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An argumentative approach to policy ‘framing’. Competing ‘frames’ and policy conflict in the Roşia Montană case

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ABSTRACT: This paper proposes a new theorization of the concept of ‘framing’, in which argumentation has a central role. When decision-making is involved, to ‘frame’ an issue amounts to offering the audience a salient and thus potentially overriding premise in a deliberative process that can ground decision and action. The analysis focuses on the Roşia Montană case, a conflict over policy that led, in September 2013, to the most significant public protests in Romania since the 1989 Revolution.

KEY WORDS: decision, deliberation, frame, framing, metaphor, policy, practical argument, Roşia Montană

1. INTRODUCTION

This article develops an approach to framing theory from the perspective of argumentation theory (Fairclough & Fairclough 2012, 2013) by analyzing the public debate on the proposed cyanide-based gold mining project at Roşia Montană (Romania). It puts forward a view of ‘framing’ as a process of offering an audience a salient and potentially overriding premise that they are expected to use in deliberation leading to decision and action (Fairclough 2015, Fairclough forthcoming b). It also aims to make an empirical contribution to the study of the Roşia Montană case, a policy conflict that has set the Romanian government and a multinational company against the Romanian population and, in September 2013, led to the most intense public protests since the fall of communism. The outcome was the rejection by the Romanian Parliament of a draft law that would have given the green light to the largest open-cast gold mining operations in Europe.

This study is part of a larger project that analyzes a corpus of over 600 Romanian press articles, covering the months of August and September 2013, with a twofold purpose: (a) to develop and test an argumentative conception of the process of framing; (b) to gain insight into how four major Romanian newspapers have attempted to reflect and influence the public debate, by finding out which aspects of the policy conflict were selected and made salient in the media, and how they were intended to function in the process of public deliberation. For reasons of

space, we will not analyze this corpus here, but illustrate the framework with a smaller corpus of campaign material (leaflets, slogans, placards, website information).

2. ROȘIA MONTANĂ: A BRIEF OVERVIEW

Roșia Montană is a commune of 16 villages, located in the Western Carpathians, in an area rich in gold and other precious metals, but also in natural beauty and tradition. It has a recorded history of over 2000 years and has been a gold-mining area since Roman times. The region is however plagued by a range of socio-economic problems which demand a strategy of sustainable development (Plăiaș 2012). The controversial mining project advanced by the Canadian corporation Gabriel Resources Ltd. in partnership with the Romanian state (renamed Roșia Montană Gold Corporation, henceforth RMGC, in 2000) has claimed to provide just such a solution, by “bring[ing] one of the world’s largest undeveloped gold projects to production” (*The Roșia Montană Gold & Silver Project: A Project for Romania* 2014). The project would require large-scale cyanide-leaching procedures in order to extract an estimated 314 tons of gold and 1,480 tons of silver from 4 open-cast pits over a 16-year period. While the economic benefits to the Romanian state were invariably presented by the corporation as extraordinary, Romania’s projected equity stake in the company was only 19.31%, the other 80.69% being owned by Gabriel Resources, according to company data in 2014.

Mădroane (2014) has investigated the Canadian company’s argument in favour of the project in terms of the framework for analyzing and evaluating practical arguments developed by Fairclough & Fairclough (2012). According to this framework, a practical proposal is advanced on the basis of premises specifying the intended goals and circumstances of action and a means-goal relation, and is evaluated via an argument from consequence. The circumstances include natural, social and institutional facts that enable or constrain the action. Some of these facts constitute the ‘problem’ to be resolved by means of the proposed action (as ‘solution’). RMGC’s overall problem-solution argument, as summed up on the company’s website (under the heading *Proiectul Roșia Montană/ Roșia Montană Project* n.d.) rests upon circumstantial premises that represent the area as being in a disastrous situation in four areas – economy, environment, patrimony, community – and lacking any viable alternatives for sustainable development. Joint economic benefits (for the corporation, the local area and the Romanian state), as intended goals of action, are prominent on the website, and a number of commitments (as constraints on action) are emphasized. The company claims to be committed to norms of environmental and archaeological protection and rehabilitation, and to respecting the local population’s right to property and right to work. Aiming to address all the problems of the local area, the company allegedly holds the key to transforming an “impoverished community with no real alternative” (problem) in accordance with a “vision” (goal) of “prosperity, growth, clean environment”, offering a “long term future for Roșia Montană” (*The Roșia Montană Gold & Silver Project: A Project for Romania* 2014). At the centre of the RMGC campaign to win over public opinion in Romania has been the “packaging” of the project as the much-needed answer to the economic and social problems of the region, as well as a welcome contribution to Romania’s economic growth.

