg 2003; cf. Trenz 2005a). Empirically, the assertion of the existence or coming into being of this sort of public sphere qua discursive community is based on three indicators. Eder and Kantner, arguing that a European public sphere is an empirical assumption and should be discussed in these terms, assert that we can speak of such a European public sphere "when the same topics are discussed at the same time and with the same criteria of relevance in the national media, so that an anonymous mass public has the opportunity to form an opinion on common concerns emerging from a shared European legal space" (2002: 81; author's translation; cf. Risse 2003: 8f.; Risse 2004: 150).

One point with this article is to reconsider whether these empirical indicators are sufficient to allow us to speak meaningfully of a European public sphere as some form of discursive community, or whether more is necessary for a social space to emerge that is actually shared by Europeans. Risse certainly adds a significant dimension by looking at the identitarian element captured in the *frames* employed in the construction of an issue at hand (Risse 2002; 2003). His operationalization of transnational communication involves a social constructivist understanding of collective identity as simultaneously *presupposing* and *emerging in* public communication. A European public sphere consequently emerges when *the same issues* are discussed at *the same time* with *the same criteria of relevance*, but only when they are also framed in similar ways. The so-called *Haider affair* therefore witnessed a European public sphere not primarily because the affair was considered worth reporting and commenting on around Europe, but much rather because the sanctions against Austria were justified by reference to what was promoted across Europe as European values such as freedom, democracy and human rights (Risse 2004).

But the kind of European public sphere emerging from this operationalization of transnational communication does not *transcend* national public spheres. Instead, their points of contact remain confined to mutual observation, resulting in a European public sphere bound to remain at the level of a *sphere of publics* (cf. Schlesinger – Kevin 2000), where Europeans do not engage each other in actual debate *across* national borders. A European public sphere thus conceived may very well accommodate *parallel* national debates in which similar criteria of relevance and frames are observable (cf. Wimmel 2004). But it is difficult to see how it would accommodate a shared commu-

nicative space, which is essentially the criticism on which the lack of a shared European public sphere is premised (cf. Grimm 1995: 588).

As a complement, well within the discourse theoretical reading of the public sphere outlined above, I suggest bringing the mutual *permeability* of national public spheres back into the picture as an additional indicator of transnational communication. *Permeability* is used here in much the same way as Habermas prescribes for the public sphere in general: As a matter of principle, the public sphere qua shared social space has to be open to the contributions of any potential participant (Habermas 1992: 435ff.).The extent to which transnational communication is asserted has to depend also on the frequency with which non-nationals are given – and make use of – the opportunity to get involved in an ongoing debate in a particular country. By permeability, then, I mean that the boundaries of national public spheres – at least on issues framed as shared concerns – cannot be closed off to contributions by speakers from other European countries. Recognition of such speakers as legitimate participants in a discourse as a matter of principle is one thing; another thing is the actual empirical observation of contributions by non-national speakers – and the *reactions* they trigger in a national debate. Permeability of the national public sphere's boundaries therefore refers not only to normative arguments about the abstract *recognition* of non-national speakers, but also the empirical substantiation of giving voice/space to such speakers. To speak of transnational communication in a meaningful way necessitates the involvement of speakers from other national contexts in discourses on European issues in the mass media.

However, there are a number of problems associated with prescribing permeability of the national public sphere as an indicator of a European public sphere. Most would object: "How can I get involved in a debate on the Constitutional Treaty taking place in Slovak newspapers?" Such questions are valid, but can be countered by reference to arguments about the role of the media in "amplifying and condensing public discourse" (van de Steeg 2002: 507). To what extent the media's role is to give *direct* voice to any particular individual other than their own journalists – who are necessarily speakers of the given national context – is debatable. On the other hand, irrespective of a certain degree of variation, contributions by external authors *are* a standard feature in many, if not most newspapers.[4] Precisely *who* is given space to voice an opinion in these segments of newspapers is closely related to arguments about the condensing role of the mass media: condensing public discourse also involves selecting contributions by speakers whose perspectives are deemed relevant in a given context. Where such direct contributions from external speakers are accepted, there is no direct normative reason, from a discourse theoretical point of view, to limit such contributions to speakers from the communicative context of the national public sphere (cf. Habermas 1992: 435ff.).

