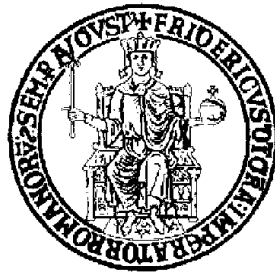


UNIVERSITÀ DEGLI STUDI DI NAPOLI FEDERICO II



FACOLTÀ DI SCIENZE POLITICHE

DIPARTIMENTO DI TEORIE E METODI DELLE SCIENZE UMANE E SOCIALI

SCUOLA DI DOTTORATO IN
SCIENZE PSICOLOGICHE, PEDAGOGICHE E LINGUISTICHE
DOTTORATO DI RICERCA

IN

LINGUA INGLESE PER SCOPI SPECIALI

XXIV CICLO

TESI DI DOTTORATO

*Raising Awareness via the Three Ps:
Promotion, Popularisation and Pedagogy
A Multimodal Analysis of the Council of Europe Campaigns
for the Protection of Human Rights*

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NAPOLI 2011

*Human beings suffer,
they torture one another,
they get hurt and get hard.
No poem or play or song
can fully right a wrong
inflicted or endured.*

*The innocent in gaols
beat on their bars together.
A hunger-striker's father
stands in the graveyard dumb.
The police widow in veils
faints at the funeral home.*

*History says, Don't hope
on this side of the grave.
But then, once in a lifetime
the longed for tidal wave
of justice can rise up,
and hope and history rhyme.*

*So hope for a great sea-change
on the far side of revenge.
Believe that a further shore
is reachable from here.
Believe in miracles
and cures and healing wells.*

Excerpt from *The Cure at Troy*
an adaptation of Sophocles' *Philoctetes*
by Seamus Heaney

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All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Universal Declaration of Human Rights (art.1)

INTRODUCTION

I. Setting the scene: the Council of Europe and human rights

The Council of Europe (COE), settled in Strasbourg, is Europe's oldest and largest political institution aimed to guarantee democracy, the rule of law and human rights across the continent. As stated by Schwimmer¹ (2010), the Organisation is the actualisation of an “unprecedented” pan-European unity and the creator of a political identity which builds on Europe’s common cultural heritage. Created in the aftermath of the Second World War, it was the first and only institutional realisation of the idea of European unification and in the following years, it has played an active role in realising the dream of bringing peace and stability to the continent.

In Europe, Hitler’s barbarism had caused the most horrible wound to people so it was necessary to reaffirm the dignity and worth of individuals. The formation of the COE was seen as one of the best ways to prevent similar tragedies in the future. It is almost forgotten that the European Union (EU) would not have come into existence without the COE. Moreover, it has made an important contribution to the birth of new democracies after 1989-1990. “As a matter of fact, the Council of Europe has done a great job in the transition process of the former communist bloc to European and democratic systems: it has really made history” (Schwimmer, 2010: 18).

¹ Walter Schwimmer was the twelfth Secretary General of the Council of Europe, consultant on international affairs and intercultural dialogue from 1999 to 2004.

It is the most developed and perhaps the most effective system of protection for human rights (Rhona, 2010) and since its creation, it has tried to build a universal culture of human rights enabling people to participate actively in a free society and promoting respect, understanding, and collaboration amongst its member States for the maintenance of peace. Nevertheless, in spite of its fostering engagement in several legal, social and cultural activities tasked to monitor and implement human rights principles, human rights are still violated on a daily basis in many countries. In order to promote and protect human rights, the Council of Europe has undertaken a series of initiatives and, in particular in the last five years, it has launched various awareness-raising campaigns² which have primarily focused on the right to life, but they have also underlined the importance of other rights, such as social and cultural rights. Some of the Council of Europe's campaigns have dealt with some very sensitive issues, such as the death penalty, violence against women and child abuse.

This thesis will concentrate on the informative and persuasive language employed by the Council of Europe to disseminate human rights protection by investigating its most recent public campaigns. The main purpose will be to highlight and examine the most significant discourse strategies implemented by the Organisation to promote human rights and its institutional structure. Before explaining in more detail the framework of the study, it is essential to state what human rights are supposed to be with a brief survey of the classical origins of human rights thinking and the history of their regulation.

II. Human rights: from a philosophical concept to legal developments

Human rights are the basic standards of equity and justice without which people cannot live in dignity. As such these rights pervade all aspects of our life. Since the

² They are available at: <http://www.coe.int/lportal/web/coeportal/campaigns?dynLink=true&layoutId=452&dlgroupId=10226&fromArticleId=> (Last accessed: November 2011).

formation of the United Nations (UN) in 1945, governments, international bodies, non-governmental organisations (NGOs) and all sectors of society have tried to develop a universal human rights dimension in order to reach international peace and security. Three main regional human rights systems – the Council of Europe (COE), the Organisation of American States and the Organisation of African Unity/the African Union – have concentrated their efforts to promote human rights through education, training and public informative campaigns supported by bodies which must monitor the efforts made by States in this respect.

