

RiMe

Rivista dell'Istituto
di Storia dell'Europa Mediterranea

ISSN 2035-794X

numero 11/2, dicembre 2013

The new Argentinean broadcasting law and the reaction on national and international press

Maria Grazia Krawczyk

DOI: 10.7410/1088

Istituto di Storia dell'Europa Mediterranea
Consiglio Nazionale delle Ricerche
<http://rime.to.cnr.it>

Direttore responsabile

Antonella EMINA

Direttore editoriale

Luciano GALLINARI

Segreteria di redazione

Esther MARTÍ SENTAÑES

Comitato di redazione

Grazia BIORCI, Maria Eugenia CADEDDU, Monica CINI, Alessandra CIOPPI, Riccardo CONDRÒ, Gessica DI STEFANO, Yvonne FRACASSETTI, Raoudha GUEMARA, Maria Grazia KRAWCZYK, Maurizio LUPO, Alberto MARTINENGO, Maria Grazia Rosaria MELE, Maria Giuseppina MELONI, Sebastiana NOCCO, Michele M. RABÀ, Riccardo REGIS, Oscar SANGUINETTI, Giovanni SERRELI, Giovanni SINI, Luisa SPAGNOLI, Patrizia SPINATO BRUSCHI, Federica SULAS, Massimo VIGLIONE, Isabella Maria ZOPPI

Comitato scientifico

Luis ADÃO DA FONSECA, Sergio BELARDINELLI, Michele BRONDINO, Lucio CARACCILO, Dino COFRANCESCO, Daniela COLI, Miguel Ángel DE BUNES IBARRA, Antonio DONNO, Giorgio ISRAEL, Ada LONNI, Massimo MIGLIO, Anna Paola MOSSETTO, Michela NACCI, Emilia PERASSI, Adeline RUCQUOI, Flocel SABATÉ i CURULL, Gianni VATTIMO, Cristina VERA DE FLACHS, Sergio ZOPPI

Comitato di lettura

In accordo con i membri del Comitato scientifico, la Direzione di RiMe sottopone a referee, in forma anonima, tutti i contributi ricevuti per la pubblicazione

Responsabile del sito

Claudia FIRINO

RiMe – Rivista dell'Istituto di Storia dell'Europa Mediterranea (<http://rime.to.cnr.it>)

Direzione: via S. Ottavio, 20 -10124 TORINO -I

Tel. +39 011670 3790 -Fax +39 0118124359

Segreteria editoriale: via G.B. Tuveri 128 -09129 CAGLIARI -I

Telefono: +39 0704036 35 / 70 -Fax: +39 070498118

Redazione: rime@isem.cnr.it (invio contributi)



*Nuovi apporti
sulle relazioni
italo-argentine*

a cura di
Luciano Gallinari



In Memoriam de Isabel Manachino

Agradezco al Dr. Luciano Gallinari la distinción de invitarme a expresar en pocas palabras mi homenaje a la magister Isabel Manachino fallecida hace más de un año, cuando participaba como integrante del equipo de investigación coordinado por él y la suscripta y que contó con el aval de CONICET y del CNR.

Evocar a Isabel es un tema sensible en tanto no sólo fue una leal colaboradora y amiga, sino que recorrió de mi mano parte de su trayectoria profesional. Cursó su carrera de Licenciada en Historia en la Facultad de Filosofía y Humanidades de la Universidad Nacional de Córdoba, Argentina obteniendo su título en 1976. Desde entonces la conozco, poco después se incorporó como jefe de Trabajos Prácticos a la cátedra de Historia Americana hasta que, en 1995, pasó a desempeñarse con el mismo cargo en la de Historia Contemporánea bajo mi dirección hasta el momento de su fallecimiento.

A lo largo de su vida, con encomiable empeño y trabajando como docente en el sector medio y universitario hizo lo posible para dedicarse sin interrupción a investigar para acrecentar no sólo sus conocimientos sino para acompañar a la suscrita en distintos proyectos de investigación que contaron en varios períodos con el aval de la Secretaría de Ciencia y Técnica de la Universidad de Córdoba (SECYT), del Consejo de Investigaciones Científicas de Córdoba (CONICOR), del Consejo Nacional de Investigaciones Científicas y Técnicas (CONICET) y otras instituciones provinciales

siempre haciendo hincapié en el estudio de la colectividad italiana en la provincia. Esa participación posibilitó que a lo largo de varios años realizáramos en colaboración algunos artículos sobre temas de nuestro interés publicados en el país y en el exterior.

En el año 2004 bajo mi dirección obtuvo su posgrado de Magister en Lengua y Cultura italianas en perspectiva intercultural, otorgado por la Facultad de Lenguas de la Universidad Nacional de Córdoba con su Tesis intitulada: “Medio siglo de inversiones italianas en el comercio y en la industria cordobesa. 1870 – 1929”, obteniendo una calificación cum lauden. En el 2011 cuando falleció había concluido su Tesis de doctorado titulada *Inmigrantes e inserción laboral en Argentina. El caso de los italianos ubicados en las principales ciudades de Córdoba en tiempos de la inmigración masiva. 1870-1914*, presentada a la Universidad Nacional de Cuyo aunque a raíz de su avanzada enfermedad no pudo defenderla. Hoy se publica en este dossier un capítulo de la misma.

Ese trabajo arduo le permitió en el período obtener varios premios, el de la Universidad Nacional de Córdoba por destacada actuación académica en 1994. Y, al año siguiente, pudo realizar investigaciones en Italia gracias a obtener la importante beca de la Rockefeller Foundation International Study and Conference Center en Bellagio. Esa larga estadía le posibilitó luego conseguir el Premio Roberto Celli Memorial Fund. Y entre 2009 y 2011 obtuvo una beca de la Secretaría de Ciencia y Técnica de la UNC, justamente para terminar su tesis doctoral.

Sólo me resta rescatar sus cualidades personales, fue una persona amable, afectuosa con sus colegas, leal y siempre dispuesta a incorporarse a los proyectos de la cátedra y de investigación dirigida por la suscripta. Así queremos recordarla.

María Cristina Vera de Flachs

Poco dopo aver appreso da María Cristina Vera de Flachs la notizia della scomparsa di Isabel Manachino è sorto spontaneo il desiderio di dedicare a lei questo fascicolo di RiMe ai rapporti italo-argentini, ennesima iniziativa editoriale di un gruppo di ricercatori dei due Paesi che ha collaborato negli anni 2005-2012 nell'ambito di due Accordi Bilaterali di Cooperazione scientifica tra l'Istituto di Storia dell'Europa mediterranea del CNR e la Catedra de Historia Social Contemporanea, Escuela de Ciencias de la Información, Facultad de Derecho y Ciencias Sociales, della Universidad Nacional de Córdoba, República Argentina (CONICET), dai titoli "Italia-Argentina: ovverosia il Mediterraneo in Sudamerica. Storia, arte e cultura tra XVI e XXI secolo", (maggio 2005-dicembre 2008) e "Terre di migrazioni: Italia e Argentina tra XVI e XXI secolo", (maggio 2009-dicembre 2012).

Il desiderio è sorto per due ordini di motivi: il primo, di natura personale, per voler contraccambiare l'affetto e la simpatia mostratami durante un soggiorno argentino del quale ricordo con piacere un pranzo domenicale a Córdoba in compagnia di Isabel, suo fratello e la compagna.

Il secondo motivo, di ordine professionale è invece costituito dalla volontà di legare il nome di Isabel a quest'ultimo prodotto delle ricerche condotte dai nostri due gruppi di lavoro, come se anche lei potesse prendervi parte attiva.

E mi sembra un bel modo di concludere un rapporto lavorativo durato sette anni, durante i quali i ricercatori dei due Paesi hanno potuto conoscersi viaggiando da una parte all'altra dell'Atlantico e hanno potuto lavorare insieme alle diverse linee di ricerca dell'Accordo Bilaterale dando vita a diversi risultati, tra cui diversi seminari realizzati nel corso dei soggiorni di studio e alcune pubblicazioni che elenco qui di seguito:

- ✓ *L'emigrazione italiana in Argentina: percezione e rappresentazione*, a cura di Luciano Gallinari e Luisa Spagnoli, *Bollettino della Società Geografica Italiana*, Serie 13, vol. 4 (2011), fasc. 4 (ott.-gen. 2011) Roma, Società Geografica Italiana, 2011, 168 p. (ISSN -0037-8755, 1121-7820);

- ✓ Dossier *Italia-Argentina: due Paesi, uno specchio*, in “*RiMe – Rivista dell'Istituto di Storia dell'Europa Mediterranea*”, n. 6, giugno 2011, pp. 119-771, <<http://rime.to.cnr.it/>>, (ISSN 2035-794X);
- ✓ Antonio Maccioni, *Las siete estrellas de la mano de Jesús*, a cura di Tiziana Deonette, Simona Pilia; introduzione di María Cristina Vera de Flachs, Luciano Gallinari, Gianna Carla Marras, Cagliari, Centro Studi Filologici Sardi / Cuec, 2008, (ISBN: 978-88-8467-475-3).
- ✓ *Pasado y presente: algo más sobre los Italianos en la Argentina*, María Cristina Vera de Flachs y Luciano Gallinari (Compiladores), Córdoba (Rep. Argentina), Báez Ediciones, 2008, (ISBN 978-987-1498-09-3).