Much the same goes for discussing this issue before the backdrop of language diversity. Language diversity is certainly a relevant factor impairing the prospects for the permeability of public spheres. This has less to do with the peculiar dilemma that

4 To illustrate with examples from the two Swedish newspapers analyzed here, think for instance of the *Brännpunkt* section in *Svenska Dagbladet*, or of the *Debatt* section in *Dagens Nyheter*.

the EU is faced with as a consequence of its commitment to diversity and the promotion of multilingualism. Although this commitment ironically impairs the prospects for a transnational communicative space integrated by language (Kraus 2004: 112), this point is more relevant to communication within what we would call *strong publics* (i.e. the institutions) and to citizens' access to documents stemming from the institutions (cf. Eriksen 2004, 2005). Access to public debates in different European countries is nothing that a reform of language policy could fix, and neither is the emergence of English as a lingua franca to allow for a "multilingual context of communication", to emerge in transnational mass media, as Habermas suggests (1998: 155; cf. Kraus 2004: 117). Debates in the individual national public spheres, irrespective of the potential development of an (elite) transnational public sphere based on the medium of the English language, will continue to be conducted in the respective national vernaculars, and there is no imaginable normative reason why this should cease to be the case. In that particular sense, authors who argue that language diversity impairs the emergence of a transnational communicative space (cf. Gerhards 2000; Kraus 2004) certainly have a point.

On the other hand, there is no fundamental contradiction between on the one hand the sort of *mutual observation of national public spheres* that Risse and van de Steeg (2003) view as one indicator of an emerging European public sphere, and on the other hand the inclusion of claims made by speakers from other national contexts into an ongoing debate in e.g. the mass media. Both are (or would be) based, once again, on the specific task of the mass media to *condense* vast and practically indigestible amounts of information accessible to something that mass audiences can process. One task of the media is therefore to *translate* accessible information both in a literal and in a metaphorical sense: metaphorical in the sense of condensing it into a digestible size, and literal in the sense of making otherwise unintelligible information in other languages accessible to the broader public at home. *Mutual observation* and *permeability* are therefore both dependent on the *translation* of the mass media. As such, there is no normative reason why transnational communication should end at mutual observation – at least not due to languages.[5]

3. Modelling Transnational Communication

How can we then imagine transnational communication across or within mutually permeable national public spheres? An abductive approach to the newspaper articles analyzed here yields two ideal typical forms of transnational communication, one *genuine*, one *intermediary*.

(1) Ideal typically, *genuine* transnational communication implies that a speaker from one national context is *directly* given voice in another national context, and that this speaker's propositions are then subsequently picked up and discussed in the context where they are presented. In the context of mass newspapers, this means that a speaker from one national context is given the opportunity to publish an opinion in a

5 *Project Syndicate* is a case in point and – unsurprisingly – copyright holder for three out of the four articles in the analysis that are written by foreign authors.

newspaper belonging to a different national media sphere. Since communication is never to be considered a one-way street, the speaker also has to be heard in the sense of being responded to. We ought to speak of *genuine* transnational communication only if the speaker from a different national context is also included/recognized in the sense that her or his contribution is merited with a response. Even if this speaker is given the chance to have a voice, we cannot speak of a genuine communicative process unless this speaker's propositions also receive consideration at the hands of the readers. In the case analyzed here, for example, this could take the form of a German or French writer publishing her or his view on the Constitutional Treaty in a Swedish newspaper – whether this be in the form of an editorial or, which may be considered less likely, in the form simply of a letter to the editor – and that this contribution is then discussed by other speakers within the Swedish context.

But there is one further requirement that we have to raise, in line with Risse and van de Steeg. The issue at hand also has to be framed as a *shared* concern, not implying of course that this presumes *consensus* on the issue at hand.[6] The European element of such transnational communicative processes resides precisely in the recognition that the issue at hand is *more* than a solely national concern – something that Europeans need to tackle in cooperation. Ideal typically, finally, if we want to speak of a truly *European* public sphere in the media, we also have to be able to observe such processes as a fairly common and recurrent element in many, if not most national media spheres.