From the very beginning, the Roșia Montană project has been extremely controversial due to the perceived infringement of existing legislation (mining laws, property rights, national heritage protection, planning regulations), the confidentiality of the terms of the concession licence, the intense pressure exerted by RMGC via aggressive lobbying and advertising campaigns, as well as the superficial nature of the public consultation process and the suspicion

of institutional corruption. Expert analyses of the project have pointed out numerous risks and potentially unacceptable costs: the permanent destruction of the local environment, together with long-term environmental and public health risks; the irretrievable loss of ancient cultural heritage (Roman mine galleries); the destruction and displacement of local communities; the comparatively small economic benefits to the Romanian state (the small number of jobs created during the mining operations). The alleged benefits have been dismissed in scientific reports and studies published by reputable national and international research institutions, including the Romanian Academy, the Bucharest Academy of Economic Studies, and the Union of Romanian Architects. Through the ongoing *Save Roşia Montană* Campaign, the Alburnus Maior Association (an NGO set up by Roşia Montană inhabitants in 2000) has become the main pillar of an increasingly strong public protest movement. As a consequence, the technical review of the Environmental Impact Assessment report, a crucial step for RMGC in the process of obtaining the environmental permit, was suspended in 2007. However, the process was resumed in 2010, in the general context of economic recession. On August 27, 2013, the Romanian Government sent to Parliament a draft law which was removing all legal obstacles and giving the corporation significant new powers. Instantly, this sparked off strong public protests in many Romanian cities, lasting over 6 weeks: at the peak of these protests, 20,000-25,000 people were demonstrating daily on the streets of Bucharest. At the moment of writing, the company has lost significant ground following the parliamentary rejection of the special draft law (on November 19, 2013, by the Senate, and on June 3, 2014, by the Chamber of Deputies) and several other unfavourable court decisions. For details of the case see Goşiu (2013); Egresi (2011); Cocean (2012); Vesalon & Creţan (2013); see Chiper (2012) for a discourse-analytical approach.

3. ANALYTICAL FRAMEWORK: ARGUMENTS AND FRAMES

3.1. Practical arguments and deliberative activity types

Practical argumentation is argumentation about what ought to be done, as opposed to theoretical argumentation about what is the case (Walton 2006, 2007a, 2007b; Walton et al. 2008). Deliberation is an argumentative genre in which practical argumentation is the main argument scheme. Van Eemeren (2010, pp. 142-143) distinguishes among genres, activity types and concrete speech events. A particular policy debate (e.g. on the Roşia Montană mining project) instantiates the more abstract category of policy debate as activity type, which in turn instantiates the abstract genre of deliberation. Deliberation is a genre common to many activity types; its intended outcome is a normative-practical conclusion that can ground decision and action. Policy making involves the weighing together of reasons in favour and against particular courses of action (i.e. deliberation), and on this basis putting forward a policy decision.

Practical argumentation can be viewed as argumentation from circumstances, goals and means goal relations (Fairclough & Fairclough 2011, 2015, forthcoming a, b):

The agent is in circumstances C.

The agent has a goal G.

(Goal G is generated by a particular normative source – desire, duty, etc.)

Generally speaking, if an agent does A in C then G will be achieved.

Therefore, the Agent ought to do A.

