

DEMOCRACY AND HUMAN RIGHTS

THE STATE OF FREEDOM OF INFORMATION IN ITALY

A difficult 2024 and the analysis of future prospects

Luca Bagnariol
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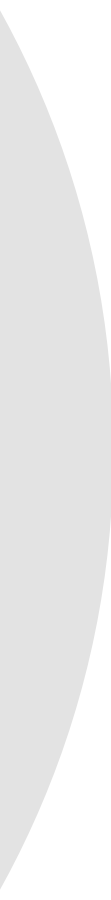
The state of health of Italy's freedom of information has become one of the central topics of the Italian public debate during 2024.



The scandals and events involving RAI (Radiotelevisione Italiana – the exclusive concessionary company of the public radio and television service in Italy) and the private sector of journalistic publishing have shown that the current system of governance of Italy's media supply exposes the country to the risk of increasing pressure from the political world and the giants of the Italian economy.



International reports show the growing mistrust of readers towards the national media: a phenomenon that is directly linked to the economic crisis affecting the sector. Only a series of reforms that address the problems of the national media system can attempt to resolve the situation.



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THE STATE OF FREEDOM OF INFORMATION IN ITALY

A DIFFICULT 2024 AND THE ANALYSIS OF FUTURE PROSPECTS

Among the topics that have characterised the Italian public debate over the past year, the state of freedom of information has occupied a central space on the national political agenda. It is no coincidence that a large chapter of the European Commission's Rule of Law Report, the annual report in which the highest continental institution expresses its recommendations and concerns to the member states, is dedicated to this topic. Topics such as the 'reform on defamation and on the protection of professional secrecy and journalistic sources' and the strengthening of 'mechanisms to ensure adequate funding of public service media for the fulfilment of their public service mission and to guarantee their independence' represent two of the main themes of the Commission's report on Italy for 2024. Similar concerns also emerge concretely in the international reports promoted by the associations actively involved in monitoring the health of national information systems. In the annual ranking drawn up by *Reporters Without Borders* on the state of freedom of information in the global scenario, Italy occupies the forty-sixth position, with a worsening of five positions compared to 2023. The report by the *Centre for Media Pluralism and Media Freedom* also points to growing concerns about the political and economic pressures suffered by the Italian media.

The picture that emerges from these reports is particularly problematic: the growth of political pressures on the national information system and the general crisis that has hit the newspaper publishing sector in the last decade have only exacerbated the structural problems that have always characterised the Italian media system, both in the public and private sectors. A brief overview of the sector's governance systems allows us to better understand the current situation.

GOVERNANCE OF THE ITALIAN MEDIA SYSTEM

Starting with the public broadcasting system, since 1975 the RAI's governance reforms have exponentially increased the interference of the Italian political-parliamentary system in the national networks. The RAI reform of 1975, which marked the transfer of control of the public service from the government to Parliament through the establishment of the Parliamentary Commission for the General Direction and Supervision of Radio and Television Services, started the process of the *allotment* of the company's radio and television channels, a term used to indicate the division of these among the Italian political forces on the basis of previous

election results. The weight of national politics on RAI was again reinforced with the 2015 reform for the renewal of the company's governance. Indeed, Law No. 220 provides for a change in the composition of the company's Board of Directors, which is now composed of seven members (as opposed to the previous nine): four appointed by the Chamber of Deputies and the Senate, two appointed by the Council of Ministers (on the proposal of the Minister of Economy and Finance) and a single member elected by the employees' assembly. As currently structured, the unbalance in favour of appointments by politicians in the composition of the RAI board of directors is the main lever for increasing its influence on the programming and editorial line of its channels, to the detriment, however, of a greater decision-making weight of the RAI employees themselves.

