

# IS TALK ALWAYS SILVER AND SILENCE GOLDEN?

## THE MEDIATISATION OF POLITICAL BARGAINING

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### Abstract

Political negotiators require privacy instead of publicity to achieve compromises. Triggered by the spread of governance and the media's increasing relevance to the legitimisation of political decisions, democratic negotiators face challenging bargaining conditions in terms of publicity. This applies particularly to political systems whose decision-making relies on majority- rather than on consensus-building. In this article we raise the question whether and how bargaining officials perceive and respond to media scrutiny. By referring to negotiators' media-related thinking, we introduce the concept of *mediatised negotiation* which goes beyond the traditional understanding of mediatisation as an impact on political processes and outcomes. Based on interviews with 32 German political negotiators, it is shown that bargaining officials have an increased awareness of simultaneous negotiation and media management. Even though a set of (in)formal measures is available to cope with this twofold challenge, ineffective and selfish public communication by individual negotiators proved to pose major obstacles to bargaining, not caused but facilitated and intensified by media reporting. We conclude, therefore, that the mediatisation of negotiations is for the most part negotiators' self-mediatisation.

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## Introduction

Talk is silver, but silence is golden, a proverb says. Consequently, it is political negotiators' reserve towards the media which enables them to find compromises more easily (Elster 1989). Over the past decades the mode of consensual decision-making has increased in Western democracies. This process refers to the emergence of *governance* as a political response to increased transnational complexities caused by the denationalisation of markets and politics (Kooiman 2003; Benz 2004; Mayntz 2004). Governance in terms of consensual decision-making is characterised by political authorities who increasingly refrain from taking hierarchical decisions and involve public and private actors in political bargaining in order to reach more adequate and more stable political decisions (Benz 2001). At the same time, the media have undergone tremendous changes in terms of growth and diversification, a trend that has contributed to the emergence of *mediatised politics* (Mazzoleni and Schulz 1999; Strömbäck 2008; see also Strömbäck and Esser 2009). Since in the age of communication people basically rely on the mass media for political information (Bennett and Entman 2001), compromise-building is attracting the media's attention more than ever before, particularly in political systems whose rationale of decision-making is usually geared towards majority- instead of consensus-building. As a result, media can "sell" political actors' willingness to compromise as a weakness which can put their (re-)election at risk. Against this background, we raise the question how negotiators cope with the transformation of basic bargaining conditions. In this study we are mainly interested in whether negotiators feel impelled to balance bargaining and media management. With this as the challenge, we consider whether new bargaining routines have developed and how the efficiency of negotiations is judged.

Theoretical insights into media-driven changes in politics are provided by research on *political mediatisation* (Mazzoleni and Schulz 1999; Bennett and Entman 2001; Kepplinger 2002; Louw 2005; Strömbäck 2008). Technological progress and professionalism in the media have created additional reporting opportunities which have resulted in a considerable rise of media coverage of political actors, processes and outcomes. Many studies deal with the media's impact, through content or intensity, on political attitudes, participation, and election campaigns (Swanson and Mancini 1996; Farrell and Schmitt-Beck 2002; Delli Carpini 2004; Graber 2004). However, political decision-making and bargaining have generally been neglected (McGinn and Croson 2004; Kepplinger 2007; Marcinkowski 2007; Helms 2008).

To approach this research gap, we first outline the characteristics of political negotiations by referring to the governance and traditional bargaining literature. Then we elaborate the implications of front vs. back stage bargaining for negotiators' autonomy. Based on a brief discussion of the political mediatisation concept which basically relies on standing rules and routines of news production, we introduce the idea of mediatised negotiation: Provided that the public's political interests are concerned in some way, media reporting can make the public, which is physically excluded from political bargaining, an integral part of negotiators' bargaining strategies, implying an adaptation of negotiation routines. To test the empirical foundation of this hypothesis, we focused on Germany as it represents a typical negotiation democracy, and conducted semi-structured interviews with thirty-two officials who were involved in domestic political negotiations which took

place between 2002 and 2005. We conclude with a discussion of media's relevance in political bargaining, suggesting a less restrictive understanding of media impact for further research. 7

## Characteristics of Political Bargaining

The formation of majorities is a key element of political problem-solving in modern democracies. Even though majority decisions are most common for governing bodies, cooperative politics in terms of political bargaining have greatly increased over the past few decades (Kooiman 2003; Benz 2004; Mayntz 2004). This mode of heterarchical decision-making "occurs above, below, and around the state" (Gregory 2008, 282) and follows the rationale of compromise that can be achieved through joint decisions by autonomous public actors or corporative self-regulation by private associations and public administrations (Scharpf 1997; Mayntz 2004). It typically appears in *consensus* democracies (e.g. Switzerland, Belgium) which are based on political structures such as multi-party systems, oversized multi-party coalition cabinets, and corporatist interest groups that allow for broad compromises (Lijphart 1999). In *majoritarian* (Westminster) democracies (e.g. the UK), however, heterarchical decision-making can be observed less often. This competing type of democracy rests upon the rationale of intense party competition which is structurally reflected by two-party systems, one-party cabinets or atomistic interest groups (Lijphart 1999).<sup>1</sup>

Interestingly, many Western democracies can be classified as neither consensus nor majoritarian democracies. They rely on party competition as the rationale of political problem-solving but engage in political bargaining quite frequently (Lijphart 1999). The research on comparative politics refers to this hybrid as *negotiation democracy* which can take up three forms which are not mutually exclusive (Czada 2000):<sup>2</sup> First, optional cooperation between political parties in highly segmented societies to constitute an oversized coalition government (consociational system, e.g. Switzerland, the Netherlands).<sup>3</sup> Second, conflict resolution in labour, social or structural policies through self-regulation by public administrations, organised interest groups and scientific experts (corporatist system, e.g. Germany, Scandinavian countries). And third, compulsory cooperation between decision-makers since approval of state actors such as legislative chambers is needed for certain policy changes (veto player system, e.g. Germany, Switzerland). All three types of negotiation networks are characterised by consensual decision-making. Yet, apart from the distinct nature of conflict issues and the logics of interaction, one peculiarity can be identified with regard to the *composition of actors*: They are legitimised to bargain either by political mandate (i.e. state and interest group representatives) or by proficiency (i.e. experts). As this heterogeneity of legitimation is closely related to the representation and satisfaction of interests, political actors' strategic moves and instrumental actions in negotiations may be shaped by expectations of public reactions.