Practical reasoning is a causal argumentation scheme (van Eemeren & Grootendorst 2004). Actions have both intended and unintended effects, and the same effect can result from a multiplicity of causes. The unintended effects can be such that the action had better not be performed, even if the intended effect (goal) can be achieved by doing A. If this is the case, then a critical objection to A has been exposed and the hypothesis that the agent ought to do A has been falsified (or rebutted). A pragmatic argument from negative consequence (the left-hand side of Figure 1) can potentially rebut the practical proposal (conclusion) itself. This argument has the following form:

If the Agent adopts proposal A, consequence (effect) E will follow.
 Consequence E is unacceptable.
 Therefore, the Agent ought not to adopt proposal A.

A succinct way of representing the type of argumentation in deliberative activity types is as follows, where the conclusion of the practical argument from goals, values and circumstances is tested by a pragmatic argument from consequence (Fairclough 2015, Fairclough forthcoming a, b):

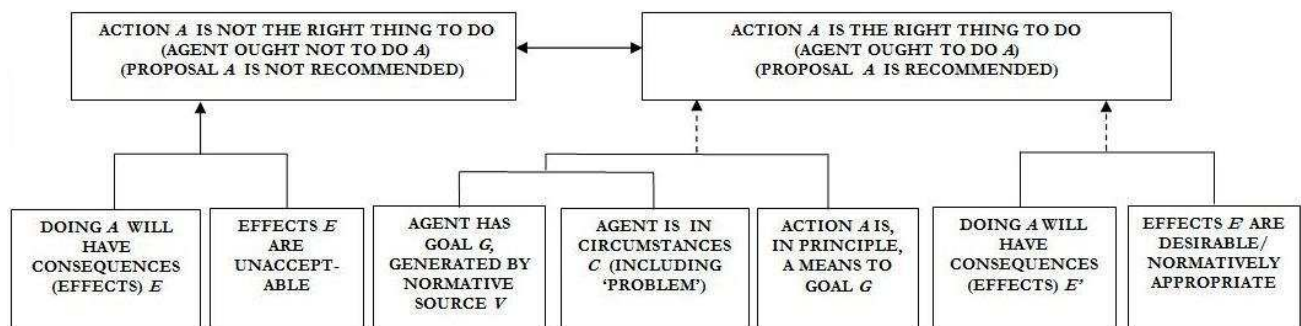


Figure 1. Practical reasoning in deliberative activity types: the deliberation scheme

As Figure 1 suggests, we reason practically from an assessment of the circumstances of action (this includes the problem we have identified, but also other facts enabling or constraining action), from the goals and values whose realization we are pursuing, from means-goal relations, as well as from premises that refer to the potential consequences of our proposed action, in light of which it may follow that we ought to discard our proposal for action or, on the contrary, we may go ahead with it. If the consequences are, on balance, unacceptable, then the proposal is unreasonable and ought to be abandoned. If however the potential consequences are not unacceptable, or if – in the event that negative consequences should materialize – it would be possible to change course or redress undesirable developments, then the agent may tentatively proceed with A (always subject to future rebuttal, as unacceptable consequences may always come to light at a later date).

A critical objection against a proposal (e.g. an unacceptable consequence or cost) is one that cannot be overridden by other reasons in favour (e.g. by any potential benefit). Deliberation involves a ‘weighing’ of reasons, and the conclusion is arrived at on balance, in a context of facts that both enable and constrain action, and in conditions of uncertainty and risk. The institutional facts (obligations, rights, commitments) of the legal, political, moral domain (what Searle 2010 calls deontic, desire-independent reasons) are, in principle (though not always in practice) non-

overridable. For example, an agent might come to the conclusion that Proposal A ought to be abandoned because it is against the law, full stop, regardless of any benefits that might have counted in favour of going ahead with A.

3.2. Framing theory

According to Entman, writing in 1993, Framing Theory is a good example of a “fractured paradigm”, with a highly “scattered conceptualization” at its core. While everybody in the social sciences talks about framing, there is no clear understanding of what frames are and how they influence public opinion (Entman 1993, p. 51). Many often-cited definitions in the literature are vague and unhelpful, e.g. those of frames as “organizing principles that are socially shared and persistent over time” (Reese 2001, p. 11), or as “principles of selection, emphasis and presentation composed of little tacit theories about what exists, what happens, and what matters” (Gitlin 1980, p. 6). The same type of criticism still occurs twenty years later (see D’Angelo & Kuypers 2010), with Nisbet noting the persistent loose usage of the term ‘frame’ and every researcher’s tendency to “reinvent the wheel” by identifying their own (often highly idiosyncratic) set of frames, without thereby producing a clear operationalization of the concept that might be used across different sets of data (Nisbet 2010, pp. 45-46).