(2) *Intermediary* transnational communication, on the other hand, refers to a more indirect form of communication, where speakers from other national contexts come into the picture only insofar as their claims are *referred to* by a Swedish speaker. Based on this, we can model a category of transnational communication also including *direct references* to what speakers from a different national context have said, if this claim is taken up and discussed in the national context where it is being referred to. An ideal typical example of this sort of transnational communication would be a Swedish editorial picking up and commenting on what a German or French speaker has said on the Constitutional Treaty. Commenting on a foreign speaker's perspective on the Treaty is qualitatively different from mere news reporting. Therefore, this category still goes beyond the operationalization transnational communication occurring already when newspapers merely report what speakers in other national contexts have said.

So what can we reasonably hope to find in the material collected here? Once again, we should note that our point of departure – a stricter operationalization of transnational communication in the mass media – is particularly difficult as the case chosen for the analysis is a difficult one at the same time as it should facilitate such transnational exchange. In one way, and this is ironically how the issue is framed (often with an epic element), both by the Treaty's advocates *and* its skeptics, what is at stake in the debate is nothing less than the future of Europe. Therefore, it appears as though we could assume that the issue should facilitate transnational European discourse – if

6 Risse – van de Steeg argue instead that "contestation is a crucial pre-condition for the emergence of a European public sphere rather than an indicator for its absence" (Risse – van de Steeg 2003: 16).

there is such a thing as Europeans to begin with, that is. Along these lines, Habermas argues that the constitutional process is precisely the sort of founding act necessary for Europeans to foster the sense of constitutional patriotism that is the hallmark of postnational democracy (Habermas 2001). But on the other hand, it is also the thorny issue of national sovereignty that is at stake here, and this aspect of the issue certainly also provides for a more inward-looking debate in terms of questions such as *what do we actually want from Europe?*

4. The Debate on the Constitutional Treaty in Two Swedish Newspapers

A significant part of the Swedish debate on the Constitutional Treaty, ironically enough, turned out not to be about the Constitutional Treaty at all, but much rather about the modalities of its ratification. Following the Swedish government's commitment not to subject the ratification of the Treaty to a referendum (such as on EU membership in 1994 and EMU membership in 2003) and instead leave it up to the *Riksdag* to decide, the ensuing debate broached first and foremost the question of the democratic legitimacy of this mode of ratification. In 25 out of the 81 articles coded, the main claim contained the demand that a referendum be held, whereas ten articles argued against a referendum and/or for parliamentary ratification following the upcoming elections in September 2006. This part of the debate construed the issue in primarily national rather than European terms, most frequently around frames of a struggle between an EU-skeptic public and an undemocratic power elite ignorant of the will of the constituent electorate (used in 22 articles, e.g. SvD 2005-02-20; SvD 2004-11-16; DN 2004-02-02), a democratically illegitimate transfer of power from Stockholm to Brussels (used in eight articles, e.g. SvD 2004-10-29; SvD 2004-10-16; DN 2004-03-02), and/or the creation of an EU superstate undermining Swedish national sovereignty (used in eleven articles, e.g. SvD 2005-04-20; SvD 2005-02-05; DN 2004-01-11). By contrast, 16 of the articles coded framed the issue as a shared European concern, often by reference to the high value of European integration per se (e.g. DN 2003-06-14; DN 2004-06-21), the need for institutional reform in the wake of the May 2004 round of EU enlargement (e.g. DN 2003-12-12; SvD 2003-06-14) or the CT's expected democratic benefits (e.g. DN 2004-09-02; DN 2004-09-23; SvD 2003-10-23). In that respect, the debate amounted to a large extent to what we may call a struggle for meaning over the implications of the Constitutional Treaty, an issue intimately linked to the question of whether the CT represents an international treaty or a full-fledged constitution.

Considering that it was precisely these frames that turned out to resonate so strongly in the debate, it is not surprising that we find hardly any element of transnational communication in this discussion and that the speakers involved are almost exclusively Swedish. The more relevant finding, however, is that the debate did take this turn at all, i.e. that so much attention was focused on the issue of national sovereignty. That debates about the constitutional future of the EU, as in the Swedish case presented here, should gravitate around issues of national sovereignty is a matter of *framing* much rather than of necessity, independent of whether or not implications for na-

tional sovereignty actually represent one aspect of the broader issue at hand. In that context, it is also worth noting that the journalistic voice differed from the civil society voice (and in part from the party political voice) in emphasizing aspects such as institutional reform (often discussed in relation to the enlargement process) while maintaining that the treaty text offered little to substantiate claims about a superstate in the making (cf. Trenz et al. forthcoming 2007).