The private newspaper publishing sector faces quite different difficulties. The crisis that has hit the sector over the last decade, due to a general drop in sales and accompanied by the collapse of advertising sales, has led to the end of the experience of pure publishers at the helm of the main Italian newspapers. This has allowed some of the country's leading economic-financial groups, which have their own set of political-economic interests beyond the mere publishing business, to acquire the most important Italian newspapers. Transactions facilitated, moreover, by the absence of legislation regulating conflicts of interest, with current legislation regulating incompatibility only in the context of public offices. Among the main cases, the Exor Group's acquisition of *GEDI Gruppo Editoriale*, which includes newspapers such as *Repubblica*, *La Stampa* and the *Secolo XIX*, in April 2020 is worth mentioning, with the Elkann family taking over the company from the hands of the De Benedetti family, which had been active in the publishing business for decades. Another relevant case is the acquisition by the health tycoon and Leghist senator Antonio Angelucci of the main newspapers that are politically linked to the Italian centre-right: *Libero*, *Il Giornale* (bought by the Berlusconi family in 2023) and *Il Tempo*. In both cases, the new owners made profound changes to the editorial lines of the acquired newspapers in order to preserve their own political-economic interests. As a further effect of this new structure of the Italian publishing groups, many of the new owners, with a view to cutting costs, opted to sell the local newspapers in their groups, which were then purchased by entrepreneurial groups with strong economic interests rooted in the territories in which the newspapers were based. This trend has seen GEDI as the main player, as in the case of the sale of the

newspapers *Il Corriere delle Alpi*, *Il Piccolo*, *Messaggero Veneto* - *Giornale del Friuli*, *La Nuova di Venezia e Mestre*, *Il Mattino di Padova* and *La Tribuna di Treviso*, all operating in northeastern Italy, to Nord Est Multimedia S.p.a., a publishing company supported by various entrepreneurs in the area headed by the figure of Enrico Marchi, who with Save manages the airports of Venice, Verona, Treviso and Brescia.

This trend in the Italian publishing market is having a profound impact on the activity and independence of editorial offices, which are increasingly exposed to the influence of their publishers, intent on safeguarding their economic interests through the use of printed paper.

2024: THE YEAR OF THE CRISIS

While it is true that these trends have seen the Italian press as a protagonist for years, there is no doubt that 2024 was the year in which the debate on the state of information in Italy reached an unprecedented centrality within the national public discourse. This novelty was mainly due to a series of episodes that occurred over the course of the year, affecting both the RAI and the private sector of journalistic publishing. One of the most striking cases involved the writer Antonio Scurati, who on the occasion of the celebration of 25 April was supposed to read his own monologue during the programme *CheSarà*, hosted by Serena Bortone. It was the presenter herself who later denounced RAI's decision to cancel the speech, due to the presence in Scurati's text of harsh words against the Meloni government, accused by the writer of wanting to 'rewrite history' and not recognising the centrality of resistance values for the Italian Republic. Both the company's management and the Prime Minister denied Bortone and Scurati's version of events, claiming that the cancellation of the speech was based solely on an economic assessment, due to the excessive remuneration demanded by the writer for participation. Both Scurati and Bortone denied the RAI management's version, with the author granting the text free of charge to the programme so that the presenter could read it live. The controversy returned with force after Rai's decision to suspend the presenter, with CEO Roberto Sergio stating that 'Serena Bortone should be fired' for what she had done. This was not, however, the case that upset the national broadcasting system the most. On 6 May, USIGRai, the company's trade union organisation for journalists, called a 24-hour strike. In the communiqué published by the union, the choice of the strike is explained as follows: 'We are striking to defend the autonomy and independence of public service broadcasting from the pervasive control of information spaces by politics. We will continue to fight to ensure that you, the viewers, have the right to be informed in a balanced, reliable and plural way. We will always be on the side of the citizens to whom Rai belongs'. This is a historic event: for the first time, the debate on the influence of politics in the work of Rai's editorial offices sees a clear stance taken by the company's employees themselves. Even in this case, the reaction of the Rai management was not long in coming: in its reply, the company denied the existence of any form of censorship, calling