## Front Stage vs. Back Stage Bargaining

A certain degree of mutual trust between negotiators is required to achieve political compromises. Primarily on that condition, confidence in the credibility of each actor's statements can be built (prior to negotiations) or maintained (during

and after the bargaining process). While stable sets of negotiation rules and procedures are crucial for confidence-building (Scharpf 1997), *communication* also plays a decisive role (Elster 1989; 1991). By strategically employing threats or promises, actors can affect partners' negotiation strategies (inside options) or they can shift attention for selected issues to actors who are excluded from the negotiation process (outside options), be it the general public or particular target groups.

The credibility of threats and promises is a function of an actor's bargaining power that is mainly determined by structural characteristics (Putnam and Jones 1982). Even though equal opportunities are demanded, Schelling (1960) emphasises power asymmetries which rely on the assignment of process powers such as agenda setting or the right to sanction. Another source of power arises from public and stakeholder support for certain bargaining positions (Schelling 1960; Elster 1991). If, for instance, distributive issues are scheduled and negotiators' resources are unequally allocated to compensate for losses among stakeholders or a large part of the population, *publicity* becomes important as an alternative power source.

Contingent upon whether political negotiations are public (*front stage bargaining*) or private (*back stage bargaining*), the quality of discussion can vary (Meade and Stasavage 2006). This idea goes back to Goffman's distinction of stages: Front stages are places where actors behave according to ascribed roles because they can be observed by (an) audience(s). Back stage actions, however, are exclusive, i.e. actors' behaviour is visible only to people involved. As a consequence, actors can deviate from ascribed roles. The stage concept is applicable to everyday situations, but also to politics. Political front stages are characterised by public or broadcasted events (e.g. stage of party conventions, TV interviews) whereas political back stage actions are excluded from public observance (e.g. informal talks, committee meetings). Negotiations behind closed doors therefore mean that only the final decision is visible to the public, and negotiators can thus express dissenting opinions without having their reputation for expertise highly dependent on individual statements. In open sessions, by contrast, both the final decision and individual statements of participants are visible. Consequently, interest representatives may be tempted to adapt to the views of target audiences, resulting in pre-emptive self-criticism if their views are publicly unknown or in attitude-shifting if they are common (MacCoun and Goldman 2006). Further motives for being reluctant to openly express one's own opinions are that negotiation goals will be distorted, and public commitment to a position makes negotiators more resistant to moderating their views in light of subsequent arguments and thus to making concessions (MacCoun and Goldman 2006; Meade and Stasavage 2006). For these reasons, the exclusion of the public from the bargaining process can provide negotiators with the opportunity to demonstrate willingness to conciliate without losing credibility as their stakeholders' loyal advocates (Elster 1991).<sup>4</sup> The fact that bargaining officials represent stakeholder interests gives rise to a fundamental problem in political negotiations: Compromises can only be achieved by dissociating from one's target groups (Czada 1997).

To sum up so far: Political bargaining which is isolated from the public is expected to maintain mutual trust and to facilitate compromise.<sup>5</sup> Provided that negotiation actors are able to dissociate from stakeholders' influence, enough leeway is available for consensus-building. A full commitment to that "rule" will contribute to a stabilisation of mutual trust among negotiators. At the same time, the risk that

any of the negotiators will prematurely exit ongoing negotiations will decline.<sup>6</sup> We refer to this kind of political behaviour, i.e. bargaining isolated from the public, as highly corresponding with the rationale of consensual decision-making.

## The Mediatisation of Political Bargaining

Privacy may facilitate political compromise-building by giving negotiators the autonomy to concede a point. Nonetheless, this reserve towards the public collides with a fundamental principle of democracy: Political institutions are expected to be transparent (Dahl 1998), otherwise officials cannot be held accountable for their actions and political decisions will lack legitimacy (Meade and Stasavage 2006; Naurin 2006).<sup>7</sup> Moreover, the media in particular tend to get provoked when confronted with closed doors (Marcinkowski 2005). As a main source of political information and crucial factor in public opinion-building (Bennett and Entman 2001), “[t]he media play an important, if not the most important, role in the public sphere” (Kooiman 2003, 40). Given significant progress in media technologies and increased professionalism among journalists, almost all politics in modern democracies can come under media scrutiny, ranging from highly competitive election campaigns to contentious legislative issues.

Politics can become not only mediated but also mediatised (Strömbäck 2008). In selecting and presenting political news, the mass media stick to regular patterns: Journalists focus on political events with high newsworthiness such as negativity, and tend to present them by personalising political processes, by emphasising differences instead of common positions among political actors, and by framing the policy-making process as a contest with winners and losers (Marcinkowski 2005; Koch-Baumgarten and Voltmer 2009). As a consequence, political actors show a tendency to align their political behaviour with the media standards of news production. In media democracies this phenomenon is referred to as *mediatisation* (cf. Lundby 2009). In general this concept “relates to changes associated with communication and their development” (Schulz 2004, 88). A more specific definition is provided by Mazzoleni and Schulz (1999) who stress concomitants and effects of the mass media’s development on political processes. In the political communication literature, there is a lively debate about the degree to which media and political institutions interact and to what extent media content and political actors’ behaviour are governed by the logic of the media or politics (e.g. Mazzoleni 1987; Kepplinger 2007; Schulz 2004; Strömbäck 2008).<sup>8</sup> As the mass media have penetrated politics, we are wondering how political negotiators can achieve and maintain the level of privacy that is needed to achieve compromises. So far, most empirical studies have focused on media impact on political processes and outcomes instead of negotiators’ options for action. Nevertheless, from a theoretical perspective the mediatisation literature provides a thorough grounding for approaching this research problem.