There is at least one clear definition of ‘frames’ in the cognitive semantics literature, though this is not the definition that most framing theorists working in political communication and media studies seem to start from. This is Fillmore’s (1985, 2006) definition of frames, as developed in Frame Semantics and the FrameNet project (International Computer Science Institute n.d.) – a new dictionary concept, in which words are defined in relation to world knowledge. On this understanding, frames are structures of inter-related concepts, such that in order to understand any one concept it is necessary to understand the entire structure (frame). To understand what risk is, one needs to understand the entire RISK frame, involving agents, situations, actions, intended gains or benefits, potential harm and victims, an element of chance, and so on (Fillmore & Atkins 1992). Any one individual concept within a frame will activate the whole frame (e.g. ‘week’ activates the whole system of calendric terms: ‘day’, ‘month’, ‘year’).

A substantial part of framing theory research seems to be underlain by an understanding of the framing process, rather than of frames as Fillmorian systems of concepts. On this view, “framing refers to the process by which people develop a particular conceptualization of an issue”; framing therefore involves taking or promoting a particular perspective or angle on an issue. It is this selective angle that is responsible for the highly vexing phenomenon of “framing effects”, where “(often small) changes in the presentation of an issue or an event produce (sometimes large) changes of opinion” (Chong & Druckman 2007, p. 104). The most often cited definition in these terms is Entman’s view of framing as selection and salience:

Framing essentially involves selection and salience. To frame is to select some aspects of a perceived reality and make them more salient in a communicating text, in such a way as to promote a particular problem definition, causal interpretation, moral evaluation, and/or treatment recommendation for the item described. Typically frames diagnose, evaluate, and prescribe... (Entman 1993, p. 52).

Entman’s selection-and-salience definition is a definition of framing, not frames. Framing involves inclusion, exclusion, selective emphasis, putting forward a particular conceptualization, a particular angle. I may, for example, choose to emphasize the benefits of a course of action and correspondingly de-emphasize the costs, in order to sway an audience towards accepting my

proposal. However, unless frames are also structures of inter-related concepts, what are we selecting from? How can one element be selected and highlighted unless it is part of a structure where other elements are correspondingly de-emphasized?

Although Entman does not develop his view in relation to a theory of argument, his definition is compatible with an approach from argumentation theory. If the framing process aims to define and diagnose problems, as well as suggest solutions, then it is a form of practical, deliberative reasoning. In framing an issue in a particular way, a communication source is supplying those particular premises that may lead the audience towards a particular conclusion or line of action. The communication source can talk about an issue by means of any complex speech act – argument, narrative, description, explanation; the audience however are expected to use these as sources of premises in the construction of arguments leading to decision and action. I suggest that, from the audience’s perspective, the aspects that are being selected and made salient are elements of a DECISION frame.

The gist of the argumentative approach to framing being proposed here is this: to frame an issue is to offer the audience a salient and thus potentially overriding premise in a deliberative process that can ground decision and action. Values, goals, potential consequences, as well as various facts pertaining to the context of action can all be made selectively more salient in an attempt to direct the audience towards a particular, preferred conclusion. This may also involve the use of metaphors (Lakoff & Johnson 1980), analogies and persuasive definitions (Walton 2007a) to redefine facts in rhetorically convenient ways, thus lending support either to the conclusion that the proposed action is recommended or not recommended.