on the union not to spread fake news that could damage the company's image. The USIGRai decided to continue on its way, obtaining the participation of 75% of RAI journalists in the strike. In response, the Unirai association, which gathers the part of workers politically close to the right, managed to gather the minimum number of journalists to be able to air the editions of Tg1 and Tg2 of the day, in an attempt to boycott the strike itself. The incident has only reinforced the controversy over the influence of the Meloni government on the national public service, which can be summed up in the term '*Telemeloni*', coined by the press and opposition parties to indicate the pro-executive narrative promoted especially by the first national television network. It was not only Tg1 that ended up at the centre of the controversy: the all news channel of the public broadcasting service, Rai News 24, was also harshly contested, on the occasion of its coverage of the election results of the French legislative elections on 7 July. On that occasion, the channel had decided to open its 10pm edition with a link from the Festival delle Città Identitarie in Pomezia, where director Paolo Petrecca was also present, delaying coverage of the results of the second round of the French elections, which had seen the surprise imposition of the Nouveau Front Populaire left-wing coalition. The editorial board of Rainews24 later published a harsh note condemning Petrecca's decision: 'In the past,' the note continued, 'our newspaper used to deploy all its resources to guarantee an impeccable service to users on similar occasions. We would ask the editor how it is possible to provide a different kind of in-depth coverage when all the TV stations on the continent have their eyes on the elections on the other side of the Alps. One would think that the director would prefer not to devote too much space to the right-wing debacle. Petrecca considers it appropriate, on an evening like this, to give space to an event that is not free of personal interests and connections. A choice that qualifies the drift that the newspaper has taken for some time and for which we feel indignant'.

While the controversy over RAI is still raging, the private sector of journalistic publishing has also seen an increase in protests from its readers, who are increasingly impatient with information that is considered biased and guided solely by the economic interests of its publishers. One of the issues that has most sparked readers' controversy is the coverage of Israeli military operations inside the Gaza Strip, with almost all Italian newspapers accused of reporting in a decidedly pro-Israel manner. One of the most contested newspapers, in this sense, is certainly *Repubblica*. Criticism of the newspaper's coverage of events in Gaza has not only come from readers, but has also been voiced by members of its editorial staff, as in the case of journalist Raffaele Oriani's decision to interrupt his collaboration with the newspaper after 12 years, precisely because of *Repubblica*'s narration of events in Gaza. Oriani explained his reasons in a letter: 'What happened on 7 October is the shame of Hamas, what has been happening since 8 October is the shame of us all. This massacre has a media escort that makes it possible. This escort is us. Having no chance to change things, with guilty delay I am out'. The editorial staff's response was a communiqué of support for Oriani's decision, while denying the ac-

cusations levelled at his editorial line on the conflict and asking colleagues from other newspapers not to instrumentalise the affair. The affair marks a difficult moment for the historic daily and its editor Maurizio Molinari, who continues to run the paper despite having been challenged by *Repubblica*'s editorial board on 8 April this year. The CoR's decision depended on Molinari's intervention to block the printing of the issue of the newspaper's *Affari&Finanza* insert, due to the presence of an article critical of the Exor Group at the beginning. Only once the offending part had been removed did the editor allow the issue to be published. A censorship and a prevarication on the work carried out by the editorial staff that *Repubblica*'s CoR decided to openly contest, voting no confidence in its editor. 'In this way, the autonomy of every single journalist of *Repubblica* is violated, and this sets a precedent that calls into question, for the future, the value of our work': with these words, the committee decided to condemn yet another interference of ownership on its work.

Another indicator that points to the worrying state of health of Italian information is the lack of reform proposals to change the libel lawsuit system, thus leaving journalists at the mercy of the so-called SLAPP (*strategic lawsuit against public participation*) lawsuits, aimed at intimidating them and preventing them from publishing inconvenient investigations against members of the national political and economic system. Among the newspapers that have suffered most from this phenomenon is *Domani*, a daily founded by Carlo De Benedetti in 2020 after the sale of the GEDI Group to Exor. The young newspaper has distinguished itself over the years for an editorial line strongly focused on investigative journalism, which has earned the paper the dislike of much of the national political and economic system. As early as 2021, in fact, Eni, an oil industry giant under the effective control of the Italian state, asked De Benedetti's newspaper for EUR 100,000 in damages for the 'defamatory campaign' promoted by the newspaper against the Six-legged Dog, threatening to take legal action in the event of refusal. This year, however, three other journalists from the newspaper were investigated by the Perugia Public Prosecutor's Office, on charges of requesting and receiving confidential documents from a public official, and of violating the secrecy of investigations by requesting and publishing information contained in those documents. The investigation was triggered by a complaint from Defence Minister Guido Crosetto, following the publication by the newspaper of an investigation into a possible conflict of interest on his part. Through the complaint, the Minister aimed to trace back the sources used by the newspaper to publish such information, in a clash that involves the right to confidentiality of sources, which is fundamental for journalistic investigation work.