The mediatisation of politics constitutes a basic condition of political bargaining (McGinn and Croson 2004). But by definition, the rationales of media publicity and political negotiation are incompatible: The media call for transparency in political processes and show specific interest in individuals, conflicts and negative outcomes. Negotiations, on the other hand, require an atmosphere of privacy which allows for compromises, communicated to the public as collective decisions without indica-

ting any winner or loser (Marcinkowski 2005; 2007). Given this incompatibility, a considerable decline in the quantity and quality of negotiation outcomes might be likely (Grande 2004; Spörer-Wagner and Marcinkowski 2010). In particular, distributive issues are expected to have stronger impacts on large segments of society than regulatory issues (Koch-Baumgarten and Voltmer 2009). As a consequence, not only stakeholders but large parts of the population may ask for detailed information about negotiations: Prior to negotiations, journalists can press bargaining officials to take up a stance on selected issue(s), thereby restricting their scope to negotiate (MacCoun and Goldman 2006; Meade and Stasavage 2006). While bargaining is ongoing, wild public guesses about each negotiator's positions and resources will appear if a strict closed-door policy is pursued. Even after a compromise has been achieved, negotiators must be aware of the fact that negotiation outcomes will be assessed through the eyes of the media, thus personalising success and failure.

As outlined above, decision-making behind closed doors is neither realistic nor desirable to bargaining officials. As a consequence, “[n]ews management encompasses more than just keeping secrets secret” (Sigal 1973, 343): Negotiators have to interact to some extent with the media. Against the background of being observed and judged by various audiences, not only is a transformation of politics likely; even negotiators' strategic repertoire of bargaining can change (cf. Kernell 1997a, b; see also Sellers 2010). Since political actors tend to consider the media as the public opinion (Herbst 1998; Kepplinger 2007) and are expected to represent stakeholders' interests in political negotiations, bargaining officials will find it difficult to change their mind in view of new arguments once they have committed themselves to a given position in public (Chambers 2004; Naurin 2006). This triple challenge can prompt political officials' use of blame-avoidance strategies, as elaborated by adherents of the public administration school (Hood 2007). By organising press conferences, press releases or background briefings for journalists, they provide information channels which can be easily controlled. Information disseminated for that reason typically has a broad character, referring to overarching policy goals and well-known policy positions (Hood 2007).<sup>9</sup> More comprehensive media models have been developed by the public diplomacy school (Cohen 1986; Rawnsley 1995; Entman 2008). Gilboa (2000) focuses on mass media's impact on international negotiations and claims that officials are able to protect sensitive negotiations from the public even in the age of modern communications (Gilboa 2000, 278-290). Based on negotiation-specific contexts such as actor composition or issue, negotiators can limit media exposure, ranging from no public access (secret diplomacy), moderate (closed-door diplomacy) to extensive (open diplomacy). The former strategy allows for enormous concessions and therefore compromises; the second can help to break political impasses, and political actors has stabilisation effects only.<sup>10</sup> Accordingly, by delivering only a rough picture of the negotiation progress to the media, political negotiators can meet the transparency obligation by keeping enough room to bargain.

Nevertheless, bargaining officials can also exploit the media public for selfish reasons. While experts are expected to pursue their own agenda in terms of fundraising, political actors can increase their bargaining power through the mobilisation of external support, which is particularly likely when salient issues such as labour or social policies are discussed and unattractive policy options have to be killed

(Sigal 1973; Canes-Wrone 2001).<sup>11</sup> Effective strategies to *go public* are information leaks, characterised as diffuse sources of insider knowledge (Sigal 1973) expected to have impact on political negotiations (Sigal 1973; Davison 1974). In international negotiations, non-authorised information can contribute to illumination of the negotiation issue, facilitation of intra-governmental coordination or inter-group cooperation (Davison 1974). The circulation of non-authorised information also allows for a pre-assessment of domestic reactions to international negotiation proposals (Trumbore 1998). If negotiators feel unsure about alternatives, they can also float trial balloons which tend, however, to undermine trust (Davison 1974). Although media instrumentalisation has a tendency to decrease the quality of international negotiation outcomes (Gilboa 2000), similar effects at the national level have not become evident (Koch-Baumgarten and Voltmer 2009; see also Koch-Baumgarten and Voltmer 2010). Nonetheless, premature public disclosure of one side's negotiation strategy makes bargaining more difficult, especially for disadvantaged parties. An inauspicious climate for discussion will be generated by damaging a negotiator's confidence in him/herself or in his/her belief that he/she has sufficient public support (Davison 1974). But even erroneous public reports can complicate intra-governmental coordination, as denials or corrective press releases absorb large amounts of time and energy.

The literature review on mediatisation and political bargaining suggests that negotiators are aware of both the political challenge of achieving compromises and the media challenge of allowing for some process transparency. Since political bargaining cannot be isolated from the public in media democracies, negotiators cooperate to some extent with the media. This kind of cooperation, we assume, is guided by negotiators' knowledge of how media produce political news as well as their intellectual capacity and experience to anticipate media's impact on bargaining. As a consequence, negotiators will be attracted to develop and employ media strategies and routines complementary to or in place of prevailing negotiation strategies. In other words, we argue that depending on an actor's nature, bargaining officials are confronted with a negotiation reality which can vary in meaning and significance. One dimension is *legitimacy-driven* and refers to the expectations of stakeholders; the other is *efficiency-driven* and refers to the likelihood of achieving a mutual agreement. Both dimensions are considered to be interdependent, since the process and outcome of negotiations can affect the likelihood of political actors' re-election and experts' re-appointment. As a consequence, state and interest group representatives who are contingent upon one or the other form of democratic legitimation are expected to take into account both the legitimacy and efficiency dimensions. Experts, in contrast, are appointed due to professional expertise and can therefore neglect the legitimacy dimension. In line with this argumentation and due to their practice in interacting with target audiences and the media respectively, we expect political actors to be more careful with the media than scientific experts. More generally, bargaining and public communication strategies have to be coordinated carefully to prevent political negotiations from dysfunctions which may result from inconsistent operational logics of bargaining and news production. This phenomenon is what we refer to as *mediatised negotiations*.<sup>12</sup> Instead of asserting that the rationales of bargaining and news production are utterly incompatible, negotiators' media-related thinking can cause frictions,

provided certain conditions are met. By focusing on actors' strategic behaviour, this hypothesis goes beyond the conventional understanding of media impact on political processes and outcomes.