But what did the debate look like when it comes to questions regarding the substantive content of the Constitutional Treaty?

4.1 *Genuine* Transnational Communication: *Contributions by* Speakers from other National Contexts

Whereas the newspapers analyzed were in fact quite attentive in their *news reporting* to either the state of other countries' referenda or their debate on ratification through a referendum, it hardly seems feasible to speak of genuine transnational communication if such observations do not amount to triggering a reaction on the part of Swedish speakers. From this perspective, the empirical evidence for *genuine* transnational communication is not particularly strong, at least not in numerical terms. Only four of the 81 articles included in the analysis are authored by speakers from a national context other than the Swedish – chronologically, one by the former French Prime Minister and current MEP Michel Rocard (DN 2003-06-10); one by the French Commissioner Michel Barnier (SvD 2003-11-18); one by Ralf Dahrendorf (DN 2004-07-22); and finally one by the Dutch Prime Minister Jan Peter Balkenende (DN 2004-09-23). These four contributions have one thing in common: they all address the European Union and the Constitutional Treaty from a more or less integrationist perspective and appeal, in varying degrees – maybe least expressively in Dahrendorf's case – to a sense of European spirit, framing the issue first and foremost as a shared European concern. Michel Barnier, at the time of the writing of his contribution French Commissioner under Romano Prodi, argues that the negotiations on the Constitutional Treaty "require not only common good will, but also confirmation of a genuine European spirit." The EU, he argues, is also "significantly more than an international organization. The word 'constitution' stands as a symbol for a common destiny rooted in more than an ordinary international treaty" (SvD 2003-11-18). In quite similar terms, Balkenende speaks of "a new generation of politicians standing ready for the passing of the torch" at the same time as he wonders "whether that torch is still burning" (DN 2004-09-23). Rocard similarly argues for "changes in the self-perception of the Union, changes that go further than the ideas which are currently circulated in the convention that is to formulate an EU-constitution" (DN 2003-06-10). Dahrendorf's contribution sticks out in certain ways, not so much because of a fundamentally different opinion on the Constitutional Treaty and the changes it would imply for the EU, but rather because of his ambition to tone down the rhetoric of what is at stake in the debate on the Constitutional Treaty. Dahrendorf emphasizes the need to "lower the temperature in the debate on the Treaty" if we are "serious about the real Europe and its common goals." Differences in rhetoric on the historical significance of the Constitutional Treaty notwithstanding, what the four

contributions by non-Swedish participants have in common is the identification of an underlying *idea*, not only about Europe and European integration as such, but furthermore about the Constitutional Treaty as a common European issue. Interestingly, the four foreign contributors are not alone in framing the issue this way, but find company in the two newspapers' respective editorialists, both in editorials representing the collective voice of the newspaper in question (e.g. DN 2003-06-14; DN 2004-06-21: SvD 2003-06-14), and in signed commentaries representing the personal opinion of the respective journalist (e.g. DN 2004-03-27; SvD 2004-06-20; SvD 2004-03-04). A notable difference can however be identified between the two newspapers in framing the issue as a shared European concern: *Dagens Nyheter* was much more frequent in employing this frame, particularly in editorials representing the collective opinion of the newspaper. While the frame did appear in *Svenska Dagbladet* as well, it did so almost exclusively (with one exception; SvD 2003-06-14) in personal commentaries.

But what is more relevant for this study is the *impact* of foreign writers' contributions on the Swedish debate, all the more so as particularly Dahrendorf's contribution fits in quite neatly with the lines of argumentation in the Swedish debate, i.e. on the question of whether or not the Constitutional Treaty implies changes sufficiently fundamental so as to warrant the holding of a referendum. Contributions such as Dahrendorf's provide a fairly easy invitation to engage the author in genuine transnational communication. But neither Dahrendorf's nor any of the other foreign contributions subsequently managed to spark any sort of (published) reaction on the part of the Swedish public – neither in the form of editorials, debate articles or even letters to the editor.

