Methodological and ethical challenges of researching transgression

Dahlstrand, Karl

2015

Document Version:
Publisher's PDF, also known as Version of record

Link to publication

Citation for published version (APA):

General rights
Unless other specific re-use rights are stated the following general rights apply:
Copyright and moral rights for the publications made accessible in the public portal are retained by the authors and/or other copyright owners and it is a condition of accessing publications that users recognise and abide by the legal requirements associated with these rights.
• Users may download and print one copy of any publication from the public portal for the purpose of private study or research.
• You may not further distribute the material or use it for any profit-making activity or commercial gain
• You may freely distribute the URL identifying the publication in the public portal

Read more about Creative commons licenses: https://creativecommons.org/licenses/

Take down policy
If you believe that this document breaches copyright please contact us providing details, and we will remove access to the work immediately and investigate your claim.
Methodological and ethical challenges of researching transgression

How to investigate loss of publicity damages? According to the media society, a lot of personal information is spread through different media. Some of these media have a person how is legally responsible for the publication of the periodical. One of these areas of responsible is bad and incorrect publicity. This kind of publicity can also lead to claim for compensation of publicity damages. In Sweden, these issues are governing by self-regulation, the publicist control and judge the publicist, so to speak. The Press Ombudsman (PO) and the Press Council (PON) are, consequently, an independent self-disciplinary body that deals with complaints about the editorial content of newspapers, magazines and their websites. The system is not based on legislation but self-regulation. It is entirely voluntary and wholly financed by press organisations: The Swedish Newspaper Publishers' Association, The Magazine Publishers' Association, The Swedish Union of Journalists and The National Press Club. These organisations are also responsible for drawing up the Code of Ethics for Press, Radio and Television. The Swedish Press Council (PON) is the oldest tribunal of its kind in the world.

Law and the media have been described as an uneasy relationship (Gies 2008). The Swedish “model”, when it comes to complaints, is not about the words of the Act but rather of “reflexive” law (Teubner 2006). From a socio-legal view, reflexive law is characterized by a kind of legal self-restraint. Instead of taking over regulatory responsibility for the outcome of social processes, reflexive law restricts itself to the installation, correction, and redefinition of different self-regulatory mechanisms (Teubner 2006). From a socio-legal perspective it is of interest to empirically study how the people, how make the complaint, view the system. In the course of the year (2016), we are going to contact some of these by a national survey with questions about how the procedure is perceived.

Karl Dahlstrand, universitetslektor vid Rättssociologiska institutionen, Lunds universitet.