## Political Bargaining under Media Scrutiny

### Research Design and Data

In the empirical part of this paper we aim to find empirical evidence for mediated negotiations at the individual level. More specifically, we are interested in gathering a better understanding of negotiators' bargaining behaviour and in clarifying to what extent this behaviour is related to the media. Based on thirty-two qualitative interviews with bargaining officials involved in three different German political negotiations, we collected the required data and analysed it by applying a mixed method strategy combining qualitative and quantitative techniques.

As suggested in the section on the nature of political bargaining, Germany represents a typical negotiation democracy (Czada 2000). Although intensive party competition is characteristic of German politics, political decision-making emerges as rather consensual with particularly strong corporatist and constitutional veto qualities. Even at the level of the federal government, consociational characteristics can be observed in terms of voluntary coordination mechanisms which were established by the coalition composed of the Social Democratic and Green parties in 1998. Based on the structural dimensions of negotiation democracies (consociational, corporatist and constitutional veto system type), we selected three negotiation cases in the second period of Schröder's chancellorship (2002-2005): The coalition committee of the Federal Government addressing labour and social issues,<sup>13</sup> the Commission for Sustainability in Financing the Social Security Systems (Rürup Commission),<sup>14</sup> and the joint mediation committee of the German Federal Parliament concerned with the reform of the labour market (Hartz legislation).<sup>15</sup> Each of the selected negotiation cases was subject to intensive media scrutiny, dealt with a redistributive policy, and, was characterised by negotiators with distinct legitimacy backgrounds. We purposely focused on highly mediated bargaining cases because political negotiations without any media exposure do not deliver any information on media's impact on negotiators' bargaining behaviour. We also gave priority treatment to redistributive over regulative policy issues as the former are expected to mobilise more than the latter if they become public. And last but not least, the negotiators' political and social characteristics differ along the selected cases.

Based on our case selection, we conducted thirty-two semi-structured interviews with bargaining officials. This sample resulted from a self-recruiting process, although we intended to produce a full sample composed of sixty-five negotiation participants. Table 1 displays the composition of the interview sample.<sup>16</sup>

The proportion of male respondents is roughly four times higher than that of female participants, while interviewees are more equally distributed with regard to age as an indicator of seniority. Remarkable deviations occur relative to respondents' party and institutional affiliations: More than half of them are members of a left-wing party whereas 15 percent have a right-wing orientation and one-third is unaffiliated with a political party. Furthermore, the majority of the interviewees



Table 1: Composition of Interview Sample

Characteristics of interviewees		Number of interviewees
Sex	Female	7
	Male	25
Age	< 40	2
	40 to 49	10
	50 to 59	9
	> 60	11
Party affiliation	Right-wing parties	5
	Left-wing parties	17
	n.a.	10
Institutional affiliation	Politics	26
	Academia	6

can be considered as political actors (affiliated to state institutions or organised interest groups) while one-fifth of them is affiliated to academia. As academic experts usually do not represent social group interests in public, we expect them to treat and judge the media differently than political actors.

To generate data on how the (self-)selected bargaining officials perceived, assessed and responded to the media's attention compared to other factors expected to have an impact on their bargaining strategies, we posed five open-ended questions in a fixed order. We opted for this interview strategy to avoid a response bias among the interviewees in terms of socially desirable behaviour. The questions were as follows:

- (1) Which factors challenged the negotiations most?
- (2) How do you assess the media's interest in the negotiations?
- (3) How did you cope with media interest?
- (4) How did the media's interest affect the negotiations?
- (5) In general, how do you consider the role of the media in political negotiations?

Interviewing took place between September 2008 and January 2009. On average, each interview session took up to 60 minutes. For all thirty-two interviews, transcripts were prepared and analysed based on a standardised coding scheme. Deriving from theoretical considerations, this scheme consisted of dichotomous and categorical variables which covered the most relevant factors affecting and describing bargaining processes and results with an emphasis on the media. Coding followed the logic of positive or negative reference to the issue under consideration. For example, when a respondent noticed "hostile interpersonal communicative behaviour among bargaining officials," we coded this statement as "aggressive communication" as opposed to "constructive communication" (dummy variable). When a compromise was characterised as a bad deal, we coded such responses not as "no compromise" or "full compromise" but as "partial compromise" (categorical variable). In a final step, all coding results were transformed into quantitative data. As a rule, we accepted multiple responses, e.g. an interviewee mentioned "information leaks," "party politics" and "time pressure" as challenging factors for the

negotiation process at hand. If the same interviewee insisted on information leaks as being the most challenging factor by repeating his statement several times, we counted his response only once. When coding was complete, for those responses which resulted in ambiguous or non-values, existing variables were adjusted or dropped. The generated data were interpreted based on frequency and distribution analyses; bivariate cross-tabulations were used to identify generalisable patterns.

### Negotiators' Perceptions and Responses

The empirical objective of our paper is to gain a better understanding of negotiators' bargaining behaviour and to clarify to what extent this behaviour is related to the media. A comprehensive analysis of mediatised negotiations therefore requires, first of all, a sketch of how bargaining officials perceive the media environment in which ongoing political negotiations are embedded. Table 2 summarises the most relevant categories mentioned by the respondents. Multiple answers were permitted, so categories are not mutually exclusive. Due to the diversity of responses, only those items that score higher than 8 respondents are listed.