In a way, this is an interesting finding in its own right. In coding the main claims of all articles analyzed, it is striking that Dahrendorf's argumentation is quite similar to that of representatives of the Swedish government when they argue *against* a referendum based on the view that the Constitutional Treaty does not imply any fundamental changes to the EU's existing legal order. The treaty is not a true constitution at all, Dahrendorf argues, explaining that it is not given by a (non-existing) European demos and therefore can only be changed by intergovernmental conferences, not by the European Parliament. Thus, Dahrendorf concludes that the future functioning of the enlarged EU does not essentially depend on the ratification of the Constitutional Treaty either. The empirical record gives us every reason to assume that this argument might very well have sparked some form of response had it only come from a Swedish opponent of a referendum – even more so as Dahrendorf is quite provocative when asking "why so many intelligent politicians make such a fuss" on the issue.

By comparison, similar remarks by Swedish speakers are frequently picked up by other debaters, particularly by explicit reference to the speaker who made the claim in question. For instance, it only took Ingvar Svensson of the Christian Democrats (kd) two days to have his rebuttal to a similar claim by his fellow Christian Democrat Björn von der Esch published (SvD 2005-02-20), underlining the observation that contributions by speakers of other national contexts, while similar in content, seem unable to ignite similar reactions as contributions by speakers from within the Swed-

ish political system. Among the latter, particularly Swedish MP's and MEP's proved to be quite active in exploiting the issue for public debate.

Also Balkenende's contribution offered an invitation to transnational communication. Although – or maybe especially because – his article is characterized by a logic of integration quite common in the EU's older and/or founding states, framing the issue by reference to the high value of European integration as such, Balkenende offers a number of points that we would expect Swedish speakers to react on based on the recurrent bones of contention identified among Swedish debaters. For instance, when referring to Jean Monnet's claim that "we are not forming a coalition of states; we are uniting people", he concludes that "we have achieved a united Europe without uniting the Europeans". Had any such claim been articulated by a Swedish speaker, there are good reasons to assume that it would have been challenged instantly by Swedish debaters rejecting such notions. In fact, one of the most frequently heard objections of opponents of the Constitutional Treaty was precisely that it does represent a clear move in a more supranational and/or federal direction – a frame employed in eleven of the articles analyzed, most often in connection with an argument construing the Constitutional Treaty as a project of political elites that is being pushed through against the expressed will of the constituent electorate(e.g. DN 2003-10-03; DN 2004-01-11; DN 2004-02-02; SvD 2004-05-18; SvD 2004-07-07).[7] Yet Swedish debaters did not involve Balkenende in a transnational discussion on his claims. In this sense, the material collected suggests that the proposed sort of ideal typical *genuine* transnational communication here seems not to have occurred. But what about more intermediary forms of transnational discourse?

4.2 *Intermediary* Transnational Communication: *References to* Speakers from other National Contexts

What is characteristic here is that transnational communication even in a more intermediary sense – picking up and commenting on an argument or a contribution made either by a speaker *of* and *in* a different national context – is the exception rather than the rule. An illustrative example of this is that while both the Spanish foreign minister Miguel Angel Moratinos (DN 2005-04-19) and the Belgian Prime Minister Jean-Luc Dehaene (SvD 2005-02-20) are referred to, respectively, as having stated that member states' sovereignty is reduced and that the Constitution is a "big step on the way to making the EU a true political union", these references are not used in order to ignite a debate on either of these claims per se, but instead to unveil inconsistencies in *Swedish* advocates' representation of the Constitutional Treaty's implications. In other words, they are framed as the truth the Swedish politicians are afraid to tell their electorate, i.e. that the Constitutional Treaty does represent a significant step towards *EU statehood.* The aforementioned Björn von der Esch comments on Dehaene's comment, claiming that the latter's statement "is a political bomb. Surely *Ingvar Svensson* realizes that a big constitutional issue calls for a referendum. This is why the constitu-

7 This latter *elite versus the people frame* (cf. Trenz et al., forthcoming 2007) was also the most commonly used frame in the whole study, employed in 22 of the articles analyzed (see above).

tion is being described as so insignificant" (SvD 2005-02-20, author's italics). So the question is not how to relate to Dehaene's claim in terms of any form of normative debate on the desirability of political union, and thereby to include this speaker and his claim into the debate (and possibly stir up a broader normative debate on Europe and/or Sweden's role in and expectations towards it), but rather how to relate it back to the evidently more resonant domestic debate in Sweden. Dehaene, ironically, is only referred to in order to unveil the particular notion of truth that Swedish politicians are supposedly afraid to reveal to their electorate. In these instances, the frames of reference invoked are national rather than European; while claims made by speakers of other national contexts are picked up, they are not discussed directly. But even this form of reference represents the exception rather than the rule.