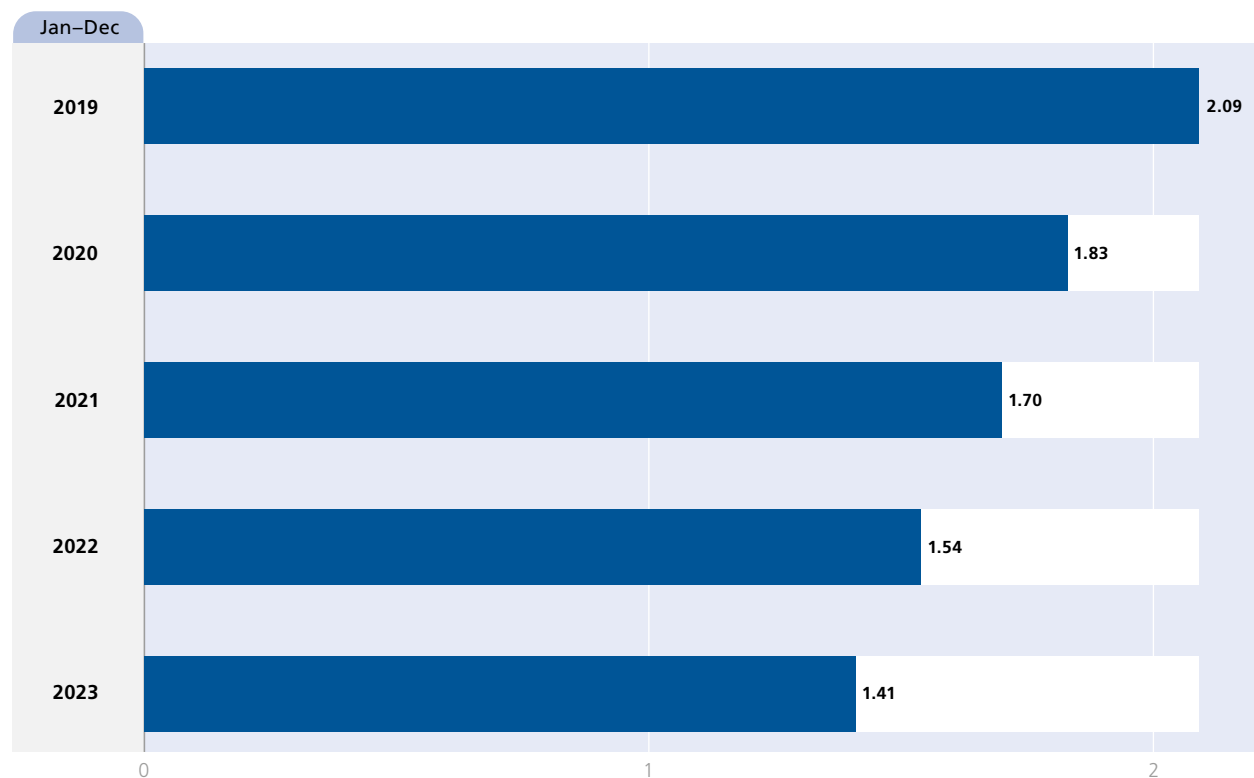
SOCIAL MEDIA: A NEW FRONTIER

The picture just described has a decisive impact on the Italian population's trust in their own media, as is clear from the *Reuters Institute's Digital News Report* for 2024. In the

research on Italy by Oxford University's Centre for Journalism Studies, entrusted to research associate Alessio Cornia, it is clear that only one third of the study sample trusts the news. A crisis of mistrust that affects the entire Italian media sector: the only media considered worthy of trust by readers are the newspapers that are considered more impartial, especially news agencies such as *ANSA*, newspapers that are more aligned to the centre such as *Corriere della Sera* and *Sole 24 Ore*, and all news channels such as *SkyTG24*. As mistrust grows, so does disinterest in news, with only 40% of respondents describing themselves as actually interested in the daily news offering. This is down from 74% in the 2016 report, although 63% of respondents said they access news several times a day. This situation is profoundly changing the Italian population's enjoyment of news: while only 4 out of 100 respondents indicated the press and radio as their main sources of access to news (yet another symptom of the crisis experienced by the newspaper publishing sector), television remains firmly the preferred means of information, as indicated by 65% of respondents. These data are reflected in the Observatory on Communications drawn up by AGCOM (the Communications Guarantee Authority) for 2023, which shows a 9% drop in sales of printed newspapers compared to the previous year.