Table 2: Perception of Media Environment

Media environment	Number of respondents (N = 32)
High density of reporting	21
High physical presence of journalists	16
Biased reporting	10
Negative reporting	8
Non-competent reporting	8
Personalized reporting	8

A large majority of the interviewees referred to the remarkable intensity of media reporting on the negotiation issue and process. Even though bargaining is usually a focus of media attention, media interest has obviously increased, particularly in the capital city of Berlin, as one informant stated: "The media landscape has changed considerably in Berlin compared to Bonn." According to him, political disputes prior to and during negotiations attracted a great deal of media attention in the former German capital as well. But the media of the Berlin Republic have emerged as more concentrated in terms of the number of media representatives, generating more competition for exclusive political information and, to some extent, more aggressive media coverage.

Many interviewees identified an exceptional physical presence of journalists prior to, during and after negotiations. On-site, TV journalists were in search of quick and forceful statements; newspaper persons, in contrast, attempted to contact negotiators on "neutral" territory such as in their business offices. Bypassing the media was neither desirable nor possible: "It cannot be that bargaining takes place behind closed doors ... and results will be consistently implemented. This notion corresponds with a pre-democratic thinking. We couldn't enter the building due to the crowd of journalists." Another interviewee, in contrast, pointed to me-

dia-free zones as a prerequisite for successful compromise building: “If you want to achieve a compromise, you need discretionary zones. So never ever breathe a word about it [bargaining].” The reason why some discretion is required was given by a fourth respondent: “The media try to exert influence on political decisions by pushing decision-makers into a specific direction while interviewing them.” So public hearings were organised or media requests were delegated to official spokespersons or to the news management department of participating negotiators. Even off-the-record conversations with journalists took place. Nevertheless, a considerable number of negotiators tried to avoid the media by using rear exits even if there were security areas (escape tactic) or by simply refusing to make any public statement (denial tactic).

Apart from journalists’ obtrusive efforts to obtain statements from negotiators, the political news framing met also with criticism. Although media coverage was characterised as sound and critical in general, according to a considerable number of the informants, news tended to be too negative, biased and personalised. The Rürup Commission, for example, was framed as the nation’s scapegoat, aiming at destroying the intergenerational contract in social security, as one respondent noted. This bias resulted in a distorted public perception of the Commission, according to several respondents. Other interviewees pointed at the media’s tendency to focus on hardliners’ statements, distracting undesirable media attention from negotiation “softliners.”

The empirical evidence has shown so far that most of the respondents have a quite detailed picture of the media environment they were embedded in during negotiations. Nonetheless, as can be concluded from the interviews, in the eyes of political actors the mass media as such “neither harm nor push” bargaining processes. Table 3 shows the major obstacles to the bargaining process as mentioned by the interviewed bargaining officials. Again, multiple answers were possible. In total, twenty-three items could be identified but only those which scored higher than ten respondents are listed.

Table 3: Major Obstacles to Political Bargaining

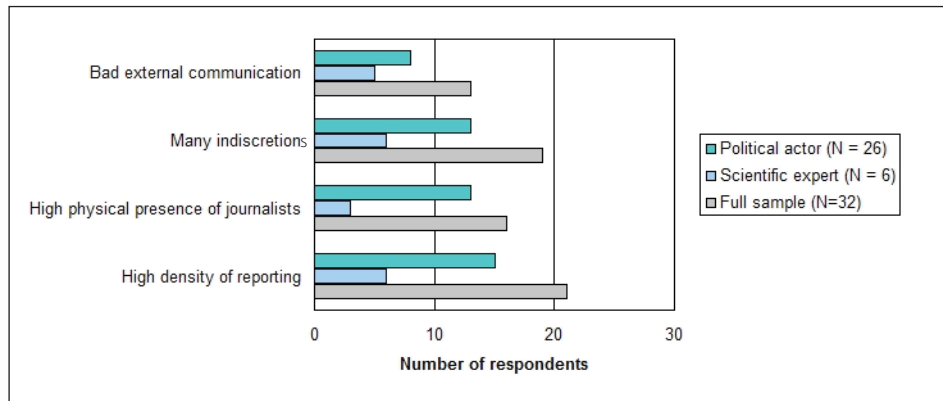
Negotiation context	Number of respondents (N = 32)
Issue management	22
Indiscretion	19
Network composition	16
Institutional conflicts	16
Pressure politics	15
Re-/distributive issue	13
External communication	13
Issue instrumentalisation by external actors	12
Workload	11
Leadership of chairman	10

According to some respondents, the most relevant factors that complicated bargaining were inherent in the negotiations at hand (e.g. complexity of negotiation mandate, tensions between political institutions involved such as the Federal Parliament and the Federal Council, and actor heterogeneity of the Rürup Commission). However, on closer inspection of the data it becomes clear that two aspects refer to the media implicitly: In line with one respondent's statement that "if negotiators really want to achieve an agreement but a detail of bargaining reaches the public, the compromise can be dashed when the disseminated information was salient," a large number of the interviewees pointed to unauthorised public statements. Many of them identified unprofessional official news management as obstacles to achieving compromises.<sup>17</sup> Negotiation leaders in particular were expected "to direct compromise building by protecting negotiators from the public" and to "discipline dissenters."