Based on the deliberation scheme, a DECISION frame can be outlined (on the model of Fillmore’s RISK frame), including arguers/agents in a situation of incomplete knowledge (uncertainty and risk), putting forward and evaluating proposals for action, amongst which they will choose and decide in favour of one. They have goals and values, and are acting in a context of facts (circumstances), some of which enable or constrain action – for example there are laws, rules, norms that constrain what can be done. Their proposal has potentially negative consequences, some of which will be critical objections against the proposal. Within this frame, as system of inter-related concepts, various premises can be emphasized in principle as being the most relevant and important reasons, i.e. the ones that should arguably decide which course of action is adopted. For example, it can be argued that a policy proposal should be adopted because it will create jobs, or it can be argued that it should not be adopted because of the negative impact on the environment. What is being made more salient and potentially overriding in these two arguments are the intended positive consequences (goals) and the (unintended) negative consequences, respectively. In a process of weighing reasons, the audience may come to see either the benefits (jobs) or the negative consequences (pollution) as “heavier” or more relevant reasons, and the conclusion (and decision) they will reach may shift accordingly. Alternatively, the circumstances of action may be made salient (the severity of the problem, the external constraints on action, the uncertainty and risks involved) and presented as potentially overriding other reasons.

Briefly, making one element of the deliberation scheme more salient, while correspondingly de-emphasizing others, is expected to result in a shift in the decision for action that the audience will arrive at, given that the salient element is expected to override non-salient elements in the process of weighing reasons. It does not follow, of course, that the audience will be actually influenced in this way, and that they will automatically ground their decisions in the premises made salient through framing. In real-world contexts, framing effects are weakened by the public’s exposure to alternative arguments, their ability to come to their own conclusion, as

well as by their pre-existing beliefs and values (Sniderman & Theriault 2005; Chong & Druckman 2007).

An additional mechanism is often at work, whenever metaphors, analogies or persuasive definitions are embedded under the premises of the deliberation scheme (Figure 2). Premises of the form $a = b$ (a is similar to b, or a is a kind of b) can provide justification for various premises in the arguments from goals or consequences. For example, it can be argued that a policy proposal will have potentially unacceptable negative consequences if these can be seen to amount to a form of robbery or treason; if this is so, then the proposal should not be adopted. If, on the contrary, the context of action is one of national emergency or crisis that the proposal can successfully resolve, then it follows that the proposal should go ahead. Similarly, it can be argued that the effects of the policy will be in fact beneficial, because they amount to actually saving the Roşia Montană area from either poverty or environmental catastrophe. If the proposed action amounts to salvation from harm or danger, then the action is recommended (Figure 2). The spin or bias that such persuasive definitions or metaphors will introduce into the premises of an argument will be reflected, via their entailments, in the particular conclusion that can be reached on the basis of these premises (Fairclough 2015, forthcoming b).

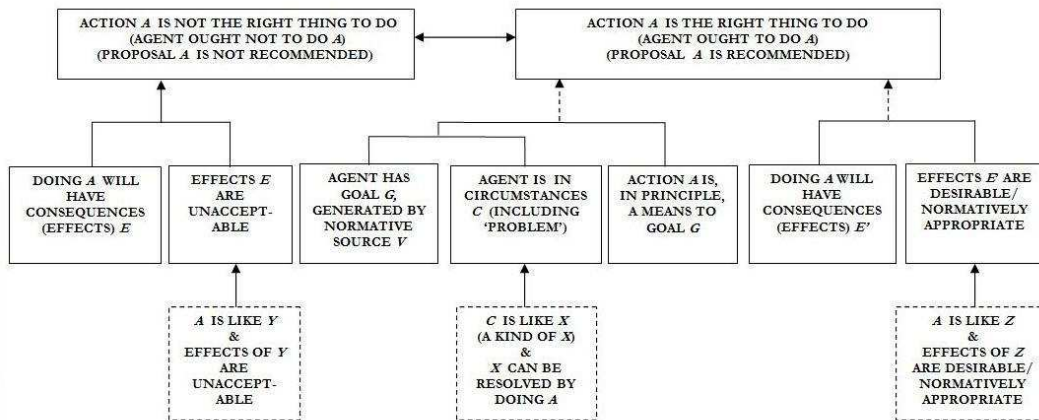


Figure 2. The relationship between the deliberation scheme and argumentation by analogy or definition