Luciano Gallinari

Indice

Fascicolo 1

Antonella Emina	5-17
<i>Histoire et Mémoire dans les Origines d'Amin Maalouf</i>	
Mustapha Kraiem	19-65
<i>L'islamisation de la révolution Tunisienne</i>	
Luca Lecis	67-94
<i>L'africanizzazione della Chiesa. L'Africa da terra di missione a missionaria</i>	

Focus

Corona d'Aragona Sardegna

a cura di

Esther Martí Sentañes

Esther Martí Sentañes	97
<i>Presentazione</i>	
Fabrizio Alias	99-131
<i>Possitis ordinare, ponere et facere...imposicionem: la concessione regia delle imposte municipali ai consiglieri di Cagliari attraverso il Coeterum (1327)</i>	
Alberto Virdis	133-167
<i>The Tuili Altarpiece's Tabernacle-Niche: Theology, Science and Religious Practices in a Late-Medieval Sardinian Retablo</i>	
Giovanni Serreli – Aldo Aveni	169-190
<i>Componiment o censo individual del 1353 relativo al feudo di Gherardo Donoratico, nel Regno di 'Sardegna e Corsica'. Prima notizia</i>	

- Luciano Gallinari
Nuevas hipótesis sobre la relación familiar entre Brancaleone Doria y el futuro juez de Arborea Mariano V en las fuentes de finales del siglo XIV 191-232

Rassegne e recensioni

- Manuel Joaquín Salamanca López
Teatro e festività nella Napoli aragonese, di Cristiana Anna Ad-
desso, Firenze, Leo S. Olschki Editore, 2012, 170 p. 235-237
- Corrado Zedda
Tavola rotonda. Tra fonti e metodologie: Riflessioni multidisciplinari sulla Sardegna tra VIII e XI secolo (Cagliari, 11 dicembre 2013) 239-263

Fascicolo 2

Nuovi apporti sulle relazioni italo-argentine a cura di Luciano Gallinari

- María Cristina Vera de Flachs - Luciano Gallinari 5-8
Presentazione
- María Cristina Vera de Flachs 9-31
Un viajero italiano en Hispanoamérica en tiempos de la emancipación: Giuseppe Bocchi
- Francesco Surdich 33-55
L'attività di esplorazione e colonizzazione nella Patagonia centrale di Francesco Pietrobelli
- Cristina Seghesso de López 57-81
Fuentes italianas y actores en el proceso revolucionario del Plata
- Norma Dolores Riquelme 83-119
Argentina y el Vaticano. Desarrollo y progreso en tiempos conflictivos (1966 -1967)

María Inés Rodríguez Aguilar	121-171
<i>Tradiciones italianas para la imaginación histórica en Argentina</i>	
Marzia Rosti	173-204
<i>Terre ancestrali e risorse naturali: i diritti indigeni nell'Argentina odierna fra tutela e sviluppo economico</i>	
Maria Grazia Krawczyk	205-239
<i>The new Argentinean broadcasting law and the reaction on national and international press</i>	
Celina Lertora	241-264
<i>Nuevos aportes documentales sobre la cooperación CONICET-CNR</i>	

The new Argentinean broadcasting law and the reaction of national and international press¹

Maria Grazia Krawczyk

Abstract

In 2009, Argentina approved the new broadcasting law. The bill intensified the crack between government and the editorial group *Clarín*, and the debate focused on the freedom of press and expression. The law promotes equal partition of radio-television coverage among different actors. The democratic process led by President Cristina Fernández de Kirchner must be understood within a wider context involving other Latin-America countries. The present work analyses the reaction of the press to the *ley de medios*, with a particular attention to the Italian press. The paucity of information hampers the understanding of this issue. However, this paper tries to find the reasons of the gap into the historical relations between the two countries.

Keywords

Ley de medios; Clarín; Cristina Fernández de Kirchner; freedom of press; freedom of expression.

Riassunto

Nel 2009 una nuova legge sulle Telecomunicazioni è stata approvata in Argentina. L'atto ha intensificato la frattura tra il governo e il gruppo editoriale *Clarín* e il dibattito si è focalizzato sulla libertà di stampa e di opinione. La legge favorisce una distribuzione più equa dello spazio radiotelevisivo tra diversi attori. Il processo democratico inaugurato dall'amministrazione del presidente Cristina Fernández de Kirchner si inserisce in un contesto più ampio che riguarda tutta l'America Latina. Il presente lavoro analizza le reazioni della stampa sul tema, in particolare quella italiana. Le ragioni della scarsità delle informazioni pervenute è stata ricercata nelle relazioni storiche dei due paesi.

Parole chiave

Ley de medios; Clarín; Cristina Fernández de Kirchner; libertà di stampa; libertà di espressione.

¹ The present paper is included in a three-year research project on "Cultural mediation" in Latin American countries, which the author is contributing to as a research fellow since November 2012. The project is directed by Dr. Luciano Gallinari at the Institute of History of Mediterranean Europe (ISEM) of the Italian National Council of Research (CNR) in Cagliari. The fellowship is funded by the "Master and Back" program, patronized by the Autonomous Region of Sardinia, Italy.

1. Foreword. – 2. Introduction. – 3. The polarization of the law. – 3.1. The communicative prerequisites of democracy. – 4. The interpretation of international community. – 5. The broadcasting law in the Italian press. – 5.1. The silence of the Italian press. – 6. Conclusion. – 7. Bibliography.

1. Foreword

The object of the present survey concerns the reactions of national and international press related to debate on freedom of press and freedom of expression in Argentina, after the endorsement of the new broadcasting law. The aim of the work is to observe whether and how the freedom of expression issue is presented, in particular into the Italian press, while in the same years a wiretap bill emphasized the question of independent journalism in the country. A parallel with Argentina was expected to be issued, however, no significant correspondence is yet available, and newspaper articles on the subject are rare. An additional analysis on Italian main blogs was necessary to complete the range of available information. Furthermore, the reasons of report shortage were examined within the context of the historical relationships between the two countries.

The reconstruction of events concerning Argentinean broadcasting law was carried out through the study of the articles appeared on the majors daily newspapers of the country, *Clarín*, *La Nación*, and *Página12*; and particular attention was given to critics and commentaries on the topic. Observers suggested that similar normative approaches to media were pursued in other Latin America countries, so the balance between the fulfilment of rights and the political decisions framed Argentina in a regional democratic process. A glance was given at the reaction of the international community as expressed in grey literature and foreign press in order to understand the relevance of this act in the region and worldwide.

The survey has focused on newspaper articles originally appeared in print and consulted in the online archives. The data were then organised in a record to facilitate the fruition. The research mostly covers the period from September 2012 until June 2013, when the broadcasting law debate in Argentina escalated worldwide. In particular, the analysis focused on two periods: September-December 2012 (cen-

tred on the process of constitutionality), and May-June 2013 (centred on the question of the *Papel Prensa*)².

2. Introduction

The *Ley de Servicios de Comunicación Audiovisual* n. 26522, known as *ley de medios*, was approved the 10 of October 2009 and entered into force the 1st September 2010. The bill has been regulated by the President Cristina Fernández de Kirchner through the decree n. 1225/2010, and with the resolution n. 297/2010 she appointed the Autoridad Federal de Servicios de Comunicación Audiovisual (AFSCA) as the central authority for law implementation and control³. The act limits multimedia companies to hold, in the whole country, no more than 10 open TV and radio licenses, and 24 cable TV licenses. Big companies claimed to be economically affected by this decision, seeing their property considerably reduced. In particular, the *Grupo Clarín*, the main newspaper and broadcast company in Argentina, would be forced to give away the majority of its licenses (240 cable licenses and 14 open ones). Therefore, one year later the law was challenged in the court by the group, asking for a constitutional evaluation of four articles⁴. The process, led by the Supreme

² While the present paper was under review, in October 29, the Supreme Court of Justice declared the constitutionality of the broadcasting law, “La Corte declaró que la ley de medios es constitucional”, p. 1. Due to space constraints and the focus of the present paper, ongoing developments can only be cursorily mentioned here, consequently some statement can result dated.

³ Hence AFSCA. The authority substitutes the previous COMFER, Comité Federal de Radiodifusión, in charge of the implementation of the broadcast law n. 22.285, in 1983. AFSCA manages the broadcast coverage, and guarantees the quality and the technical compatibility of the radio and television space. The request for licenses of audiovisual communication services must be submitted to the AFSCA, who establish the requirements and the procedures for assignment and controls the correct application. Martin Sabatella, Kirchner’s administration supporter, was elected as president of AFSCA by the national government.

⁴ Article 41 prohibits the transfer of licenses of radio and television; article 45 establishes the concentration of media ownership in limiting open frequencies to 24 cable licenses that a single group can hold; article 48 is about the transfer of licenses;

Court of the Country, is still under way, and the *Clarín* could benefit from a preliminary injunction pronounced in its favour, which would allow the group to ignore the restrictions set until the next judgment. At the end of the 2012, the trial has been taken up by the Federal Civil and Trade Chamber, for questions concerning the partition of regional broadcasting authorizations. Soon after, it was skipped to the Supreme Court once more for the final decision scheduled on October 2013, after the national political elections.

The new Argentinean broadcasting law, the first after the one promulgated by the military junta in September 1980, have fuelled public debate about freedom of press, and consequently, freedom of expression in Argentina. International agencies, as well as newspapers around Latin America and Europe, reported the collision between the government, in the person of the President de Kirchner, and the rival *Grupo Clarín*. Framed comments split between supporters and critics.

3. *The polarization of the law*

With the resolution n. 297/2010 of December 7, AFSCA disposed a one-year transition procedure for broadcasting companies to implement the rules. This act allows a self-ruling adaptation to the law and the autonomy decision in terms of trading extra licenses. Although the article 161, which regulates this transition, is in standby only for the *Grupo Clarín*, at the end of the 2011 none of the interested companies had presented a project of adaptation. To prompt on immediate execution, the President de Kirchner elected Martin Sabbatella as AFSCA president in September 2012, in order to enhance its political authority⁵.

article 161 requires companies to divest their own licenses in order to diversify broadcasting ownership.

⁵ M. Verón, “Sabbatella conducirá el ente que aplicará la ley de medios”, p. política. Martin Sabbatella is known as a guardian/champion of transparency and anticorruption. He supports the freedom of access to information and the transparency of public service. In 2009, he clearly turned into a *modelo kirchenista* supporter, and he strongly opposes the province governor of Buenos Aires, Daniel Scioli. In several

During the conference on “Freedom of press. Press and democracy standards in Latin America” in New York, May 2013, the executive editor of the *Clarín*, Ricardo Kirschbaum, resumed as *disciplinar* the legal measures adopted by the government towards media. According to him, the aim of the law is to censure critical opinion and to align media to the Casa Rosada’s dictates⁶. *Clarín* journalists portrait Cristina Fernández de Kirchner as an obstacle to the freedom of press, because of political reasons. The group manager of communication argued that the hostility of the government is directed to the only broadcasting company that moves critics to the authorities. Meanwhile, the Supreme Court surmised the aim of the broadcasting law in the sentence pronounced in December 14, 2012:

El interés general tenido en mira por el nuevo ordenamiento responde al objetivo de diversificar la oferta informativa y ampliar la posibilidad de ejercer la libertad de expresión a la mayor cantidad posible de medios de comunicación (...) a partir de la elaboración y valoración de nuevas consideraciones de interés general y con la finalidad de resguardar los derechos de pluralidad y acceso la información, han de considerarse de tal modo revocadas o rescatadas las licencias o concesiones conferidas a sus anteriores titulares debiendo procederse a su adecuación y nueva asignación⁷.

To enlarge this statement, Reporters Without Borders organization listed some good reasons to support the law: it ensures fairness and pluralism; civil societies, ethnic minorities and NGOs are allowed to participate to the radio-TV coverage partition; the bill does not censure the news content⁸. Therefore, freedom of expression is not

occasions, Scioli showed his attitude against the broadcasting law. Especially, during the international day of journalists on June 2009, he supported the independence of the press and stressed that the respect of freedom of expression is a pillar of democracy. M. Obarrio, “Scioli exaltó la libertad de expresión y dio otra señal de autonomía”, p. 1.

⁶ R. Mathus Ruiz, “La inquietud por la situación de los medios argentinos llegó a Columbia”, p. 14.