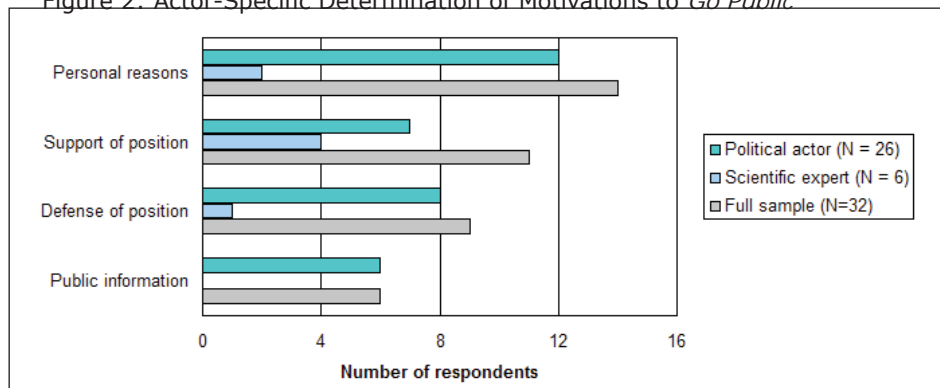
Based on respondents' information, two main strategies were pursued to interact with the media: For avoiding public cacophony, speakers were appointed in line with bargaining function, group affiliation or professional competences. Spokespersons were authorised to announce interim results of the negotiations, to inform about issues in dispute, to announce deadlines or, if compromises were at risk of failure, to assign blame to others in order to deflect blame from themselves. The dissemination of alternative policy options or individual accusations was not permitted. Nevertheless, individual statements could be given provided that comments related solely to the area of personal expertise and referred to information already circulated by authorised speakers. Even though news management regulations had been established, rules were violated by some negotiators. As indicated by a number of respondents, the circulation of confidential information frequently occurred by text message or unauthorised reports. The spread of non-authorised information was also facilitated by diffuse communication networks, which had resulted mainly from the number or heterogeneity of negotiators, inefficient news management by the negotiation leadership, or uncoordinated statements by appointed speakers.<sup>18</sup>

Academic experts' perceptions of the media environment were consistently more intensive than those of political actors. Figure 1 shows in more detail how the different bargaining actors perceived the media environment and assessed bargaining actors' media-related behaviour. The results displayed in Figure 1 rely on the data presented in Table 2 and 3. While the latter are generally accustomed to public observation, academics' public experiences are usually limited. Instead of representing corporate interests, they are appointed to add new arguments to the bargaining process based on their academic expertise. Not surprisingly, then, among the experts, incomprehension prevailed about the media's engagement in confusing expert positions with political ones, the obvious lack of journalists' policy know-how and political actors' tendency to circulate information in the public with purpose. As one expert said, for example, "experts constitute neither a court nor a parliament; they are independent of political majorities." Conversely, some of the political respondents speculated that non-politicians cannot adequately respond to media pressure as they are not used to interacting with the media which have become an essential part of politics. As illustrated in Figure 2, two main motives causing indiscretion can be deduced from negotiators' responses. Again, the categories are not mutually exclusive and respondents could give multiple answers.

Figure 1: Actor-Specific Perception of Media Impact on Political Bargaining



Based on a chi-square test, all variables are significant at the .05 level except for the journalists' presence variable (not significant) and the media coverage variable (0.1 level).

Figure 2: Actor-Specific Determination of Motivations to *Go Public*

Based on a chi-square test, the support variable is significant at the .01 level.

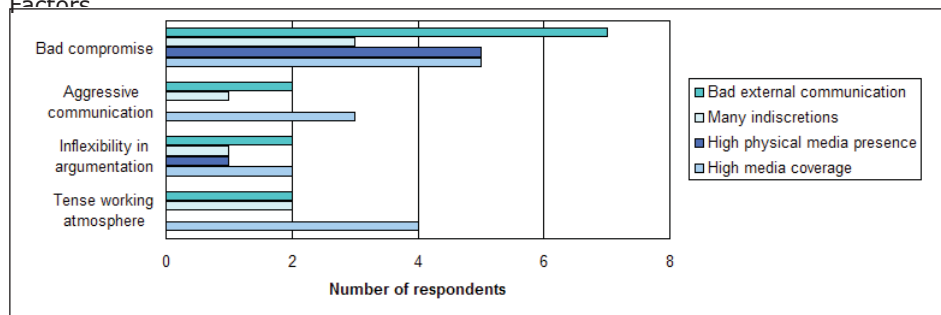
The first motive is supported by a majority of informants who assume self-ish negotiators attempting to advance their individual career by generating, for instance, new contacts to the media, and pushing or defending bargaining positions by reducing compromise options, especially during election campaigns. One political respondent acknowledged the need to defend stakeholder interests in the public: "Everybody knows the constraints of the other. As a consequence, it is comprehensible that stakeholder positions must be defended against competitors, that PR has to be made." One of the scientific experts, however, emphasised the instrumental power of the media for strengthening specific positions: "If you can't find majorities within ... a larger group, proposals [covering competitive interests] must be made public in order to be dashed. That is part of the game."

The second motive refers to the democratic mandate of public information which is mentioned by only some interviewees. In short, as one respondent reported, non-confidential behaviour is usually interest-driven and only occasionally a matter of

individual style (“vanity ball”). It also became evident that academic experts expect indiscretions to occur as a means of revealing bargaining positions, while political actors consider them a publicity pusher for personal reasons.

The empirical findings suggest that confidence violation is part of the negotiation game. Even though promising bargaining relies on “[negotiators who] are expected to keep secret as much detail as possible,” more than once it was mentioned that some degree of publicity is needed. For a few informants, publicity generated through the media is even part of political bargaining without turning it into a public event, since “nobody wants to be the one who gains short-term media publicity at the expense of a potential compromise.” Based on respondents’ statements, for the most part, delegation considerations serve as a means to justify negotiators’ addiction to the public: Political negotiators depend on regular public assessment of their political performance to remain in office. Irrespective of publicity motives, advanced communication skills are required from negotiators to inform adequately about bargaining positions, delegates’ efforts and (interim) results for different target audiences such as parliamentary groups, government, state administrations, stakeholders, or the public at large. Based on the empirical analyses, a dynamic media environment in terms of media coverage and presence of journalists as well as selfish and inefficient public communication occur as major media-related factors affecting political bargaining. The data displayed in Figure 3 summarise the bargaining assessment of those respondents who considered one or more of the four above-mentioned factors relevant.