Claims are presented, criticisms are formulated by invoking human rights but it often remains an unclear and a too abstract concept. Human rights is a term which is used frequently and understood rarely. Unlike civil liberties which are rights allowed by the state, human rights, on the contrary, are not subject to any political machinery but they “[...] come from ‘below’, from a universal set of ethical principles which seek to ensure the equal worth of each individual life, and which are applicable to all peoples at all times and in all places” (O’Byrne, 2003:26-27). Besides, human rights is a concept that has been continually evolving throughout history. Intricately tied to the laws, customs and religions, human rights have seen a shift from a philosophical, moral principle to a legal and political notion throughout the ages.

II.I. Human rights’ philosophical roots

The discourse of human rights may be relatively modern, but the idea itself is deeply rooted in the mists of time. Most ancient religions included codes of practice implying certain rights. Ancient and classical scholars also contributed to this discourse: for example, Aristotle discussed the importance of virtue, justice and rights in accordance with the political community; and Cicero and Seneca talked about being citizens of the world. Some scholars (O’Byrne, 2003; Ishay, 2008) would argue that religious texts, such as the Ten Commandments, embodying universal rules for

moral and spiritual behaviour, are the foundation of human rights. However, it is in the works of the European Enlightenment philosophers that we can trace the origins of human rights thinking as we recognise it today. It was John Locke in *Two Treatises of Government* (1689) who first suggested that there are natural rights shared by everybody, which are inalienable and cannot be removed by any political authority. In the eighteenth century the French Enlightenment philosophers – from Montesquieu to Voltaire to Rousseau – provided the basis of the political “rights of man”, but it was the German philosopher Immanuel Kant who in *The Metaphysics of Morals* (1797) laid the groundwork for the modern concept of human rights as ethical practice, thus breaking with Lockean abstraction. According to Kant, in fact, since individuals are rational beings who can determine those moral principles for securing autonomy and equality, human rights do not originate from God – as stated by Locke – but human reason. For the pamphleteer and radical Thomas Paine, the formal implementation of rights within the political sphere was essential for the establishment of social justice. In his work *Rights of Man* (1791) he defended some inalienable rights – rights of mind and rights of personal happiness and freedom – justifying the revolutions in America and in France, because they resulted in the signing of formal documents in which individual rights were legally recognised. Paine’s ideas had a considerable influence on contemporary thinkers such as Mary Wollstonecraft who in 1792 wrote *A Vindication of the Rights of Women* focusing on the role of women; in fact she is considered a pioneer of the struggle for women’s emancipation. After Kant the discussion of human rights shifted away from the philosophical arena towards that of active politics; there was much discussion of citizenship rights held by individuals within nation States and that provoked an increasing awareness of the need for international law.

II.III. Human rights in concrete laws

During the twentieth century much of this philosophical discussion shifted towards the notion of human rights protection. According to O’Byrne (2003), the 1948 *Universal Declaration of Human Rights* was one of the most important achievements of this century, because it allowed for the implementation of these abstract ideals into concrete law. Obviously, the Declaration did not emerge from a vacuum. Its origins can be traced back to the *English Magna Carta* of 1215 which enshrined a number of principles which now fall within the ambit of human rights, even though they were limited only to barons. It contained a number of what later came to be considered as human rights; for example the rights of all free men to be free from excessive taxes and from unfair or unlawful detainment, imprisonment or exile and the right of widows who owned property to decide not to remarry. The Carta was later converted to *Bill of Rights* in 1688-89 which was the first document to use the language of “rights” even if the rights were given to Parliament, and not to people. The 1688 Act established many of the rights which are now in the *European Convention on Human Rights* (ECHR). Some aspects of the language used are familiar, such as Article 3 of the ECHR³ which echoes the Bill of Rights provision against “*cruel and unusual punishments*”⁴. The USA and France adopted statements on rights after the revolutions when they proclaimed respectively the Independence of the former British North American colonies and the birth of the first French Republic. Both Declarations emphasised the existence of inalienable rights as freedom and truth, drawing on the theories of Locke and Kant. In fact the French Declaration states that “Men are born and remain free and equal in rights” and “liberty consists in being able to do anything that does not harm others” (quoted in Rhona, 2010: 6). Both Declarations led up to the development of international law, and they were important

³ See at <http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=005&CM=8&DF=12/07/2011&CL=ENG> (Last accessed: November 2011).

⁴ See at <http://www.legislation.gov.uk/aep/WillandMarSess2/1/2/contents> (Last accessed: November 2011).

because they attempted to protect the rights of individual citizens according to a set of moral principles which could be applied to all people.