⁷ I. Hauser, “No se ve afectada la libertad de expresión”, p. el país.

⁸ Reporters Without Borders, “Last-minute court ruling delays application of new broadcasting law”.

thwarted. The 166 paragraphs of the *ley de medios* regulate the distribution of radio and television frequencies and promote the freedom of access to information for every citizen, including ethnic minorities⁹. The law is an instrument against monopole and divided TV and radio broadcasting coverage in three equal part: one for the commercial sector, one for the State, and one for non-profit organizations. In an analysis on freedom of press in Latin America, the monthly paper, *Le monde diplomatique*, highlighted the decentralization approach of the law, which raises the communication to “public service” range¹⁰.

In December 2012, Horacio Alfonso, a federal magistrate, declared articles 45 and 161, contested by the *Grupo Clarín*, as lawful. Within these terms, the *ley de medios* could be finally approved at first instance, and Cristina Fernández de Kirchner celebrated it as it was the definitive one¹¹. Nevertheless, the process was suddenly transmitted to the competence of the Federal Civil and Trade Chamber for a second grade of trial, before going back to the Supreme Court for the last judgment. Multimedia companies strongly condemned the decision of the judge as the freedom of press would be threat by this act. Nonetheless, *Grupo Clarín* rejoiced of the prolongation of the injunction on his favour: “Ley de medios: Prorrogaron la medida cautelar hasta una sentencia definitiva”¹².

The Federal Chamber partially repealed the judgment of the court¹³, and accepted all the appeals presented by the AFSCA and the *Grupo Clarín*. This decision was seen as a backstroke for the implementation of the rule, for this reason Gustavo López, the general undersecretary of the presidency, urged the court to authorize the law. However, a clear distinction between freedom of expression and

⁹ As also L. Sanguinetti praised in his article “Por todo”, p. la ventana.

¹⁰ R. Lambert, “En Amérique latine, des gouvernements affrontent les patrons de presse”, pp. 10-11.

¹¹ M. Obarrio, “El Gobierno no avanzará aún contra Clarín”, p. política.

¹² “Ley de medios: Prorrogaron la medida cautelar hasta una sentencia definitiva”, p. 1.

¹³ In particular, the Federal Chamber declared non constitutional some parts of articles 45 and 48, concerning the limits of private TV licenses, and endorsed the article 41 and 161 concerning license transferring and the terms of adjustment.

economic interests related to the media company was highlighted in the judgment¹⁴.

Throughout the years, journalists from the *Clarín* newspaper and other companies accused of having been targeted in personal attacks by public officials. In particular, journalists reported harassment and persecution in their private properties, or in work-places; some of them also declared to have been threatened by phone. The Foro de Periodismo Argentino (FOPEA), which is monitoring the freedom of expression in the country, regularly denounces acts of violence against journalists; some of them also lost their lives¹⁵. In September, *La Nación* article “Nueva ofensiva oficial sobre Clarín” blamed government policies of sabotage actions to block newspapers distribution, and of intimidating journalists with personal attacks¹⁶.

Furthermore, an administrative decision of the external trade ministry in February launched the controversial question of “pauta oficial”, for which Cristina Fernández de Kirchner has received a lot of critics. The major newspapers are required to reduce the space of advertising, causing an economic damage for the companies¹⁷. The government was accused of reallocating public advertising on unfair grounds, assisting pro-government media companies. ADEPA organization (Asociación de Entidades Periodísticas Argentinas) condemned the act as an “indirect censure”¹⁸.

¹⁴ I. Hauser, “Para el fiscal ‘debe desecharse’ la inconstitucionalidad”, p. el país.

¹⁵ International Press Institute, *World Press Freedom Review – Focus on the Americas*, 2010.

¹⁶ “Nueva ofensiva oficial sobre Clarín”, p. política

¹⁷ Guillermo Moreno, the External Trade Minister, asked the main superstores to advert on media and newspapers except *Clarín*, *La Nación* and *Perfil*. Since the decree, the *Grupo Clarín* reduced advertising pages from 429 to 36; also *La Nación* and *Perfil* lost 15% and 20% of their advertising space.

¹⁸ C. Legrand, “En Argentine, l’indépendance a mauvaise presse”. In June 7 2013, the Federal Chamber condemned the government to respect the principles of equity and proportionality in official advertising distribution in media coverage. The repressive measures cannot be used as an instrument to damage the circulation of information. J. Crettaz, “Obligan al Gobierno a distribuir equitativamente la pauta oficial”, p. política.

In April 2013, by the law n. 26.831, the government started off the expropriation process of the main paper industry for newspaper, *Papel Prensa*¹⁹. A draft of a new law was presented in May 9 by members of the parliament, in order to complete the transfer of *Clarín* and *La Nación* actions to the government, ensuring the whole control of the production and distribution of the paper for magazines²⁰. The justification carried on by the government referred to the “public utility” of the company and is aimed to remove monopolistic activities in the country, especially those related to the national press. By contrast, *La Nación* headline on May 10, warned that the situation is turning into a «verdadero monopolio estatal», and claimed that the public utility is hiding a seized purpose for controlling critical thinking and bending the national press to the political power²¹. Critics to the control of paper production, trade and supply arrived also from the Inter-American Society of Press and the ADEPA, which declared «sin acceso libre al papel, no hay prensa libre»²². Recent political decision toward media seems to have the same nature of the one adopted during 1970s year. President Juan Perón’s administration used to regulate the import of paper for magazines in order to better

¹⁹ Approved in November 2012 by the Congress, this law expanded government power of decision in capital market issues. At this new stage, the State is allowed to interfere when its interests are affected by a minor shareholder. In the case of *Papel Prensa*, the State is holding 28.08% of the actions, the *Grupo Clarín* controls 49% and *La Nación* newspaper 22.5%. A. Ventura, “Con disidencias internas, avanza el plan de la CNV contra Clarín”, p. 8. See also “Diputados K impulsan un proyecto de ley para expropiar Papel Prensa”, p.18.

²⁰ With this act and the rise up to 51.5% of the actions, the government will become the major stockholder of *Papel Prensa* industry.

²¹ F. Laborda, “Un verdadero monopolio estatal”, p. 1.

²² “Repudio de ADEPA al proyecto para expropiar Papel Prensa”, p. 22. “Dura crítica de la SIP al proyecto para expropiar Papel”, p. 24. As well, A document presented in the occasion of the 65th International Congress of Newspapers in Bangkok, shows all different measures adopted by Cristina Fernández de Kirchner, which attempt to repress the development of independent press in the country. The World Association of Newspaper asked to Argentinean government to suspend all kind of intimidations to multimedia companies. “Advierte la WAN contra los ataques oficiales a la prensa”, p.8.

control and censure the national press hostile to the government²³. When, in 1972 *Papel Prensa* was created by *Abril* editor, the handover to Jorge Videla dictatorship guaranteed to the industry the benefit of legal measures, in order to thwart the new paper production company owned by *Rizzoli* group²⁴. This action allowed the military government to align national press to the political power. Through the management of paper production for national magazines, political authorities could control and suppress critics and opposition. In the same way, Cristina Fernández de Kirchner has been blamed of establishing a state monopole to safeguarding the independence of national press against private monopole. Observers argued that democracy is based on freedom of press, which is deeply connected to the free access of paper production. The ability of autonomous press to report State anomalies contributes to the political balance the same political balance that seems to be affected in Argentina As denounced by the opposition: «Cristina Kirchner toma decisiones propias de una dictadura. Hay que ponerle un límite»²⁵.

3.1. *The communicative prerequisites of democracy*²⁶

Most of Argentinean articles commonly began with negative emphasis related to the threat of freedom of expression, caused by the clash between *Clarín* and Casa Rosada. Media companies defend their

²³ Until 1972, paper for magazines was imported from Finland, Sweden, Canada and USA. Thanks to the project of PROIMPA (Promotora Industrial Papel), pursued by the editorial group *Abril*, the first Argentinean society of paper production was create in 1968, with a capital participation of the State. This interference of the public power would soon provoke censures and hostilities to the press. E. Scanzanella, "La Rizzoli in Argentina", pp. 118-119.

²⁴ General Videla put *Papel Prensa* under the control of the National Commission of Property Recovery and requested *Clarín*, *La Nación*, *La Prensa* and *La Razón* newspapers to buy some of the *Papel Prensa* actions shares from the previous owner, the capitalist Dudi Graiver. The unclear terms of sale, and the suspicious murder of Graiver, came out in 2010 in a controversial debate between Cristina Fernández de Kirchner and the *Grupo Clarín*. *Ibi*, p. 128.

²⁵ "Diputados K impulsan un proyecto de ley para expropiar Papel Prensa", p. 18. Similar critics from the opposition front are reported also in C. Legrand, "En Argentine, la justice suspend le démantèlement du groupe Clarín".

²⁶ S. Chambers – A. Costain, *Deliberation, democracy, and the media*, p. xi.

economic interests supporting free access to the market and opposing to state interference²⁷. At the same time, to fully satisfy the freedom of dissemination of information and ideas, people need independent press and media. Without free press, there is no democracy; and without democracy, there are no citizens, only subjects²⁸.

Background conditions of the genuine exercise of democratic self-determination are guaranteed by the freedom of speech, consciousness, and press. Some studies on democratic deliberation assert that

healthy democracies need a healthy public sphere where citizens (and elite) can exchange ideas, acquire knowledge and information, confront public problems, exercise public accountability, discuss policy options, challenge the powerful without fear of reprisals, and defend principles²⁹.

In many occasions, the term “democracy” is used in official speeches to reply to the protests as to justify government measures against the press. Martin Sabbatella frequently argues that the rejection of *Clarín* to adapt its property to the *ley de medios* regulation is a resilient defiance to the fulfilment of democracy³⁰. In an interview with *CNN*, Frank La Rue, UN Special Rapporteur for freedom of expression, commented that the experiences of media companies in Latin America countries can be a good example for worldwide legislation in matter of communication, because governments are working on fighting broadcasting concentration. Monopole of media and press market affects freedom of expression, and the power exercised on public opinion is a serious political menace³¹. The director of the

²⁷ S. Marino – G. Mastrini – M. Becerra, “El proceso de regulación democrática de la comunicación en Argentina”, p. 13.

²⁸ “Repudio de ADEPA al proyecto para expropiar Papel Prensa”, p. 22.

²⁹ S. Chambers – A. Costain, *Deliberation, democracy, and the media*, p. xi.

³⁰ “La Argentina está en un proceso similar a Venezuela”, p. política.

³¹ See the full interview at <https://www.youtube.com/watch?v=6IL86z_Q-W8>.

Brazilian magazine *Veja* appraised that democracy, press and private companies are everlasting interconnected³².