Figure 3: Assessment of Political Bargaining Contingent on Major Media-Related Factors



Along with the bargaining process, we focused on the working atmosphere, and negotiators’ capability to introduce and defend their positions, as well as the style of interpersonal communication. As indicated by a few respondents, intense media coverage, many indiscretions and inefficient news management activities correspond with a deterioration of the bargaining atmosphere. The most unstressed atmosphere prevails when doors are closed and journalists are kept out. These findings, however, fit only partly the respondents’ expectations of how media usually affect bargaining: Some of them anticipated a complication of the negotiation process.<sup>19</sup> Referring to the politics-academia distinction, a considerable number of experts stated a worsening of the working atmosphere compared to only a few politicians.

As it is atypical to sanction the dissemination of confidential information (e.g. through replacement), apart from frequent interruptions of ongoing discussions,

even negotiation routines were modified on short notice: First, instead of electronic invitations that had included off the record material more than often, handouts were provided at the beginning of negotiation sessions. Second, working groups were established and were intended to meet at the same time in order to release the negotiation assembly from public pressure and to push consensus-building. Third, the amount of informal contacts increased, in particular between negotiators with similar goals and arguments. Fourth, to compensate for failed individual news management, intensive discussions took place at the beginning of each meeting, or working lunches or dinners were organised by chairpersons. Fifth, unscheduled press conferences or press releases emerged as more visible correction measures. Finally, exit had been considered by minor actors, but this idea was abandoned because exit prevents codetermination and makes a loss of reputation more likely.

Astonishingly, while anonymous information leaks tended to destroy policy options in advance, personalisable indiscretions provided grounds for new discussions, as one experienced political negotiator noted. According to him, coping with information leaks is merely a technical problem, given that indiscretions usually make much ado about nothing. Thus, as confirmed by many respondents, mediated information does not cause conflicts, but either reflects or intensifies existing ones. Unauthorised information resulted not only in more difficult bargaining processes but also triggered public information avalanches in terms of counter-statements intended to inform or calm down affected stakeholders. Nevertheless, some negotiators' public inclination turned out to be beneficial for bargaining since it distracted media attention from working groups.

Compared to the negotiation process, respondents showed more media sensitivity towards the bargaining outcome. Although one respondent indicated that the negotiation results did not suffer from any media impact, a considerable number of informants identified serious problems accumulating in the media's pressure for quick compromises: "They can't achieve an agreement anyway." This resulted in bad compromises, according to some respondents. More interestingly, this finding corresponds with a small number of respondents' expectation that the number of available options for compromise decreased. Among the respondents, a majority of the scientific experts considered the compromise a bad deal whereas only a minority of the politicians appeared as critical as that. Bad compromises were defined as either optional (i.e. parallel and preliminary) solutions or minority votes intended to satisfy stakeholder interests of each negotiation party:<sup>20</sup> Optional solutions represent genuine political decisions from which only one will succeed (usually the most efficient); minority votes stress relevant aspects deviating from the final outcome which, however, can contribute to more efficient political decision-making at a later stage.<sup>21</sup> In general, those respondents who looked upon the compromise rather pessimistically cited the intensity of media reporting and the mode of external communication most frequently. The physical presence of journalists was of minor importance, suggesting that chairpersons did a rather good job in protecting negotiators from the public, for example, by chatting with journalists or, when organising meetings, by taking advantage of huge negotiation buildings which provide negotiators numerous opportunities to retreat from media representatives.

Political actors are less sensitive to distortions of bargaining processes and outcomes. Unlike experts, political negotiators have to blow their trumpet in public, and

most of them are aware of risks arising from media involvement. As one political informant emphasised, interaction with the media can be compared with a circus horse: Some can control it, but others fall down. Exposure to media has to be learnt, and consequently, it was no big surprise that some of the academics walked into the media trap – intentionally or not. Among other things, it was frequently criticised that academics tended to present individual positions on behalf of the negotiation leadership. By contrast, the quality of compromise came under criticism from academics. They complained about the lack of scholarliness, or, as noted by one respondent, “a good compromise has to be perfectly structured and economically reasonable.” Consequently, political compromises can imply problems for academics’ professional reputation. Nevertheless, the academics’ uncoordinated public approaches oppose the logic of bargaining and can violate citizens’ confidence in politics given that academics are not accountable for political decisions. Therefore, political respondents in particular expressed the desire for academic statements to be postponed until the announcement of the final decisions.

## Discussion and Conclusion

Public talk during political negotiations is not always silver. It can be golden if negotiators master public communication in a way that ensures that the process of bargaining will never be put at risk. Even though public exposure is postulated to impede political bargaining in media democracies, neither bargaining actors nor processes can be isolated from the general public. This study’s empirical findings suggest that, first, negotiators are aware of the need to manage bargaining and public communication simultaneously. This consciousness, however, seems to be less pronounced with academic experts than with political negotiators. Second, new bargaining routines have developed from the need to counterbalance negotiation dysfunctions stipulated by unauthorised or ineffective public communication. Third, the death knell of political negotiations has not sounded yet, but political negotiators to some extent perceive themselves challenged to meet both their stakeholders’ and negotiation partners’ demands.

Based on the newly introduced definition of mediatised negotiation, whereby negotiators consider and employ media strategies that are complementary to or replace typical bargaining routines, in this study we focused on the strategies of thirty-two German bargaining officials to cope with intensive public observation of contested negotiation issues. We were able to show that these negotiators had a quite detailed picture of both the media and political context of ongoing negotiations. Since bargaining officials are usually dependent on public responses to remain in office, they allow some publicity of negotiations. It became evident that a number of formalised instruments were available to satisfy the media’s interest without jeopardising bargaining as such. Nevertheless, indiscretions and ineffective public communication occurred as major obstacles to compromise, not caused but facilitated and intensified by media reporting.