Not surprising, however, is the steady growth of social media in this regard, indicated by 39% of respondents as a source of information, with 17% indicating it as their primary means of accessing news. Information via social media is increasingly imposing itself within the national media market, forcing traditional newspapers, increasingly in crisis, to adapt their style to the type of content required by platforms such as Instagram or TikTok. A need also dictated by the attempt to intercept the market segment of the Under-35s, who elected the two platforms as their main source of news in 25% and 12% of the cases analysed by the *Digital News Report*. The centrality of a precise graphic identity; the importance of a skilful use of images to accompany the headlines, which are increasingly refined in their construction in order to seek the user's attention; the need, especially in the case of TikTok, to summarise news in short videos, sacrificing the complexity of the information in favour of the logic of the platform's algorithm: these are just some of the dynamics that traditional media are called upon to come to terms with in order to access the social media catchment area, in the hope of diverting part of the user flow to their own sites. According to the *Digital News Report*, in fact, only 15% of those interviewed stated that they directly access the sites of newspapers: on the basis of this data, the need for traditional newspapers to intercept social media users emerges even more strongly. Social media are not only the new frontier for traditional journalism: there are now information pages that originated directly on these platforms. Pages and sites from which it is difficult to trace their ownership and backers, information that is essential for readers to understand possible news distortions. This problem also applies to influencers and political commentators acting on these platforms, who may receive funding (even from foreign powers) to promote the spread of fake news. News whose circulation exploits the echo cham-

Figure 1

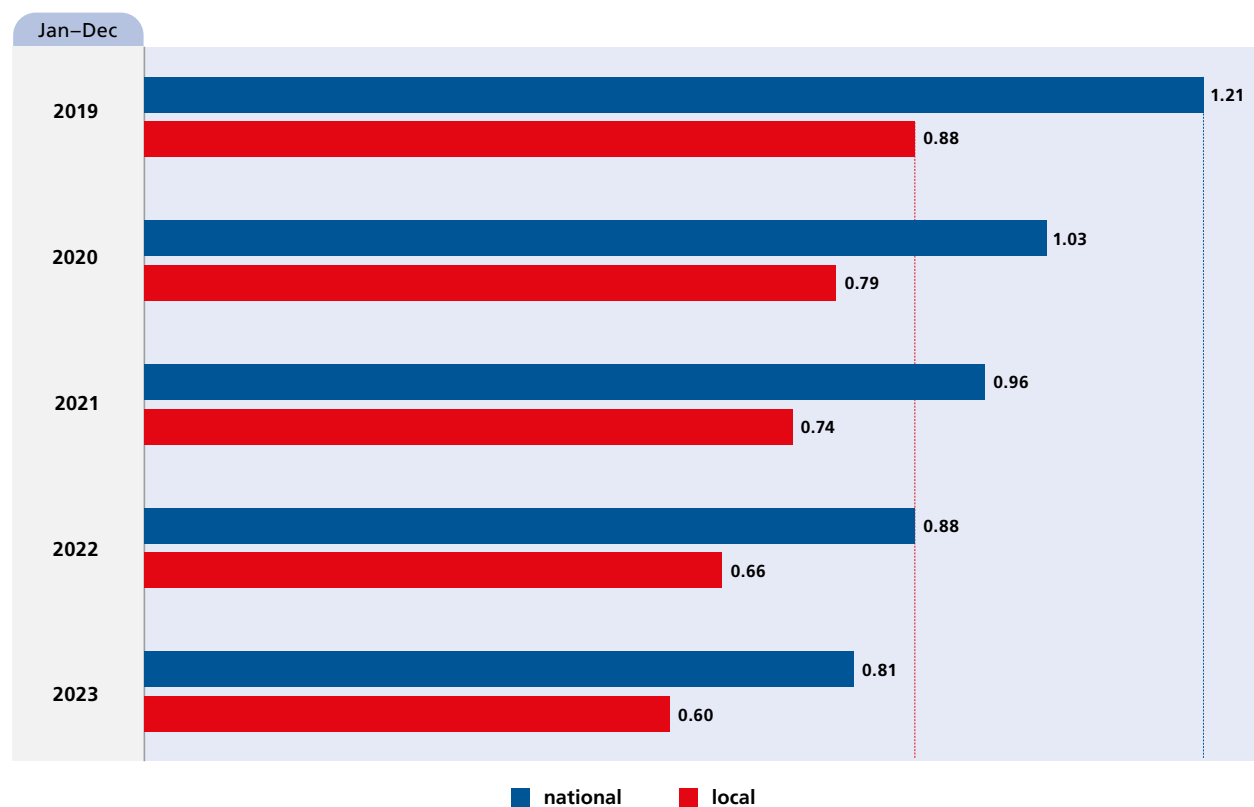
Daily newspapers: daily sales since the start of the year. Daily sales figures (millions of copies sold)