Journalist Marta Riskin of *Página12* presents a similar point of view about freedom of expression and freedom of press and printing regarding the “media turmoil”:

La libertad de expresión es reconocida universalmente como derecho humano a la libertad de pensamiento y la palabra. La libertad de prensa alude a la existencia de garantías ciudadanas para editar contenidos impresos sin censura previa y la libertad de imprenta es el derecho de cualquier persona a poseer, operar y dedicarse al oficio de la imprenta, si posee los medios materiales para hacerlo³³.

The former President of the Argentinean Supreme Court of Justice, Elena Highton de Nolasco, is not of the same opinion in comparing the freedom of press to the broadcasting law:

Una cosa es un artículo de la ley de medios y otra es hablar en general como una especie de inexistencia de libertad de prensa; creo que están en parámetros tan separados que no hablamos de las mismas cosas³⁴.

An interesting definition about freedom of opinion arrives from the former UN Special Rapporteur for freedom of press, who visited Argentina in 1994:

Fundamental to the right to freedom of expression is the dual conception of freedom on which it is founded. From this dual conception of freedom flows much of the scope of protection of this right. The two fundamental elements of the conception of freedom are the freedom of access to the State and the freedom from the State. The former refers to the participation of the individual in matters of the State. It has a collective connotation and leads into the realm of the freedom of individuals to assemble and organize among themselves. The latter

³² R. Lambert, “En Amérique latine, des gouvernements affrontent les patrons de presse”, pp. 10-11.

³³ M. Riskin, “La libertad, esa tensión”, p. la ventana.

³⁴ “La nueva Ley de Medios, punto por punto”, <www.asociaciondeprensa.com>.

refers to the realm of privacy of the individual and requires absolute protection against any undue external interference³⁵.

The relationship between citizens and the State expresses itself in the enjoyment of freedom of expression. The fragile balance in which the national authority oscillates between the guarantee of free circulation of ideas and the respect of privacy, made political power object of blathers and complaints. Where political opposition is brittle, independent press takes its place. It may be that weak democracy usually adopts legal measures towards independent press in order to contain the spread of right information. Noteworthy, Eugenio Scalfari³⁶ commenting on freedom of press states:

La libera stampa non è un potere, è un contropotere, una serie di strumenti che hanno per scopo quello di controllare il potere economico e il potere politico. In che modo? Sostanzialmente in due modi: diffondendo informazioni e opinioni³⁷.

From another perspective, experts affirm that legal regulation does not compromise the freedom of expression³⁸. Laws designed to regulating broadcasting frequencies and press circulation promote free access to the information and support the pluralism of actors in the communication sector. In particular, *ley de medios* has a democratic tradition of freedom of expression guarantee within the human rights sphere, where civil society voices are encouraged³⁹. But this is not the opinion of larger private media companies that complained against repressive policy turning more and more into controller of information. A French journalist summarises the debate questioning

³⁵ A. Hussain, *Promotion and protection of the right to freedom of opinion and expression*, p. 6, art. 19.

³⁶ Eugenio Scalfari founded the Italian newspaper *La Repubblica* in 1976.

³⁷ G. Bocca, *Il padrone in redazione*, pp. 30-31.

³⁸ James W. Nickel, "Free speech, democratic deliberation, and valuing types of speech", in S. Chambers – A. Costain, *Deliberation, democracy, and the media*, p. 3.

³⁹ S. Marino – G. Mastrini – M. Becerra, "El proceso de regulación democrática de la comunicación en Argentina", pp. 16-17.

whether freedom of expression could exist without a legal framework and political decisions that regulates it or not⁴⁰.

4. *The interpretation of international community*

A *La Nación* article of October 10, 2012, reported that in Argentina the crisis between *Grupo Clarín* and the government is affecting the freedom of press in the whole country. According to the Global Editors Network (GEN), almost 80% of the Argentinean press is under government control⁴¹. A member of GEN commission alerted also that «el ataque a Clarín es símbolo de la presión política a la que están sometidos los medios de toda la región»⁴², hiring the threat of freedom of expression as a regional problem, which involved other media companies in Latin America countries. Since 1990, countries as Colombia, Venezuela, Brazil and Bolivia allow through legal bases, civic associations and non-profit organizations to participate to broadcasting coverage within certain limits, especially on private advertising. An example of political pressure may be the Venezuela where, in December 2010, government approved two broadcasting bills without the authorization of the opposition parties⁴³. Through the rules established in the *ley de responsabilidad social en radio y televisión*, the central administration masked the attack to audio-visual coverage with respect of human rights and the promotion of community participation in broadcasting coverage. A representative of Espacio Público NGO noticed that the government is pursuing a practice of coercion and more newspaper ceased to move critics to

⁴⁰ "(...) la liberté d'expression peut-elle exister sans un cadre réglementaire et des décisions politiques qui la garantissent?". R. Lambert, "En Amérique latine, des gouvernements affrontent les patrons de presse", pp. 10-11.

⁴¹ The Global Editors Network is a non-profit, non-governmental association which gathers editors and media professionals from all platforms, with the aim of information sharing, innovation advancement and journalism quality improvement.

⁴² "Llaman a una protesta mundial por los ataques del Gobierno a la prensa", p. política.

⁴³ The Lotel, Ley Orgánica de Telecomunicaciones, and the Resortemec, Ley de Responsabilidad Social en Radio y Televisión.

President Chávez. Stations are required to transmit 70% of local contents, and many of which airing Chávez's speeches. The law leads multimedia company into the self-censorship and, in some cases, to the cloture or sale of their licenses⁴⁴. Horacio Jaunarena, the Argentinean former minister of defence, has alerted to the possibility for media companies in Argentina to overlap their colleagues in Venezuela. In fact, Argentina seems to follow the Latin America media trend in the proliferation of community broadcasting. In an article from the *Clarín* on April 2013, the minister pointed out a list of characteristics that match in the two countries: in addition to judicial reform and corruption, we find the appropriation of media companies and the attacks to the rebels media. The emphasis of words worried about the consolidation of an unhealthy democracy through the new economic and political model proposed by Cristina Fernández de Kirchner, which is following the example of her colleague in Venezuela⁴⁵. In the occasion of an anti-government demonstration on November 9, 2012, Argentinean public opinion renamed the country "Argenzuela", and accused the President of "dictatorial tendencies"⁴⁶. Renaud Lambert from *Le monde diplomatique* affirmed that, since 2009, Argentina is following the same practices of Venezuelan politics towards media⁴⁷. More ironical on President de Kirchner bias to Chávez administration is Alice Pouyat with her article: "Hugo, apprend-moi à gouverner". She reported an Argentinean caricature of both leaders, in which the Venezuelan president shows his Argentinean colleague the socialist way of governance. But, she hesitates to confirm similarity to the two countries, because of their different cultures and political structures⁴⁸.

The *La Nación* article on November 1st, 2012, insisted on the title "La Argentina está en un proceso similar a Venezuela". The president of

⁴⁴ R. Pellet Lastra, "En la guerra contra los medios, cualquier táctica es válida", p. el mundo.

⁴⁵ H. Jaunarena, "Conviene mirarnos en el espejo de Venezuela", p. 27.

⁴⁶ M. Keller, "Argentines may gain little from media group's breakup".

⁴⁷ R. Lambert, "En Amérique latine, des gouvernements affrontent les patrons de presse", pp. 10-11.

⁴⁸ A. Pouyat, "Hugo, apprend-moi à gouverner", p. Amériques.

Clarín warned that the Argentinean situation is becoming critic and he resumed the question of national policies on cereals market to accuse the government of enforcing its authority through economic control⁴⁹.

From another point of view, Reporters Without Borders organization stated that Venezuela should follow the Argentinean pattern, promoting pluralism, decentralization and balance between different actors⁵⁰. The democratic regulation, as focal argument of the *ley de medios*, is inserted in a larger Latin-American process. Experts affirmed that for the first time civil society interferes in the debate between government and media groups about communication. The participation of non-conventional actors in information coverage reduces state power and oppose to monopolies⁵¹. In this case, freedom of press and freedom of expression are central topics in contention of power in Latin America countries: national press can also be used to gain the consensus of the population, or to disseminate non-accurate information. Broadcasting coverage monopole is a norm, and repressive measures from the governments are regular concerns⁵². As national press has the power to discredit the imagine of authorities, more and more media companies identify themselves with the politi-

⁴⁹ "La Argentina está en un proceso similar a Venezuela", p. política. During Nestor Kirchner government, the newspaper coverage concerning politic was almost very positive until 2008, when the deterioration of the relationship between the *Clarín* and the national government started. At that time, Cristina Fernández administration increased the soy taxes, and she was strongly criticized by press and media. So, she blamed them of supporting farmers, and the subsequent economic measures, such as the allocation of advertising revenues, were seen as intentional acts to damage *Grupo Clarín* and biggest media companies.

⁵⁰ Reporters Without Borders, "Freedom of expression threatened by legislative reforms being rushed through parliament".

⁵¹ S. Marino – G. Mastrini – M. Becerra, "El proceso de regulación democrática de la comunicación en Argentina", p. 16.

⁵² In 2006, the Brazilian *Globo* group detained the 61.5% of broadcasting coverage and the 40.7% of press distribution. The national papers in Chile belong to a single business man: Agustín Edwards. In Venezuela, M. Cisneros group achieves the 67% audience, and in Argentina, *Grupo Clarín* holds 60% of media until last year. R. Lambert, "En Amérique latine, des gouvernements affrontent les patrons de presse", pp. 10-11.

cal opposition. In some cases, they also become involved in military coups.

In the occasion of a meeting of the World Association of Newspapers in Bangkok, both *Clarín* and *La Nación* reported the commentaries of some representatives of the press about the difficulties of national press in Argentina in keeping their independence from the government control. In particular, the delegate of Latin America countries condemned the measures adopted by Casa Rosada, as a gag for independent media; moreover, he encouraged President de Kirchner to put an end to the menaces and attacks towards media⁵³.

The Brazilian newspaper *Folha*, in the article titled “Libertad amenazada” strongly criticized the politics of Argentinean government especially its direct attack to the *Grupo Clarín*. According to the Brazilians, Cristina Fernández de Kirchner is trying to restrain critics and opposition by controlling public and private economy, and judicial power in the country⁵⁴.

“EE.UU. sigue ‘de cerca’ el conflict por la ley de medios” is the title of a *Clarín* article in December 2012, when the journalist reported the worries for an independent press in Argentina, by the American opinion⁵⁵. The new broadcasting law and the generated debate captured also the attention of the UN Special Rapporteur of freedom of expression, Frank La Rue, who has supported the act since it was a draft. While he encouraged the process adopted by the government as an example of suitable conditions for freedom of press in the region, he argued that in Argentina the dispute is becoming personalized, referring to the attention given to the *Grupo Clarín*. Reporting the interview of La Rue with the *Agence France-Press*, the *Clarín* fo-

⁵³ “Advierte la WAN contra los ataques oficiales a la prensa”, p. 8. See also “Reclaman a Cristina que frene los ataques a la prensa independiente”, p. 12.