We witness the same dynamic in a debate article co-signed by a group of 15 Environmental Party/Green (mp) politicians around the former MEP Per Gahrton (DN 2005-02-20). It is no overstatement that the argumentation may have drawn inspiration from the *Verfremdungseffekt* of the epic theater of Bertolt Brecht: Claiming that "everyone in Spain agrees on the importance of having a referendum on the Constitution, and that this has been an important democratic drill", the point is evidently to show the reader that the Spanish situation is really not so different from the Swedish. But the point is not to actually pick up propositions from the Spanish debate and discuss them – which would be an excellent case of transnational communication *contesting* the Constitutional Treaty (and thereby underlining Risse – van de Steeg's point that contestation on European issues is in fact a vital sign of the public sphere), but much rather to go to the offensive against the *Swedish* social democrats. Once again, the Spanish speakers are not included in the debate in the sense of discussing their propositions; much rather, references to their claims are only made to relate back to what is framed as a purely domestic affair, i.e. whether or not the Constitutional Treaty ought to be made subject to a popular referendum. Once again, we thus witness an instance of national rather than transnational communication, despite the reference to a group of foreign speakers. Once again, this also highlights the distinction in the operationalization chosen here; it is only because of our stricter concept of transnational communication that we arrive at the conclusion that our normative requirements are not met here. So while in a quantitative sense possibly qualifying for *observing* speakers in another European country, this article does little qualitatively to actually engage such speakers in a common discourse.

On the other hand, the picture is somewhat different in the editorial sections of the two newspapers. While they are dominated by speakers of the Swedish national context, it is here that the transnational element is most pronounced nonetheless (when compared to the letters-to-the-editor and debate/opinion sections). An almost ideal typical form of transnational communication in Risse's sense – although stemming from SvD's cultural section instead of from one of our material's three main source sections – is the reporting by Mats Wiklund on Daniel Cohn-Bendit's visit to the Goethe Institute in Stockholm (SvD 2005-04-21). Here, the Swedish observer – Wiklund – reports on the claims made by a French-German speaker – Cohn-Bendit – before engaging in a discussion on the claims just reported. "It was a mistake," Wiklund quotes Cohn-Bendit, "that Europe didn't deepen its cooperation before enlarge-

ment", before arguing that it was in fact "enlargement that forced the demands for reform." Wiklund further quotes Cohn-Bendit's argument that the Constitution "represents the cosmopolitan Europe". Wiklund agrees, claiming that "Europe is something completely different today: more heterogeneous, more democratic, and with broader claims to democracy and influence." But the article also shows the limitations of transnational communication; the discussion of Cohn-Bendit's claims is left entirely up to Mats Wiklund; no other author subsequently picked up Cohn-Bendit's argumentation in order to engage in a transnational dialog, at least not before the time frame of this analysis ended on the last day of April 2005.

But although failing to ignite a true transnational debate, this form of *invitation* to a transnational dialog within the two newspapers' editorial sections has arguably been the clearest example of an at least embryonic transnational element. Speakers from other European contexts are given a voice, even if predominantly in this intermediary sense, and through this import of other European perspectives invite the Swedish public to engage in transnational debate. This could therefore be an important finding in its own right.