Source: Data processing by the supervisory authority on the basis of the ADS data

Figure 2

Daily newspapers: daily sales since the start of the year. Daily sales figures (millions of copies sold)

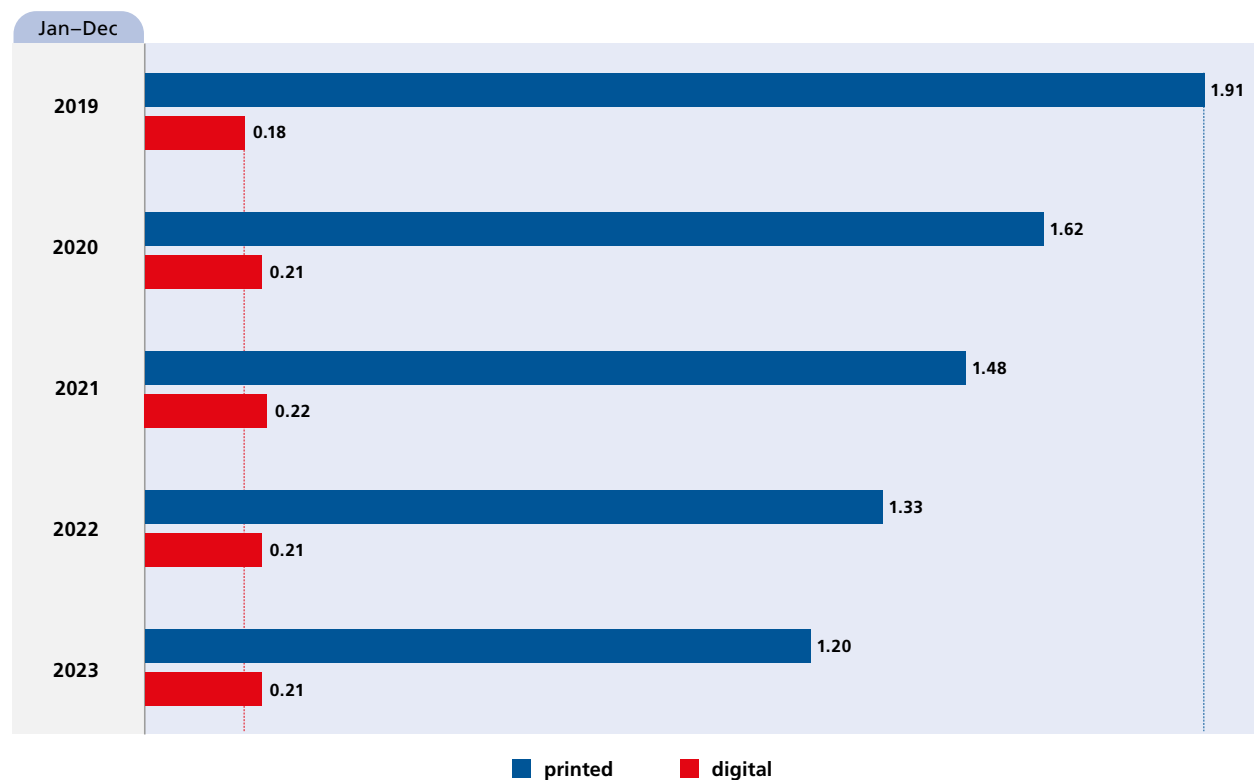
National newspapers vs. local newspapers