⁵⁴ O. Andrada, “ADEPA advirtió que la libertad de expresion està degradada”, p. política.

⁵⁵ A. Barón “EE.UU. sigue “de cerca” el conflicto por la ley de medios”, p. política. Some preoccupation seems to come also from the Organization of American States, as the deputy Elisa Carrió observed: “Es increíble lo bien informados que están tanto los funcionarios estadounidenses como los de la OEA. Están siguiendo con muchísima atención”. “Carrió denunció en EE.UU. los ataques a la prensa”, p. 29.

cused on the critics he moved concerning the distribution of official advertising: clear criteria and a fare regulation should be respected as master keys⁵⁶.

Some queries proposed by French press suggest looking ahead what will happen to Argentinean press in the future, if the legal measures adopted will go after the Venezuelan leverage, imposing a real “chavisme” ideology, or not⁵⁷.

5. *The broadcasting law in the Italian press*

Italian newspapers afforded little coverage to the new broadcasting law in Argentina. That said, main Italian blogs provide further information as emerged from an in-depth study into their contents. The results obtained allow to follow how Italian press (printed and online) reacted to and depicted this important development in Argentina’s broadcasting legislation.

In 2009, when the broadcasting law was approved, *Il Foglio* online proposed a similar hypothetical situation in Italy involving *Mediaset* company⁵⁸. Strong was the critic to President de Kirchner portrait as being in conflict with the whole country, not only with a media company⁵⁹. One year later, *Il fatto quotidiano* revisited the subject and clearly exposed the ambiguity of the bill: on one hand, it was perceived as a tool to confront media monopole (in his words «oligarquia mediatica»); on the other hand, it was seen as a threat to free-

⁵⁶ “Medios: preocupa a la ONU la “personalización” de la ley”, p. 16. Also, the Inter-American Press Association (SIP) agreed affirming that the prohibition of private advertising is a weakness on the existence of an independent press, and referred to other similar practices taken by other countries in the region such as Ecuador, Guatemala and Nicaragua.

⁵⁷ A. Pouyat, “Hugo, apprend-moi à gouverner”, p. Amériques.

⁵⁸ *Mediaset* group was the first private media company founded by Silvio Berlusconi in 1993 as the result of a fusion of three channels (Canale 5, Italia 1 and Retequattro), an advertising company and an electronic society. It is controlled by Fininvest holding, a property of Berlusconi’s family, which has more than 40 societies in different countries. Since 1994, the President is Fedele Confalonieri.

⁵⁹ “Il governo Kirchner vara una legge contro la Rep. Argentina”, p. la giornata.

dom of expression. The journalist reported also the worries expressed by the opposition concerning the right to be informed and the use by President de Kirchner of the national press to support her second mandate for the 2011 political election⁶⁰. Then, no reference was made to contemporary Italian situation.

In 2010, a wiretap bill was passed to the Deputy Chamber in Italy, and it was promptly rejected. During the following year scandals involving Italian masonry members, Deputy Enrico Costa presented a new bill inspired by the previous one. The law regulates the use of wiretap by media and press, limiting journalists and editors to publishing phone conversations before the end of the process, and wiretap whole texts. Detention and severe penalties are provided for those who disobey the law. The aim of the bill is to protect personal privacy, and wiretaps can be used only for confirming the crime, not for finding any evidence. But, media and civil societies raised a massive national protest against this amendment. The risk of supporting impunity for serious offence, such as mafia and corruption, is high. Journalists cried for a threat of freedom of information and renamed the bill as “gag law”. As in Argentina, media and press strongly opposed this decision and worried for the freedom of press in the country and the right to be informed⁶¹.

An detailed piece appeared in the online section “Lettere internazionali” of *Il Mulino*, where the news correspondent from Buenos Aires exposed the on-going match between the giant *Clarín* and Casa Rosada. He affirms that the media group is becoming more and more the voice of the opposition in the country and, given its wider diffusion, it is able to influence public opinion. The government is han-

⁶⁰ “Argentina, la riforma dei media che divide. Stop al monopolio o silenziatore alla stampa?”, p. mondo. Cristina Fernández de Kirchner was re-elected for the second time in 2011 with more than 53% of the votes.

⁶¹ Rejected for the second time by the Chamber in 2011, the wiretap bill was presented again in May 2013, following the original text written in 2010 by the current minister of interior Angelino Alfano. The opposition criticized that the law was a desire of the former Italian prime minister, Silvio Berlusconi, linked to personal purposes, in order to cushion later scandals in which he has been involved.

dling this issue applying all sorts of measures, including that of limiting the control of paper production⁶².

It is only at the beginning of 2012 that an expert of Latin America topics on *Il fatto quotidiano* dared to voice a closer point of view of the broadcast law. He discussed what was happening in Argentina against the Italian media background, proving how positive and beneficial a similar law could be in Italy. Moreover, he stressed the importance of making opposition to the media privatization in order to preserve public frequencies (and public consciousness), where also civil society actors can share information coverage⁶³.

From a different point of view, and more incisively, the article appeared on *Linkiesta* website in September 2012 reports on a few days earlier big protest held in Buenos Aires against de Kirchner's administration. The journalist referred to the Argentinean government as a different model of dictatorship and populism and she places emphasis on the sense of frustration felt by the people⁶⁴.

The *Corriere della sera* daily newspaper went further and proposed again the correspondence between Chávez government and the Argentinean administration found in others papers⁶⁵. In the occasion of the Hugo Chávez fourth election, Rocco Cotroneo worried about President de Kirchner's attitude towards injecting «in Argentina massicce dosi di chavismo, in economia e nel rapporto con i media»⁶⁶. On the same trend of commentaries about the dichotomy between Venezuela and Argentina, *La Stampa* reported in November 2012, the national protest in which people complained against nine years of de Kirchner government contradictions⁶⁷. The focus of dis-

⁶² For the first time, the question of *Papel Prensa* is mentioned. F. D. Ragno, "La Presidenta alla guerra dei giornali".

⁶³ The article was found in the blog of a journalist of *Il Fatto quotidiano*. G. Chiesa, "L'etere è ancora un bene comune".

⁶⁴ G. Orione, "L'Argentina scende in piazza: 'Contro la Kirchner e per la libertà'".

⁶⁵ See paragraph 1.

⁶⁶ R. Cotroneo, "E l'ex 'paria' si scopre pieno di alleati", p. 15.

⁶⁷ Argentinean public opinion disappointed executive power choices and direct critics have been moved to the president Cristina de Kirchner. For a detailed account of the manifestation check "ARGENTINE. Manifestations monstres contre la présidente Kirchner", p. monde.

cussion concerned the controversial *ley de medios*, the use of public advertisement to support media pro-government, and the possibility of a third mandate for Cristina Fernández de Kirchner⁶⁸. Marks of “chavism” were found in the overused of “cadena nacional” system on TV by the President de Kirchner⁶⁹. A similar article by the same journalist, referred to the broadcasting law in an overall framework regarding Cristina Fernández de Kirchner approach to the problem of default⁷⁰.

An article on *Il Post* illustrated the polarization of *ley de medios* conflict and reported the commentary of a Spanish journalist, who argued that the broadcasting bill turmoil could hide worse and most important problems⁷¹. Updates about *Clarín* injunction arrived from another blog in December, after the court decision on constitutionality. Critics are moved towards Argentinean government, because of its little tolerance to the opposition voice⁷².

Even if no allusion to contemporary Italian debate on freedom of expression has been done, a faint reference to the legal frame towards media may be found in the *La repubblica* title “Clarín. Il bavaglio della Kirchner che spaventa l'Argentina”⁷³. The journalist recycled the term of gag (*bavaglio*) widely used in Italy to refer to the wiretap bill of June 2011. Nevertheless, the article focuses on the economic damage the *Grupo Clarín* must face if the law will be declared

⁶⁸ E. Guanella, “L'Argentina si ribella alla *presidenta* Kirchner”.

⁶⁹ President de Kirchner does not commonly use press release for official communications. She prefers “cadena nacional” (unified networks message) as its own political mouthpiece, even if it is allowed by the constitution only in case of emergency and disaster situations. Cristina Fernández de Kirchner also prefers sharing opinions and information through twitter platform, in order to reach a larger part of population. She is one of the most followed head of State with more than two million followers. However this attitude risks to limit the direct confrontation with the public opinion, and to reduce official communications to synthetic messages. For a detailed analysis on this subject see C. Pagni, “Le compte Twitter très actif de la présidente Kirchner”.

⁷⁰ E. Guanella, “Kirchner modello Chavez danza sull'orlo del default”.

⁷¹ A. Modica, “Argentina: è scontro sull'informazione”.

⁷² “Il caso Clarín in Argentina”. See also S. Lacunza, “Il Gruppo Clarín all'attacco della legge di Cristina Kirchner”.

⁷³ O. Ciai, “Clarín. Il bavaglio della Kirchner che spaventa l'Argentina”, p. 47.

constitutional, and it worried about the wide appeal this act could have among national press and media. Some measures adopted by Cristina Fernández de Kirchner to silence the opposition press are pointed out, such as the constitutional reform that could allow her to complete a third mandate, and the launch of “Fútbol para todos” campaign⁷⁴.

Increasingly aligned with the media companies cause, *La Stampa* online published in January a noteworthy interview to the executive editor of the *Clarín*. Seen as a symbol of the freedom of information defender in the region, he denounced the affiliation of Argentinean newspapers to the government in name of economic benefits. Questions slanted towards pressures and intimidations that *Clarín* editorial staff suffered, and the ambivalence of a law that promotes freedom of press and produces censure. The director reported also that more and more Argentinean public opinion seems to be involved in the freedom of expression cause, and spontaneous protests are organized. However, to the question related to the dictatorial climate, Kirschbaum replied lowering the tone, but warning about the future of the country if freedom of expression will be not respected⁷⁵.

At the beginning of 2013, *Corriere della sera* mentioned the *ley de medios* for the first time in a long article dedicated to the stormy economic background Argentina is facing, with the high inflation and the announced expulsion from International Monetary Fund (IMF). Journalist exposed a series of examples, from Menem administration to Maradona shows, to accuse Argentineans of being traditional liars. However, in the name of the brotherhood that links the two countries, he claimed an Italian responsibility on this attitude⁷⁶. Two days later, disappointed by the tone of Cotroneo piece, the Argentinean ambassador in Italy replied in few lines underlining the lack of Argentina news on the Italian press in the last years:

⁷⁴ “Fútbol para todos” act restored public licenses for national football championship with a public investment of 150 million Euros. This measure damaged the television rights of *Grupo Clarín*.

⁷⁵ V. Sabadin, “Argentina, a qualcuno non piace il mio Clarín”.

⁷⁶ C. Rocco, “Dai tango bond alle finte statistiche.”, p. 11.