4. ANALYSIS

This article is part of a larger study of the August-September 2013 coverage of the Roşia Montană case in four Romanian daily broadsheets: *Adevărul*, *Jurnalul Naţional*, *Gândul* and *Cotidianul*. Our search for the keyword ‘Roşia Montană’ in the online archives of the newspapers resulted in 670 articles, divided as follows: 323 in *Adevărul*, 217 in *Gândul*, 93 in *Jurnalul Naţional* and 67 in *Cotidianul*. A detailed discussion of this corpus is beyond the scope of this short paper and is being undertaken elsewhere. In order to test and illustrate how the analytical framework described in section 3 can shed light on framing processes, including framing effects, we will discuss a few examples taken from the campaigns in favour and against the mining project, and particularly from the slogans used by the protesters.

The campaign in favour of the project (see RMGC’s official website, *RMGC: Roşia Montană Gold Corporation – Proiectul Roşia Montană* n.d.) tended to emphasize the company’s intended goals, among which the benefits to the Romanian state and the local area – jobs and

local development, income for the Romanian state – and particular circumstances of action: poverty, underdevelopment, as well as people’s right to work. In general, the benefits were said to outweigh the costs, and the impact on the environment and cultural heritage was presented as minimal, with emphasis on the redressive action allegedly in place. Thus, the argument went, given the significant economic benefits to all parties concerned, particularly the Romanian side, and given that these would clearly outweigh any negative impacts, and also given the population’s right to work (a deontic reason, in principle non-overrideable), the Roșia Montană project ought to go ahead. By contrast, not allowing the project to proceed would not only damage these goals, but would also undermine the local population’s rights. Framing the deliberative process in this way, i.e. making these particular premises salient and potentially overriding, was intended to support a decision in favour of the project.

Arguments against the project (e.g. the Alburnus Maior Association website: rosiamontana.org – Campania Salvați Roșia Montană n.d.) emphasized primarily a range of unacceptable negative consequences: the destruction of four mountains, the environmental and health impact of the cyanide-based technology (12,000 tons of cyanide would be used and 13 million tons of mining waste produced each year, eventually leaving behind a lake containing 215 million cubic metres of cyanide-contaminated water); the definitive loss of a precious resource that the Romanian state ought to be able to exploit in its own interest. These were presented as negative consequences that cannot be overridden by any benefits, particularly as job creation would be minimal and only for a limited period of time. The argument was also sometimes framed as an issue of inter-generational justice (it is our duty towards future generations to keep the gold in the country for future exploitation) and predominantly as a legal issue: the violation of existing (environmental) laws and (property) rights was deemed unacceptable, and the draft law was also said to be “unconstitutional”. Framing the conflict in terms of unacceptable negative consequences that cannot be overridden by any benefits and in terms of non-overrideable deontic reasons (rights, duties, laws, the Constitution) was intended to sway the deliberative process in favour of the conclusion that the project ought to be rejected.

The framing of the conflict developed over time, and new premises were made salient in the attempt to influence public opinion. Starting as a battle over the environment, the conflict eventually developed into a battle over democracy and the rule of law in Romania and against the capture of the state by the interests of global corporations (Vesalon & Crețan, p. 449). Reporting on the situation in Romania last September, an article in *The Guardian* (Ciobanu 2013) cited an NGO activist as saying the following:

It is very interesting that such a revolt began with a case of protecting the environment, but this is not only about the environment ... (...) The Roșia Montană case – in which you see legislation custom made to serve the interests of a corporation – highlights some failures of both democratic institutions and of the economic system, capitalism in a broader sense... Roșia Montană is the battle of the present and of the next decades... It illustrates the end of post-1989 cleavages [communist vs. anti-communist, European vs. non-European] and the emergence of new ones. People today confront a corrupted political class backed up by a corporation and a sold out media; and they ask for an improved democratic process, for adding a participatory democracy dimension to traditional democratic mechanisms.