It was just at the end of the Second World War that the *Universal Declaration of Human Rights* (1948) provided a framework for international human rights law. The devastation of the two wars had shocked the entire world so it became necessary to create an international mechanism for protecting future generations: the United Nations was founded and the *Universal Declaration of Human Rights* adopted in order to guarantee social progress and respect of human rights. One year later, in Europe the Council of Europe was established and in 1950 the *European Convention for the Protection of Human Rights and Fundamental Freedoms* was adopted giving a European response to this issue.

Both philosophical discussion and rights regulations such as Magna Carta in England, the French Declaration and the American Constitution have contributed to building international human rights law in which the COE plays a key role in guaranteeing the respect and protection of human rights among its member States.

Unfortunately sixty years later, we still live in a world where human rights violations are prevalent. Abuses continue in several states and Western nations often claim the observance of human rights regulations to non-Western nations while ignoring them at home. Europe is full of examples of violations: discrimination, slavery, poverty, sexual abuse. The rights of women, children and other groups continue to be ignored. Drafting and signing treaties has not been sufficient to eradicate human rights violations, so the COE is actively engaged in campaigning human rights promotion and protection.

III The specific aims and approach of the study

The general aim of this study is to analyse the diverse modes employed by the COE campaigners in disseminating information on human rights. It will try to

evaluate the linguistic and visual ways and means of persuasion used to raise awareness among people. The principal research questions are:

In what ways are the COE's persuasive communication campaigns employed to promote human rights to a diversified audience? How does the Council of Europe represent itself through the campaigns?

More specifically, the following sub-questions will be taken into account:

What persuasive techniques are employed in the campaign material in order to raise awareness on human rights issues?

To what extent do the linguistic and semiotic strategies interact in the different genre sources?

How do the discursive strategies of promotion, popularisation and pedagogy (the 3 Ps) facilitate hybridisation and genre-mixing? What is preserved and what is missing in new genres? What specific "markers" in the texts help determine this?

In other words, this research will attempt to identify, through the analysis of the 3 Ps, the various verbal and non verbal persuasive tools used by the Organisation in order to reach citizens at every possible level. Due to the complexity of the topic and its socio-cultural implications, the data will be examined through the analytical and methodological paradigms of Social Semiotics and Critical Discourse Analysis (CDA).

IV. Plan of the thesis

In order to answer its research questions, this thesis is set out as follows:

Introduction

Chapter 1 begins with a brief overview of the history of the Council of Europe, its structure, main conventions and actions. Seeing that the research will focus on the COE's raise-awareness campaigns, the last section introduces the main characteristics of public communication campaigns which will be investigated in more detail in the following chapters.

Chapter 2 reviews the relevant academic work that has furthered understanding of persuasive communication campaigns and the core concept of persuasion. Section 2.2 focuses on the symbolic nature of persuasion looking at the powerful role that images and words play in the persuasion process.

Chapter 3 sets out the data to be investigated and deals primarily with the methodological and analytical procedures for the analyses of the COE's campaigns. The main analytical tools employed are then discussed in detail – the concept of intertextuality and the COE's identity from the CDA analytical perspective and the social semiotics notions of genre and composition – and their suitability for answering the research questions set.

Chapters 4-6 consist of the presentation and discussion of text analysis identifying three main discursive intertwined strategies: promotion, popularisation, pedagogy (the 3 Ps). Each chapter begins by contextualising the data to be analysed and discussing the suitability of the selected analytical tools to answer the research questions that the thesis hopes to address. The promotional discourse devices utilised by the COE with a focus on the rhetorical structures are discussed in chapter 4. Chapter 5 highlights the aspects of popularisation identified in the data through a pragmatic comparison between source legal texts and target texts (campaign material on the same topic) in order to investigate how the COE communicates legal discourse

on human rights to the European layman, focusing on the linguistic and perhaps visual elements employed to simplify source genres. Chapter 6 examines human rights discourse via pedagogy with the objective of identifying the way texts and images interplay to educate and train people. In order to facilitate the investigation of these three principal discursive strategies, it has been decided to consider the 3 Ps separately identifying and grouping the data collected in three different analytical chapters, but it is important to underline that aspects of promotion, popularisation and pedagogy often overlap and merge together in a text type.

The final section of concluding remarks and future research sums up the main points by bringing together the findings and assumptions of the analytical chapters and by discussing the contribution of this study to academic work enabled by a deliberate multidisciplinary approach. By discussing its strengths, it also identifies any limitations to make suggestions for further research.

We, the people of Europe.

Carlo Sforza⁵

CHAPTER 1

THE COUNCIL OF EUROPE'S AWARENESS-RAISING CAMPAIGNS

1.1 The Council of Europe: an overview

The Council of Europe is one of the oldest international organisations devoted to fostering co-operation in Europe through the promotion of human rights, democracy and the rule of law.