Gentile direttore, da due anni sono l'ambasciatore argentino a Roma, e devo dire che spesso ho notato con dispiacere che le notizie riguardanti il mio Paese, che ha tanti legami di sangue e tradizioni comuni con l'Italia, sono davvero poche.

And he asked more balance in the quality of information, considering the reputation of the journalist in that newspaper⁷⁷.

5.1. *The silence of the Italian press*

The statement of Torquato di Tella is not fortuitous. Previous studies pointed out the scarcity and the lightness of the information coming from Argentina. The few mentions appeared in general framework of the country, characterized in a way that reflects critics to Cristina Fernández de Kirchner's administration, as the main object of depictions. Since the last decade, a part from news concerning sport, economic issues from Argentina have had the major attention of the Italian journalists. In the 2001-2002 default period, Argentina was in the spotlight of news from Latin America, and few years later (2004-2005) newspapers focused on the question of "tango-bond", that was affecting lots of Italian creditors⁷⁸.

The reasons of this lack can be sought in the history of political and economic relationship between the two countries in the last forty years; and even if some surveys confirm this intuition, significant motivations to explain this gap have yet to be uncovered.

Given the massive migration from Italy to Argentina in the past, and the one in the opposite direction in the last century, the two entities look each other through a mirror⁷⁹. In many occasions, journal-

⁷⁷ This article appeared on the last pages of the newspaper. T. Di Tella, "Argentina: invito dell'ambasciatore", p. 37. It is worth mentioning a similar question raised by the Italian ambassador in Argentina one year early in *La Nación*: «En los dos años de mandato transcurridos en la Argentina como embajador de Italia he sido un lector atento de la Nación y muchas veces me impactó la aspereza de los comentarios sobre Italia». He criticized the dissemination of an unfair image of the country and he stressed on the importance of emphasis given by journalist to facts. G. La Tella, "La imagen de Italia", p. cartas de lectores.

⁷⁸ L. Gallinari, "I rapporti tra l'Italia e l'Argentina nella stampa dei due Paesi all'inizio del terzo millennio (2000-2011)", pp. 705-752.

⁷⁹ See the "mirror theory" in *Ibi*, pp. 716-717 and 747-748.

ists and authorities from both countries refer to this connection as a “blood ties”⁸⁰. Social similarities and a brotherhood feeling influenced economic and political relations from both sides. It was significant the reaction of Italy in respect of default situation Argentina was facing in 2001-2002. As member of G8 and IMF, the European country was completely engaged in supporting his Latin American brother to overcome the crisis⁸¹.

The Italian influence in Argentina was evident even in press and printing sector. During dictatorship regime, thanks to the close relationship between the Italian businessman Licio Gelli and the Argentinean masonry, of which leading personality of the country were members, editor *Rizzoli* strengthened its presence in the country. In 1977, through the creation of CREA group (Celulosa Rizzoli Empresas Asociadas), the company obtained the control of *Cellulosa Argentina* industry, which was handling the 35% of national paper production. The joint venture was designed to accomplish the later acquisition of Argentinean *Abril* editor, one of the main newspapers and magazines producer; thus to complete the control of the national press. The consequences of this project combined the political interests of the military chief Emilio Massera, and the hegemony desired by *Rizzoli* group. Meanwhile, general Videla was supporting and facilitating the development of *Papel Prensa* industry through legal basis, promoting an effective State monopole. In 1981, the scandal of P2 lodge in Italy broke out, and both Licio Gelli and the managers of *Rizzoli* group were arrested for fraudulent bankruptcy⁸². Businessman Gelli soon lost his negotiating power and both *Cellulosa Argentina* and *Abril* group collapsed.

Despite (or because) Argentinean and Italian press and politics were so tightly wrapped, after the acquisition of *Abril* company, the *Corriere della sera* newspaper reduced the press coverage dedicated to Argentina. In a new section named “Brevi dall’estero” only short ar-

⁸⁰ *Ibi*, p. 712.

⁸¹ *Ibi*, p. 723.

⁸² For a detailed account of the history of *Rizzoli* editor, the *Corriere della sera* newspaper and the involved of P2 in the Italian press, see G. Mastellarini, *Assalto alla stampa*.

ticles related to sport were published. It is also meaningful to remember the transfer to Brazil in 1976 of the Italian correspondent from Buenos Aires, author of articles on the military repression. Later, he was asked to write no more about Argentina⁸³.

In 1980, the reduction of news from Latin America countries was formalized by *Corriere della sera* in the document *Geografia più stretta: non c'è spazio per il Sudamerica*, presented in the occasion of "Come cambia l'informazione" conference. Articles only focused on economic issues and encouraged private investments in Argentina. Afterwards, the Parliamentary Commission who was investigating on P2 lodge inquiry, states that

è difficilmente contestabile una influenza [della Loggia segreta, Nda] esplicita con la emarginazione di giornalisti scomodi, con servizi agiografici, e con l'attribuzione di scelti incarichi a persone appartenenti alla Loggia. L'ampia analisi effettuata in proposito dal Comitato evidenzia una linea di tendenza che si sviluppa con una pressione continua la quale, pur contrastata sempre dalla professionalità dei giornalisti, riesce spesso a orientare alcuni servizi per dare spazio a persone di area, o per lanciare oscuri messaggi, o per evitare inchieste approfondite su alcune vicende, come risulterà evidente per i servizi concernenti i Paesi Sud Americani⁸⁴.

In 1999, common policies contributed to develop and increase information sharing between the two countries. Due to the high presence of Italians in Argentina, and due to some affinities in style and ideology, *La Repubblica* and *Clarín* signed an agreement according to which the first could be sold as a supplement of the Argentinean newspaper. Afterwards, also *La Nación* contracted the same deal with

⁸³ E. Scarzanella, "La Rizzoli in Argentina", p. 126. A similar request received Enzo Biagi in 1978, when he became the reporter of football world cup in Argentina. He was asked to contain comments on military government in order to not disappoint Argentinean generals. He refused the task. S. Flamigni, *Trame Atlantiche*, pp. 214-217.

⁸⁴ *Ibi*, pp. 214-217. This statement was also confirmed by a survey of F. Rocchi, "Il regime militare argentino (1976-1983) nella stampa italiana", published in *24Marzo* website. In particular he confirmed that *Corriere della sera* demonstrated indifference in regards of the most critical years of Argentina.

the *Corriere della Sera* newspaper⁸⁵. If this measure could help improving the mutual image of both countries, recent surveys confirm that they still demonstrate a superficial knowledge of each other, usually grounded on stereotypes⁸⁶. During tango-bond issue, Italy showed a certain supremacy attitude in regards of Argentina. Commentaries in the Italian press, concerning the economic crisis, contributed to worsen the relationship between the two countries⁸⁷. A negative imagine of Argentina, as a poor country affected by social crisis and coping investors pressures, was disseminated. Government presented misleading information on inflation rates and adopted economic strategies to not regulate the debits to Italian creditors. Disappointed by the last two governments policies, newspapers accused Argentina of telling “bugie creative” to confuse foreign partners⁸⁸.

The silence of the Italian press regarding specific news from Argentina, and wider from Latin America, was pointed out in several articles appeared on *l'Unità* in 2007. In the same year, international prosecutions against the military junta members, responsible of human rights violation during dictatorship, were starting in Argentina and in Europe. Stories of disappeared persons came out, as well as the shame of the silence of the international community. In Italy, political authorities were accused of supporting economically the military junta. The depiction of an Italian family escaped from the persecutions, was the pretext for the journalist of *l'Unità* to remember the involvement of P2 lodge into the Argentinean dictatorship⁸⁹. In the article “Notizie silenziose”, the journalist criticized the choice of the

⁸⁵ “Il governo Kirchner vara una legge contro la Rep. Argentina”.

⁸⁶ L. Gallinari, “I rapporti tra l'Italia e l'Argentina.”, p. 729.

⁸⁷ *Ibi*, p. 731. The political crisis between the two counties was also reported on the Argentinean press. *Ibi*, p. 736.

⁸⁸ R. Cotroneo, “Dai tango bond alle finte statistiche”, p. 11.

⁸⁹ “Non doveva essere facile perché la dittatura argentina veniva coccolata dai giornali e dalle Tv italiane. La Rizzoli della P2 appoggiava il regime in divisa. A Buenos Aires il suo Il Corriere degli italiani imbrogliava milioni di italo - argentini invitandoli a difendere la civiltà dei militari, «protettori della Chiesa minacciata dal comunismo dei sovversivi». L'ipocrisia imbrigliava noi che raccontavamo quei paesi”. M. Chierici, “Un Natale in fuga”, p. 25.

Italian press of publishing certain news instead of others. He reported that, the diffusion of specific information converts readers in voyeurs, and is aimed to remove attention to the real problems⁹⁰.

The second mandate of Cristina Fernández de Kirchner in Argentina seemed to unwind the relations between the two countries. National authorities from both sides gathered the political dialogue and in 2011 the Italian foreign minister visited Argentina for the first time after ten years of shelved interactions⁹¹. In the same period, legal measures towards medias were proposed in both countries and freedom of expression issue was in the spotlight of press. However, no significant changes in Italian press coverage concerning Argentina were highlighted: main news still concerns sport, entertainments, economy, and the Argentinean Pope.

6. Conclusion

To try and elaborate an accurate explanation of the limited space dedicated to Argentina by Italian press and the superficiality of dissertations is a compelling exercise in the present circumstances. Suspicious political affairs linked to the dictatorship are no more sufficient to justify this lack, and connection among national presses and private companies of both countries are more intertwined then it seems⁹².

Relationships between Argentina and Italy are ambiguous, swinging from a necessary dependence to a strong competition. On the one hand, Italian economic purposes in Argentina can influence the dissemination of certain news rather than others. Although *tango-bond*

⁹⁰ M. Chierici, "Notizie silenziose", p. 25.

⁹¹ L. Gallinari, "I rapporti tra l'Italia e l'Argentina.", p. 737.

⁹² It may be an example the deal between Telecom Argentina and Telecom Italia at the end of 2010, when the European group took the control of the Argentinean one. It is the biggest company offering for the first time a triple play (internet, cable TV and phone), and it seems also to have treated with Cablevisión and Multicanal, property of *Grupo Clarín*. See A. Olivieri, "Telecom firma l'accordo con il governo argentino". See also, R. Da Rin, "Telecom, si apre il caso Argentina", p. finanza e mercati.

grudges are not solved yet, investors need positive trends and an reassuring image of Argentinean market. On the other hand, it is also possible that editorial policies, such as “Brevi dall’estero”, maybe hiding political interests, are still on-going.