We do therefore witness a degree of difference in the framing of the issue in the editorial sections as compared to the debate and letter-to-the-editor sections. While certainly not a dominating aspect there, references to and discussions of contributions of foreign speakers were nevertheless a fairly usual phenomenon (e.g. DN 2004-06-21; SvD 2004-06-20; SvD 2004-06-08; SvD 2003-12-15; DN 2003-07-21a). For instance, *Dagens Nyheter* discussed the Greek Commissioner Anna Diamantopoulou's proposition for sharper European-wide gender discrimination laws before the backdrop of the Constitutional Treaty's take on freedom of expression and information (DN 2003-07-21b). Here, both the Commissioner's propositions and the substantial content of the Treaty are picked up and discussed, arriving at the conclusion that "the idea was good, but ill-conceived" (ibid.). So far, this is transnational communication: the speaker from the other context is included in a shared debate over a common concern and hence recognized as a legitimate participant. This is not changed by the fact that the speaker's propositions are contested in the article at hand. It is neither changed by the fact that the motivation for rejecting certain propositions regarding freedom of expression is that they are untenable in the Swedish context. The article at hand rejects the Commission's (nota bene *not* the Constitutional Treaty's) proposition that a journalist from one EU country can be prosecuted in another EU country if he or she violates the freedom of expression laws of this latter country. While arguing that this would imply that the authors of "the sharpest comments on the EU's current president Silvio Berlusconi could result in Swedish media being prosecuted in Italy," the proposition is rejected by reference both to the broadly defined freedoms of the press and expression in Sweden *and* to "the spirit in the EU Convention's proposal." This argumentation notwithstanding, the larger issue at hand – freedom of expression and information in the EU and in the Constitutional Treaty – is treated as a *shared* concern, and a speaker from outside the Swedish context is represented and viewed as a legitimate participant. But once again, no further debate on the substantive issue of freedom of expression ensues in the days and weeks to come.

5. Concluding Reflections on a Transnational Community of Communication

What do we make of the empirical analysis presented here on the state of transnational communication on the Constitutional Treaty in two Swedish quality newspapers? Do we have to discard the notion of an emerging (or desirable) transnational community of communication as the normative telos of the European public sphere? At least in a strictly quantitative sense, we have discovered that the level of transnational communication identifiable here was significantly lower than we may have expected based on the emerging conventional wisdom on the public sphere's increasing Europeanization. Whereas we certainly could identify a relevant level of *interest* in European affairs (in the material that was *un*selected due to the fact that it consisted of mere news reporting), actual transnational communication in line with the operationalization suggested is a significantly less conspicuous phenomenon.

In terms of the lessons this study yields for our understanding of the potential of a European public sphere, the study failed to confirm the existence of a convincing form of transnational communication in the Swedish newspapers for the issue and the time horizon analyzed. At the same time, this failure ought to be assessed in light of two factors: for one, the study's operationalization of transnational communication is admittedly demanding. In this way, what we have learned from this study is that it is important to discuss *how much* of the form(s) of transnational communication introduced here actually has to occur in order for us to speak of a transnational element within our public spheres. In this respect, the study's initial expectations evidently exceeded what was empirically viable. Transnational communication in a European public sphere, by all means, ought not to be supposed to rule out all other forms of political communication, but much rather raise a normative claim to the national public sphere's *permeability* to ideas and perspectives from speakers that are not normally involved in or associated with that particular communicative context. Needless to say, the transnational community of communication ought not to be about Swedes ceasing to discuss European politics with other Swedes. But on issues of European integration, what it by all means should be about is the inclusion of perspectives from speakers of other national contexts. Based on these reservations, we need to reconsider the empirical evidence and ask whether the support we receive for the thesis of the emerging transnational community of communication actually is so weak. Second, we need to carefully consider whether the case chosen actually does represent a hard one, automatically uninviting or disallowing contributions of non-national speakers in a debate framed as an instance of national self-reflection. The key word here is framing, as the infringements on national sovereignty that many participants in the debate claimed as the core implication of the Constitutional Treaty are by no means uncontested. In that context, we need to contemplate precisely under which conditions – if at all – an EU issue is a *national* concern that justifies the exclusion of non-national perspectives.

In terms of reconsidering the empirical evidence found here, I would argue that transnational communication is less of a disappointment when it comes to allowing foreign speakers to have a voice in the Swedish debate (although we may hope for

much more) than with regard to foreign speakers' virtually systematic failure to engage the Swedish public in a meaningful transnational debate. But even on the basis of this finding, there are lessons to learn when it comes to sharpening our view for what to look for when formulating an assessment of transnational communication. We ought to look for the inclusion of non-national speakers into public processes of opinion formation occurring within the national public sphere, and we ought to look for the conditions under which such speakers are excluded. Contributions by non-national speakers have to appear, but most of all, they have to be discussed. Only then can we meaningfully speak of transnational opinion formation at the level of the European Union.

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