Source: Data processing by the supervisory authority on the basis of the ADS data

Figure 3

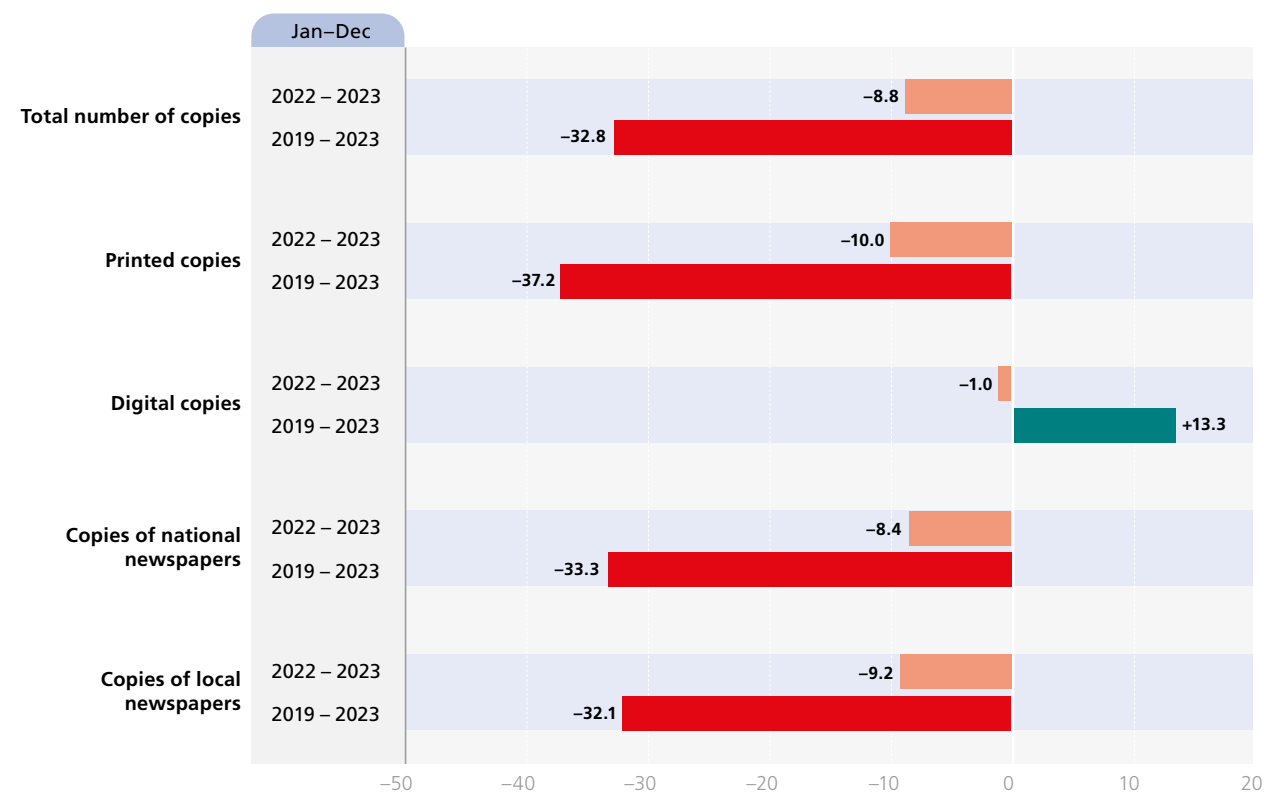
Daily newspapers: daily sales since the start of the year. Daily sales figures (millions of copies sold)
Print exemplaries vs. digital exemplaries



Source: Data processing by the supervisory authority on the basis of the ADS data

Figure 4

Daily Newspapers: Daily Sales since the Start of the Year. Variations in % (Period January–December)



Source: Data processing by the supervisory authority on the basis of the ADS data

ber mechanism that is developed on social platforms, i.e. the tendency on the part of users to create real 'information bubbles' that reflect their own vision of the world, excluding any form of contradiction: once the fake news finds space within the bubble, its circulation in the absence of denial allows it to achieve a high degree of truthfulness within its space of action. The circulation of this kind of news is also favoured by the exploitation of the algorithms that regulate the various platforms: the in-depth knowledge of which terms to use (or avoid, so as not to run the risk of seeing one's content banned by the control systems of the social of reference) is a fundamental weapon to allow this kind of content to reach the widest possible audience, exponentially increasing the circulation capacity of the false information produced. These issues are increasingly central to state political debates, with national political actors engaged in seeking solutions to the spread of fake news online, but as these platforms operate across the globe, the ability of individual countries to intervene is particularly limited. The European Union's approval of the Digital Services Act in 2022, aimed at standardising and improving member countries' ability to limit the circulation of illegal content through a series of obligations imposed on platforms, represents a first step in trying to resolve this issue.