Even if Italian and Argentinean governments are adopting different legal measures to ensure the respect of human rights, in both countries protests supporting the freedom of press and expression emphasized the ambiguity of political decisions. The respect of democracy is ensured through the fulfilment of rights, and the work of an independent press is crucial at this stage. Journalists stressed on the importance of making correct information, however it may happen that they turn themselves into the voice of opposition condemning public administration frauds and privileges. In this sense, public institutions, as press and media, may affect the communication field and influence public opinion⁹³. It is interesting to observe how market forces and power differentials affect the free exchange of ideas⁹⁴. More widely, the impact of the privatization process of media frequencies threatens to make the interests of political parties and private companies⁹⁵. Some experts argued that, in this case, national governments become less tolerant with critical information⁹⁶. That is why, promoting the broadcast frequencies to public service level may be a way of limiting dissident press.

In any case of concentration of information tools, the control of national press is aimed to reoriented the attention and the social conscience of the public⁹⁷. The press, as instrument of events dissemination, has the role to illustrate the reality, but also the power of shaping the images. In this regard, the lapse of certain information in the Italian press may be seen as a strategy of choice in spreading selected

⁹³ J. Bohman, “The division of labor in democratic discourse: media, experts, and deliberative democracy”, in S. Chambers – A. Costain (eds), *Deliberation, democracy, and the media*, p. 47.

⁹⁴ *Ibi*, p.xi.

⁹⁵ In Italy, the overlap of the main private media company ownership (*Mediaset*) and the Prime Minister political office in the person of Silvio Berlusconi, was a clear example of conflict of interests.

⁹⁶ M. Calabresi, “Quella libertà di stampa diversa a ogni latitudine”, p. esteri.

⁹⁷ A. Aharonian, “Clarintina”.

news instead of others. A further analysis of the editorial policies concerning Argentina, and Latin America, needs to be developed in order to find the reasons of this lack. If not, it is interesting to understand why some issues are considered less relevant than other. Even so, this could be the aim of a future survey.

7. Bibliography

Sources

- "Advierte la WAN contra los ataques oficiales a la prensa", in *La Nación*, 03/06/2013, p. 8, <<http://www.lanacion.com.ar/1587996-advierte-la-wan-contra-los-ataques-oficiales-a-la-prensa>> (November 18, 2013).
- "Argentina, la riforma dei media che divide. Stop al monopolio o silenziatore alla stampa?", in *Il fatto quotidiano*, 10/09/2010, p. mondo, <<http://www.ilfattoquotidiano.it/2010/09/10/argentina-la-riforma-dei-media-che-dividestop-al-monopolio-o-silenziatore-alla-stampa/58662/>> (November 18, 2013).
- "ARGENTINE. Manifestations monstres contre la présidente Kirchner", in *Le Nouvel Observateur*, 09/11/2012, p. monde, <<http://tempsreel.nouvelobs.com/monde/20121109.OBS8771/argentine-manifestations-monstres-contre-la-presidente-kirchner.html>> (November 18, 2013).
- "Carrió denunció en EE.UU. los ataques a la prensa", in *Clarín*, 14/06/2013, p. 29, <http://www.clarin.com/politica/Carrio-denuncio-EEUU-ataques-prensa_0_937706296.html> (November 18, 2013).
- "Diputados K impulsan un proyecto de ley para expropiar Papel Prensa", in *Clarín*, 10/05/2013, p. 18, <http://www.clarin.com/politica/Diputados-proyecto-expropiar-Papel-Prensa_0_916708393.html> (November 18, 2013).
- "Dura crítica de la SIP al proyecto para expropiar Papel", in *Clarín*, 12/05/2013, p. 24, <http://www.clarin.com/politica/Dura-SIP-expropiar-Papel-Prensa_0_917908285.html> (November 18, 2013).
- "El gobierno presiona por la ley de medios", in *La Nación*, 26/06/2013, pag. 11, <<http://www.lanacion.com.ar/1595508-el-gobierno-presiona-por-la-ley-de-medios>> (November 18, 2013).

- “La Argentina está en un proceso similar a Venezuela”, in *La Nación*, 01/11/2012, p. política, <<http://www.lanacion.com.ar/1522540-la-argentina-esta-en-un-proceso-similar-a-venezuela>> (November 18, 2013).
- “La Corte declaró que la ley de medios es constitucional”, in *Clarín*, 30/10/2013, p. 1, <http://www.clarin.com/politica/Corte-declaro-ley-medios-constitucional_0_1020497944.html> (December 16, 2013).
- “Ley de medios: Prorrogaron la medida cautelar hasta una sentencia definitiva”, in *Clarín*, 07/12/2012, p. 1, <http://www.clarin.com/politica/Prorrogaron-medida-cautelar-sentencia-definitiva_0_824317-603.html> (November 18, 2013).
- “Llaman a una protesta mundial por los ataques del Gobierno a la prensa”, in *La Nación*, 12/10/2012, p. política, <<http://www.lanacion.com.ar/1516554-llaman-a-una-protesta-mundial-por-los-ataques-del-gobierno-a-la-prensa>> (November 18, 2013).
- “Medios: preocupa a la ONU la ‘personalización’ de la ley”, in *Clarín*, 08/06/2013, p. 16, <http://www.clarin.com/politica/Medios-preocupa-ONU-personalizacion-ley_0_934106692.html> (November 18, 2013).
- “Nueva ofensiva oficial sobre Clarín”, in *La Nación*, 23/09/2012, p. política, <<http://www.lanacion.com.ar/1511054-nueva-ofensiva-oficial-sobre-clarin>> (November 18, 2013).
- “Reclaman a Cristina que frene los ataques a la prensa independiente”, in *Clarín*, 03/06/2013 p. 12, <http://www.clarin.com/politica/Reclaman-Cristina-ataques-prensa-independiente_0_931106916.html> (November 18, 2013).
- “Repudio de ADEPA al proyecto para expropiar Papel Prensa”, in *Clarín*, 11/05/2013, p. 22, <http://www.clarin.com/politica/Repudio-ADEPA-expropiar-Papel-Prensa_0_917308401.html> (November 18, 2013).
- “Sabbatella pidió a la Corte que habilite la feria para que se defina la ley de medios”, in *La Nación*, 28/12/2012, p. política, <<http://www.lanacion.com.ar/1541084-sabbatella-pedira-a-la-corte-que-habilite-la-feria-para-que-se-defina-la-ley-de-medios>> (November 18, 2013).
- Andrada, Orlando, “ADEPA advirtió que la libertad de expresión está degradada”, in *La Nación*, 29/09/2012, p. política, <<http://www.lanacion.com.ar/1511054-adepa-advirtio-que-la-libertad-de-expresion-esta-degradada>> (November 18, 2013).

- [.lanacion.com.ar/1512838-adepe-advirtio-que-la-libertad-de-expressio-esta-degradada](http://www.lanacion.com.ar/1512838-adepe-advirtio-que-la-libertad-de-expressio-esta-degradada)> (November 18, 2013).
- Barón, Ana. "EE.UU. sigue "de cerca" el conflicto por la ley de medios", in *Clarín*, 07/12/2012, p. política, <http://www.clarin.com/politica/EEUU-sigue-cerca-conflicto-medios_0_8243176-15.html> (November 18, 2013).
- Calabresi, Mario. "Quella libertà di stampa diversa a ogni latitudine", in *La Stampa*, 03/05/2013, p. esteri, <<http://www.la-stampa.it/2013/05/03/esteri/quella-liberta-di-stampa-diversa-a-ogni-latitudine-ar5GskphBpnAZwkQRIBHoK/pagina.html>> (November 6, 2013).
- Chierici, Maurizio. "Notizie silenziose", in *l'Unità*, 11/06/2007, p. 25, <<http://cerca.unita.it/ARCHIVE/xml/230000/228247.xml?key=parma+da+bere&first=31&orderby=1>> (October 15, 2013).
- Chierici, Maurizio. "Un Natale in fuga", in *l'Unità*, 17/12/2007, p. 25, <<http://cerca.unita.it/ARCHIVE/xml/250000/246259.xml?key=Massera&first=31&orderby=0>> (October 15, 2013).
- Ciai, Omero. "Clarín. Il bavaglio della Kirchner che spaventa l'Argentina", in *La repubblica*, 07/12/2012, p. 47, <<http://ricerca.repubblica.it/repubblica/archivio/repubblica/2012/12/07/clarin-il-bavaglio-della-kirchner-che-spaventa.html>> (November 5, 2013).
- Cotroneo, Rocco. "Dai tango bond alle finte statistiche. Le bugie «creative» dell'Argentina", in *Corriere della sera*, 04/02/2013, p. 11, <http://www.corriere.it/esteri/13_febbraio_04/dai-tango-bond-alle-finte-statistiche-le-bugie-creative-dell-argentina-rocco-cotroneo-bc471f66-6e97-11e2-87c0-8aef4246cdc1.shtml> (November 13, 2013).
- Cotroneo, Rocco. "E l'ex «paria» si scopre pieno di alleati", in *Corriere della sera*, 09/10/2012, p. 15, <http://archiviostorico.corriere.it/2012/ottobre/09/paria-scopre-pieno-alleati-co_0_20121009_295701a8-11d1-11e2-995a-713d29b97925.shtml> (November 18, 2013).
- Crettaz, José. "Obligan al Gobierno a distribuir equitativamente la pauta oficial", in *La Nación*, 07/06/2013, p. política, <<http://www.lanacion.com.ar/1589474-obligan-al-gobierno-a-distribuir-equitativamente-la-pauta-oficial>> (November 18, 2013).
- Da Rin, Roberto. "Telecom, si pare il caso Argentina", in *Il Sole 24 Ore*, 03/01/2009, p. finanza e mercati, <<http://www.ilsole24ore.com/art/SoleOnLine4/Finanza%20e%20Mercati/2009/01/telecom-caso->

- [argentina.shtml?uuid=722041e2-d97c-11dd-a87>](#) (December 13, 2013)
- Di Tella, Torquato. "Argentina: invito dell'ambasciatore", in *Corriere della sera*, 06/02/2013, p. 37, <http://archiviostorico.corriere.it/20-13/febbraio/06/Interventi_amp_Repliche_co_0_20130206_72326db8-7027-11e2-8d35-2887930bcc9c.s> (November 13, 2013).
- Guanella, Emiliano. "Kirchner modello Chavez danza sull'orlo del default", in *La Stampa*, 02/12/2012, <http://archivio.lastampa.it/La-StampaArchivio/main/History/tmpl_viewObj.jsp?objid=12044915> (November 6, 2013).
- Guanella, Emiliano. "L'Argentina si ribella alla presidenta Kirchner", in *La Stampa*, 10/11/2012, <http://archivio.lastampa.it/LaStampa-Archivio/main/History/tmpl_viewObj.jsp?objid=12038326> (November 6, 2013).
- Hauser, Irina. "No se ve afectada la libertad de expresión", in *Página 12*, 15/12/2012, p. el país, <<http://www.pagina12.com.ar/diario-/elpais/1-209947-2012-12-15.html>> (November 18, 2013).
- Hauser, Irina. "Para el fiscal "debe desecharse" la inconstitucionalidad", in *Página 12*, 12/12/2012, p. el país, <<http://w-ww.pagina12.com.ar/diario/elpais/1-209696-2012-12-12.html>> (November 18, 2013).
- Jaunarena, Horacio. "Conviene mirarnos en el espejo de Venezuela", in *Clarín*, 23/04/2013, p. 27, <http://www.clarin.com/opinion/Conviene-mirarnos-espejo-Venezuela_0_906509425.html> (November 18, 2013).
- Kirschbaum, Ricardo. "El próximo paso del nuevo régimen es callar al periodismo", in *Clarín*, 12/05/2013, p. 3, <http://www.clarin.com-/opinion/proximo-nuevo-regimen-callar-periodismo_0_917908264-.html> (November 18, 2013).
- Laborda, Fernanso. "Un verdadero monopolio estatal", in *La Nación*, 10/05/2013, p. 1, <<http://www.lanacion.com.ar/1580643-un-verdadero-monopolio-estatal>> (November 18, 2013).
- Lambert, Renaud. "En Amérique latine, des gouvernements affrontent les patrons de presse", in *Le monde diplomatique*, décembre 2012, pp. 10-11, <<http://www.monde-diplomatique.fr/2012/12/LAMBERT/48471>> (November 18, 2013).