Media tend to have ad hoc effects on political bargaining, covering different rules and procedures to manage cooperation among negotiators and, of course, with the media. Apparently, media logic is omnipresent in political negotiations, but it does not put them at risk per se: Rather, media impact can be generalised as institutional responses by strategically thinking negotiators that can make dif-



difficult bargaining and inefficient compromises more likely. Even if the approaches we applied to collect and analyse our data do not allow for generalisable results, we tried to make clear that mediated negotiations are more than an empirical artifact worth studying in more detail. More systematic comparisons either at the institutional level of political negotiations or across nations could help to test the validity of our preliminary results. In addition, systematic analyses of the impact of various degrees of media scrutiny can shed more light on the media impact on bargaining processes and routines. Related to this suggestion, an additional actor type should be considered for further research: journalists. They could contribute to the discussion of which factors make (which type of) political negotiations more attractive than others. Furthermore, it would be interesting to evaluate journalists' understanding of political bargaining and the extent to which it differs, for instance, from that of academic experts.

Our qualitative data imply that political actors seem to show a deft hand in handling media and public interests. But the results from this study also suggest that political negotiations are very context-sensitive, making media strategies more likely under certain conditions. Approaches that consider both different types of negotiation systems and the extent of media exposure can be promising for future research. We suggest three scenarios of negotiation-media arrangements to be analyzed: First, political negotiations take place unnoticed by the media, although negotiators are authorised to take decisions of consequence. This case is most likely under the condition that basic criteria for selecting political news are not met, simply because low-ranking negotiators are involved, the negotiation issue is of less public significance or has to compete with more salient issues for media attention. Second, political negotiations are highly mediated and benefit from intensive media scrutiny. Provided that the issue at hand is both relevant to the majority of the people (re-/distributive issues) and treated morally by the media, public attention can be considered a catalyst: either for political compromises, if mutual agreements are unlikely for whatever reason and negotiators may not opt out, or for "successful failure", if negotiation networks have been established with the (only) purpose being to incur the wrath of the public so that executives can enhance chances to make essential but less fundamental decisions. Last but not least, negotiations under intensive public observation face difficulties that range from postponement to deadlock of consensus-building. Such constellations are most likely when the negotiation issue is of public importance but cannot be politically solved. By launching and maintaining media strategies, individual negotiators, who may not exit the bargaining process, focus on the improvement of their strategic position in either opposition-government or federal-level power plays.

Based on this study's empirical findings we suggest a less restrictive understanding of the mediation of politics. Since media effects can also be observed at the level of actors' subjective perception, further research could contribute to the clarification of conditions under which negotiators' behaviour are more likely to be mediated. Even if the rationales of bargaining and news production are incompatible, media logic's emergence is neither unavoidable nor unmanageable. To interact with the media, a large set of instruments is at negotiators' disposal, all of which, however, affect the process and outcome of political bargaining. As outlined above, further research could shed light on the circumstances in which each instrument is most likely to be used, and what effects this will have on bargaining.

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### Notes:

1. Consensus and majoritarian democracies differ along two dimensions: The executive-parties dimension refers to the likelihood that a single party can take complete control of the government; the federal-unitary dimension deals with the opportunities available to a government to change policy and minority rights (Lijphart 1999).
2. Frequently used synonyms for “negotiation democracy” in comparative political research are “bargaining democracy” and “system of negotiations.”
3. Apart from “institutionalised” coalition cabinets as in Switzerland, grand coalitions can also be established, for instance in Austria or Germany. Those are composed of the two strongest parliamentary groups, i.e. Social and Christian Democrats.
4. The same logic applies to post-consensus situations by selling a compromise as a collective result without specifying winners and losers (Elster 1989).
5. Despite the strong normative claim for discretion, the empirical research on the mediatisation of political bargaining shows that some disclosure of political bargaining details can be a catalyst for compromise-building (see review and discussion of mediatisation research literature, pp. 9-12).
6. According to Czada (1997), the more segments of society a negotiator represents, the less likely a premature exit will be.
7. Transparency is defined by the extent to which citizens have access to information about political events and processes (Naurin 2006).
8. The political logic is referred to as “collective and authoritative decision making as well as the implementation of political decisions” (Strömbäck 2008, 233).
9. Prior to decision-making processes, officials also engage in the delegation of responsibilities to dilute political accountability for resulting decisions.
10. Empirical evidence suggests that negotiating participants with strong opposing positions were more flexible when media coverage was limited (Druckman and Druckman 1996).
11. Contrary to the democratic norm according to which many officials inform the public about politics since they feel they have an obligation to do so, ego gratification is another explanation to go public (Sigal 1973).
12. McGinn and Croson (2004) also use this terminology but they refer to the degree to which face-to-face negotiations are affected by electronic media.
13. Based on a coalition contract, Social Democrats and Greens met once a month to mediate contested policy issues. In the years from 2002 to 2005, the commission agenda was dominated by almost the same labour and social issues; we therefore consider the entire bargaining period as one negotiation case.
14. This commission was appointed by the German government to make recommendations for a social security reform. It was composed of social and economic interest representatives as well as scientific experts, convened in November 2002 and ended with the presentation of the final report in August 2003.

15. Between November 2002 and December 2003, delegates of the Federal Parliament (Bundestag) and Council (Bundesrat) prepared four legislative packages for approval in the Federal Parliament.
16. The interview sample covers 49 percent of the actual group of negotiators whose individual and institutional characteristics are appropriately represented by the interviewees.
17. Interestingly, almost all informants identified individual news management as the most relevant news selection criteria for the media. A large majority of the respondents referred to conflict-related aspects such as re-/distributive issues, external power struggles between government and trade unions or within government, or the high profile of individual negotiators.
18. Occasionally, even untrustworthy journalists were indicated as a source of information leaks and leaks also arose quite frequently from a large number of working sessions. Interestingly, some interviewees stated that the absence of formalised news management established fertile ground for indiscretions.
19. As indicated by one respondent, the spread of confidential information can also result in additional negotiation sessions, meaning not only a delay in compromise-finding but also an increase in the costs of implementing final outcomes. But even if no information leaks appear and compromise could be achieved quickly, a number of sessions have to be held as a kind of ritual expected by the public.
20. Many respondents pointed out that after the final decision had been officially announced, both types of bad compromises attracted intense media interest.
21. A good compromise was defined by most of the respondents as a political outcome that sufficiently accounts for the interests of each negotiation party.

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