The conflict therefore was no longer only about the environment, but about how global corporations can buy out national governments and national media and force them to act in their interests, as well as about the population’s demand for a truly representative democracy (one slogan was: “Not in my name” (“Nu în numele meu”). The unacceptability of bending legislation so as to facilitate the handing over of Romania’s resources to a multinational corporation, mostly

for the benefit of the latter and for the personal gain of politicians, was reflected in the slogan: “A corporation cannot dictate legislation” (“Nu corporația face legislația”). The slogan captured the protest against the subordination of the state to corporate interest – what Monbiot (2001) has theorized as the “captive state”, or the “corporate takeover” of states, a situation where the power of multinational corporations is threatening the foundations of democratic government and undermining national sovereignty. Framing the deliberative process in this way made the legal and political aspects salient and potentially overriding, emphasizing that allowing a corporation’s interests to prevail was against the Constitution and against Romania’s democratic form of government. As deontic constraints on action, these reasons were intended to lend overriding support to the argument against the project.

A widely used metaphor was that of the Roșia Montană project as a case of robbery, with slogans saying “Halt the Great Robbery” (“Oprîți Marele Jaf”), or “Thieves” (“Hoții”), framing the project by primary reference to the rule of law. These metaphors fit into the argument from negative consequence, supporting the premise that the effects will be unacceptable. (On what grounds are the consequences unacceptable? On the grounds that the whole project amounts to the illegal attempt to appropriate someone else’s property.) To say that the project is framed as robbery is to say that the premise containing the metaphor is made salient; as a consequence, via its entailments (i.e. if it is robbery, then it is illegal, or a crime), the metaphor will lead to only one possible conclusion: if the project is illegal or criminal, it follows that it should be abandoned (Action A/Policy A is not recommended).

Other metaphors function in a similar way. The protests were called a revolution (with placards saying: “Our generation’s own revolution” (“Revoluția generației noastre”) or “Europe’s Green Revolution”, while the government’s stance was equated with a declaration of war (in publicity material saying: “The Government and RMGC have declared war on us all”, “Guvernul și RMGC ne-au declarat război”) or with a siege (“do not forget that Romania is now under siege...”, “nu uitați că România e acum în stare de asediu”), as well as with the attempt to sell the country out to a foreign corporation (in slogans saying: “My Romania is not for sale”, “România mea nu e de vânzare”). Such metaphors provide justification for various premises in the deliberation scheme and support the conclusion that the project ought not to go ahead.

5. CONCLUSION

This paper has tried to make a contribution to framing theory by suggesting that framing is equivalent to a process of making salient, and thus potentially overriding, a particular premise in a deliberative process that the audience is supposed to engage in. This process is supposed to lead the audience to decision and (possibly) action. Based on how they weigh a variety of reasons against each other, which in turn may depend on which reasons have been made salient and which have been omitted, and on what importance or weight has been attached to them in the framing process, the audience is supposed to reach a particular practical-normative conclusion and on this basis a decision to act in a particular way. Framing effects may be stronger or weaker depending on how the framing process interacts with the audience’s own beliefs and values, and on the audience’s exposure to alternative arguments, as well as their ability to weigh these arguments together in a deliberative process.

What is selected and made salient in the framing process is a particular premise in a deliberation scheme, i.e. a structure with a number of elements which can be selectively filled in or instantiated. Figure 2 shows a range of premises that can be selected and made salient, in the attempt to direct the conclusion of the arguments involved in the Roșia Montană debate: the

circumstances of action, for example the institutional constraints (laws, rights) or the problem that needs solving (poverty); the goals or intended benefits (jobs, national revenue); the unintended negative consequences (environmental degradation, loss of cultural heritage), and so on. In addition, premises that attempt to support the premises of practical reasoning (containing metaphors, analogies, persuasive definitions) can be made salient, and their entailments will be transferred upwards towards particular conclusions (if the project amounts to “robbery”, then it is illegal; if it is illegal, it should be abandoned).

This study is developed in several other papers. Fairclough (2015) and Fairclough (forthcoming b) develop the argumentative approach to framing in more detail, with application to the austerity debate in the British media and the parliamentary debate on university tuition fees. Starting from the brief analysis presented here, a systematic analysis of the entire media corpus of 670 media texts, in terms of the framework outlined here, will be carried out in Mădroane (in preparation).

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