- La Tella, Guido. "La imagen de Italia", in *La Nación*, 20/01/2012, p. cartas de lectores, <<http://www.lanacion.com.ar/1441907-cartas-de-lectores>> (December 3, 2013).
- Legrand, Christine. "En Argentine, la justice suspend le démantèlement du groupe Clarín", in *Le monde*, 08/12/2012, <http://www.lemonde.fr/ameriques/article/2012/12/08/argentine-l-a-justice-suspend-le-demantelement-du-groupe-clarin_1801941_3-222.html> (November 18, 2013).
- Legrand, Christine. "En Argentine, l'indépendance a mauvaise presse", in *Le Monde*, 27/04/2013, <http://www.lemonde.fr/international/article/2013/04/26/en-argentine-l-independance-a-mauvaise-presse_3167352_3210.html> (November 18, 2013).
- Mathus Ruiz, Rafael. "La inquietud por la situación de los medios argentinos llegó a Columbia", in *La Nación*, 04/05/2013, p. 14, <<http://www.lanacion.com.ar/1578866-la-inquietud-por-la-situacion-de-los-medios-argentinos-llego-a-columbia>> (November 18, 2013).
- Obarrio, Mariano. "El Gobierno no avanzará aún contra Clarín", in *La Nación*, 16/12/2012, p. política, <<http://www.lanacion.com.ar/1537549-el-gobierno-no-avanzara-aun-contra-clarin>> (November 18, 2013).
- Obarrio, Mariano. "Scioli exaltó la libertad de expresión y dio otra señal de autonomía", in *La Nación*, 05/06/2013, p. 1, <<http://www.la-nacion.com.ar/1588769-scioli-exalto-la-libertad-de-expresion-y-dio-otro-gesto-de-autonomia>> (November 18, 2013).
- Pellet Lastra, Ramiro. "En la guerra contra los medios, cualquier táctica es válida", in *La Nación*, 03/10/2012, p. el mundo, <<http://www.lanacion.com.ar/1513751-en-la-guerra-contra-los-medios-cualquier-tactica-es-valida>> (November 18, 2013).
- Pouyat, Alice. "Hugo, apprends-moi à gouverner", in *Courrier international*, 02/10/2012, p. Amériques, <<http://www.courrierinternational.com/article/2012/10/02/hugo-apprends-moi-a-gouverner>> (November 18, 2013).
- Riskin, Marta. "La libertad, esa tensión", in *Página12*, 27/12/2012, p. la ventana, <<http://www.pagina12.com.ar/diario/laventana/26-210572-2012-12-26.html>> (November 18, 2013).

- Rodríguez Simón, Fabián. “Los plazos de la ley de medios”, in *La Nación*, 18/09/2012, p. opinión, <<http://www.lanacion.com.ar/1509355-los-plazos-de-la-ley-de-medios>> (November 18, 2013).
- Sanguinetti, Luciano. “Por todo”, in *Página12*, 29/08/2012, p. la ventana, <<http://www.pagina12.com.ar/diario/laventana/26-202113-2012-08-29.html>> (November 18, 2013).
- Ventura, Adrián. “Con disidencias internas, avanza el plan de la CNV contra Clarín”, in *La Nación*, 13/05/2013, p. 8, <<http://www.lanacion.com.ar/1581440-con-disidencias-internas-avanza-el-plan-de-la-cnv-contra-clarin>> (November 18, 2013).
- Verón, Mariana. “Sabbatella conducirá el ente que aplicará la ley de medios”, in *La Nación*, 18/09/2012, p. política, <<http://www.lanacion.com.ar/1509449-sabbatella-conducira-el-ente-que-aplicara-la-ley-de-medios>> (November 17, 2013).

Literature

- Bocca, Giorgio. *Il padrone in redazione*, Milano, Sperling & Kupfer Editori, 1989.
- Chambers, Simone – Costain, Anne (eds). *Deliberation, democracy, and the media*, USA, Rowman & Littlefield Publishers, 2000.
- Flamigni, Sergio. *Trame Atlantiche*, Milano, Kaos edizioni, 2005.
- Gallinari, Luciano. “I rapporti tra l’Italia e l’Argentina nella stampa dei due Paesi all’inizio del terzo millennio (200-2011)”, in *RiMe. Rivista dell’Istituto di Storia dell’Europa Mediterranea*, n. 6, giugno 2011, pp. 705-752, <http://rime.to.cnr.it/2012/RIVISTA/N6/2011-RIVISTA_2011/RiMe_06_2011.pdf> (November 18, 2013).
- Hussain, Abid. *Promotion and protection of the right to freedom of opinion and expression*, UN Economic and Social Council, 14 December 1994, <<http://www.unhchr.ch>>.
- International Press Institute, *World Press Freedom Review – Focus on the Americas*, 2010, <<http://www.freemedia.at/publications/mission-reports.html>> (November 18, 2013).
- Marino, Santiago – Mastrini, Guillermo – Becerra, Martín. “El proceso de regulación democrática de la comunicación en Argentina”, in *Oficios terrestres*, n. 25, 2010, pp. 11-24.
- Marvulli, Roberto. *L’analisi statistica areale del contenuto sui quotidiani*, Milano, Franco Angeli, 2003.

Mastellarini, Gabriele. *Assalto alla stampa*, Bari, Edizioni Dedalo, 2004.
Scarzanella, Eugenia. "La Rizzoli in Argentina", in *Nuova Storia Contemporanea*, n. 5, Firenze, settembre-ottobre 2011, pp. 115-132, <www.historiapolitica.com> (November 18, 2013).

Online literature

<https://www.youtube.com/watch?v=6IL86z_Q-W8>.

"Il caso Clarín in Argentina", *Il post*, 08/12/2012, <<http://www.ilpost.it/2012/12/08/il-caso-clarin-in-argentina>> (November 6, 2013).

"Il governo Kirchner vara una legge contro la Rep. Argentina", *Il Foglio*, 06/10/2009, <<http://www.ilfoglio.it/soloqui/3516>> (November 17, 2013).

"La nueva Ley de Medios, punto por punto", 07/09/2010, <www.asociaciondeprensa.com> (November 18, 2013).

Aharonian, Aram. "Clarintina", *América Latina en Movimiento*, 07/12/2012, <<http://alainet.org/active/60145&lang=es>> (November 18, 2013).

Chiesa, Giulietto. "L'etere è ancora un bene comune", *Il fatto quotidiano*, 11/01/2012, <<http://www.ilfattoquotidiano.it/2012/01/11/letere-ancora-bene-comune/182858/>> (November 11, 2013).

Fabrizio Rocchi, "Il regime militare argentine (1976-1983) nella stampa italiana", *24Marzo.it*, <http://www.24marzo.it/index.php?-module=pagemaster&PAGE_user_op=view_page&PAGE_id=139> (October 15, 2013).

Keller, Mark. "Argentines May Gain Little from Media Group's Breakup", 4/12/2012, <<http://www.freedomhouse.org/blog/argentines-may-gain-little-media-group%E2%80%99s-breakup>> (November 18, 2013).

Lacunza, Sebastián. "Il Gruppo Clarín all'attacco della legge di Cristina Kirchner", 29/11/2012, <<http://sebastianlacunza.blogspot.it/-2012/11/il-gruppo-clarin-allattacco-della-legge.html>> (November 6, 2013).

Modica, Alessandra. "Argentina: è scontro sull'informazione", *Il Journal*, 30/11/2012, <<http://www.iljournal.it/2012/argentina-la-battaglia-piu-importante/413680>> (November 6, 2013).

Olivieri, Antonella. "Telecom firma l'accordo con il governo argentino", *Il sole 24 ore*, 14/10/2010, <<http://www.ilsole24ore.com>>

- [/art/finanza-e-mercati/2010-10-14/telecom-firma-accordo-governo-092506.shtml?uuid=AY9BorZC&fromSearch](#)> (December 13, 2013).
- Orione, Gabriela. "L'Argentina scende in piazza: "Contro la Kirchner e per la libertà"", *Linkiesta*, 16/09/2012, <<http://www.linkiesta.it/Cristina-Kirchner-buenos-aires-argentina-liberta>> (November 18, 2013).
- Pagni, Carlos. "Le compte Twitter très actif de la présidente Kirchner", *Courrier International*, 18/02/2013, <<http://www.courrier-international.com/article/2013/02/18/le-compte-twitter-tres-actif-de-la-presidente-kirchner?page=all>> (November 18, 2013).
- Ragno, Francesco Davide. "La Presidenta alla guerra dei giornali", *Il Mulino*, 08/10/2010, <http://www.rivistailmulino.it/news/news-item/index/Item/News:NEWS_ITEM:691> (November 18, 2013).
- Reporters Without Borders. "Freedom of expression threatened by legislative reforms being rushed through parliament", 22/12/2010, <<http://en.rsf.org/venezuela-freedom-of-expression-threatened-22-12-2010,39132.html>> (November 18, 2013).
- Reporters Without Borders. "Last-minute court ruling delays application of new broadcasting law", 07/12/2012, <<http://www.rsf.org/argentina-new-law-will-benefit-media-06-12-2012,43769.-html>> (18 November 2013).
- Sabadin, Vittorio. "Argentina, a qualcuno non piace il mio Clarín", *La Stampa*, 25/01/2013, <<http://www.lastampa.it/2013/01/25/cultura/argentina-a-qualcuno-non-piace-il-mio-clarin-mwVaMChHTOn-AK9VxRmgTZO/pagina.html>> (November 6, 2013).