Speaking of information via social media, such risks exist, but one cannot help but emphasise how these platforms can come to the rescue of a population that feels the need to be informed, but at the same time is increasingly reluctant to pay for access to news. The *Reuters Institute* survey shows that only 10% of respondents spent money to get access to online news: bad news for traditional news sites, which are increasingly relying on paywall systems to supplement declining digital advertising revenues. Social networks can thus become an important weapon to ensure equal access to news for the entire national population, in an era when Internet access is becoming more and more available, however this may not affect the work of traditional newspapers and their economic sustainability.

FUTURE PERSPECTIVES

The picture sketched in these pages tells us of a media system in difficulty both within the private and the public sector. Difficulties that stem from a growing mistrust towards it, constant losses in readership and turnover, and increasing pressure from the Italian political-economic system. Thinking in a future perspective, however, there are solutions that could enable this trend to be reversed.

Starting with public service, the call for a form of the RAI's governance system returns cyclically in the national public debate. One of the most fashionable proposals, in this sense, is that of proceeding to the privatisation of the public broadcasting system, indicated by many as a definite solution to break down the interference of politics in the management of the company. As we have seen, however, in the case of the private sector, such a solution would not guarantee total impartiality of news, especially if the buyer were to

present economic interests beyond the mere ownership of RAI. It seems much more sensible, instead, to promote a radical reform of the company's governance, which would guarantee decision-making weight in the management of Rai and its programming to its employees, thus increasing the proportion of board members elected by them to the detriment of appointments from the world of politics. A first step, not entirely decisive, that would provide the public service with greater protection from political interference, partially rebuilding the trust lost by its public in the company.

For the private sector, on the other hand, it seems impossible to hope for a return to the pure publishing system that existed previously, due to the serious economic crisis in the newspaper publishing sector. This does not prevent us from suggesting some solutions for the current system, such as the implementation of greater transparency on the economic interests of publishers and editorial processes, as well as a greater decision on the part of national editorial offices to publish news even contrary to their interests, as happened in the US at the *Washington Post* under Jeff Bezos' ownership. Quickly incorporating both the changes sweeping the sector, from the advance of social networks to the ever-increasing implementation of artificial intelligence, and the indications coming from news organisations, such as the aforementioned *Reporters Without Borders* and *Reuters Institute*, may also prove to be a winning strategy for improving the current condition of the private news publishing sector. Aware of the risks and opportunities offered by information via social platforms, this collaboration must also involve state and supranational actors, who must be actively engaged in improving the media and digital literacy of the population, so as to defuse the destabilising scope of the circulation of fake news online. The commitment of the political bodies must also be directed towards the platforms themselves: in the wake of the Digital Services Act, it is necessary to promote greater intervention on the part of the platforms, through the implementation of automatic fact-checking algorithms managed by organisations with expertise in the field and by making the owners of social networks more accountable for the content they contain. Legislation such as that passed by the European Union in 2022 is a decisive push to make platforms more committed to combating the spread of fake news, for example by tightening penalties on authors.

Such measures can help improve the health of the Italian media supply, whose difficulties directly affect the calibre of the national public and political debate. What is lacking, however, is the political will to promote a reform process that seeks to remedy a situation that is becoming increasingly worrying. These delays can only exacerbate the problems of the Italian media system, with the real risk, although still far off today, of sliding towards a situation similar to that in Hungary, where almost 90% of the national media is in the hands of entrepreneurs close to Viktor Orban, in full violation of Article 7 of the Lisbon Treaty. A risk that today seems unthinkable for Italy, but which may become reality if no concrete action is taken to improve the health of freedom of information in our country.

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Further information on the topic can be found here:
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