At the end of the Second World War, Europe was marked by unprecedented devastation and human suffering. It was clear that the horror of the two world wars would never be repeated. This situation favoured the long held idea of European integration through the establishment of common institutions. In his famous speech at the University of Zurich on 19th September 1946, Sir Winston Churchill claimed a “United States of Europe” and the constitution of a Council of Europe:

*We must build a kind of United States of Europe. In this way only will hundreds of millions of toilers be able to regain the simple joys and hopes which make life worth living... Why should there not be a European group which could give a sense of enlarged patriotism and common citizenship to the distracted peoples of this turbulent and mighty continent?*⁶

⁵ Minister for Foreign Affairs of Italy from 2 February 1947 to 19 July 1951. This sentence, referring to the preamble to the United States Constitution which begins with the famous words *We, the people of the United States*, was pronounced at Strasbourg in November 1950.

⁶ This extract has been taken from The Council of Europe: its origins and its aims. In *Europe is more than you think*, p.1, available at http://www.coe.int/t/dc/europeismore/default_EN.asp? (Last accessed: November 2011).

Churchill with other five *men of dialogue*⁷, by launching the process of European construction, were the pioneers of a Europe of peace founded on democracy and freedom. In fact, in 1949 the Council of Europe was created with ten states – Belgium, Denmark, France, Ireland, Italy, Luxembourg, the Netherlands, Norway, Sweden and the United Kingdom – to ensure reconciliation among the peoples of Europe.

As the Berlin Wall fell in 1989, the COE was ready to open its doors to central and eastern European countries. Since then, the ten original members have been joined by other new states willing to demonstrate their commitment to building a Europe based on democracy, human rights and the rule of law. Today it covers virtually the entire Europe with its 47 member states⁸, and has hence become a unique forum for voicing the concerns, hopes and aspirations of its 800 million citizens. Even though the Council of Europe and the European Union collaborate on a number of joint projects and share the same flag and anthem, they are entirely distinct and separate⁹.

⁷ Konrad Adenauer, Chancellor and Minister for Foreign Affairs of the Federal Republic of Germany; Robert Schuman, French Republic Minister for Foreign Affairs; Paul-Henri Spaak, Prime Minister and Foreign Minister of Belgium in the 40s and 50s; Alcide de Gasperi, Prime Minister of the Republic of Italy; Ernest Bevin, United Kingdom Secretary of State for Foreign Affairs.

⁸ 1949 Belgium, Denmark, France, Ireland, Italy, Luxembourg, Netherlands, Norway, Sweden, United Kingdom, Greece and Turkey; 1950 Iceland and Germany; 1956 Austria; 1961 Cyprus; 1963 Switzerland; 1965 Malta; 1976 Portugal; 1977 Spain; 1978 Liechtenstein; 1988 San Marino; 1989 Finland; 1990 Hungary; 1991 Poland; 1992 Bulgaria; 1993 Estonia, Lithuania, Slovenia, Czech Republic, Slovakia, Romania; 1994 Andorra; 1995 Latvia, Albania, Moldova, Ukraine, “the former Yugoslav Republic of Macedonia”; 1996 Russian Federation and Croatia; 1999 Georgia; 2001 Armenia and Azerbaijan; 2002 Bosnia and Herzegovina; 2003 Serbia; 2004 Monaco; 2007 Montenegro. The Holy See, Canada, Japan, the United States of America and Mexico have observer status with the Council of Europe.

⁹ The European Union is expected to accede to the European Convention on Human Rights, in fact the Treaty of Lisbon includes a protocol binding the EU to join it.

1.1.1 The institutional framework

A number of highly developed bodies are responsible for the operating of the Council of Europe and each one has a crucial role:

The Committee of Ministers

It is the primary Council of Europe's decision-making body and is made up of the ministers of foreign affairs of all the member states, or their permanent representatives in Strasbourg.

The Parliamentary Assembly (PACE)

This is the deliberative and political driving force of the Organisation. It comprises parliamentarians from the 47 member states who meet four times a year to discuss policies for action to be submitted to governments.

The Congress of Local and Regional Authorities

It comprises political representatives from Europe's 200,000 regions and municipalities. It works to strengthen democracy at local and regional level.

The European Court of Human Rights

Established in 1959, it is the judicial body that allows individuals and states, regardless of nationality, to contest alleged violations of those rights protected under the European Convention on Human Rights.

The Commissioner for Human Rights

It is a new independent body created in 1999 responsible for promoting education and awareness for human rights and ensuring their effective observance in all member states.

The Conference of International Non-Governmental Organisations (INGOs)

The Conference includes some 400 INGOs and provides an active link between politicians and ordinary citizens giving an important contribution to the Council's work.

The Secretariat

It is the Council of Europe's administrative body. It is responsible for the day-to-day management of the institution and ensures that the various offices function properly and accomplish their tasks.

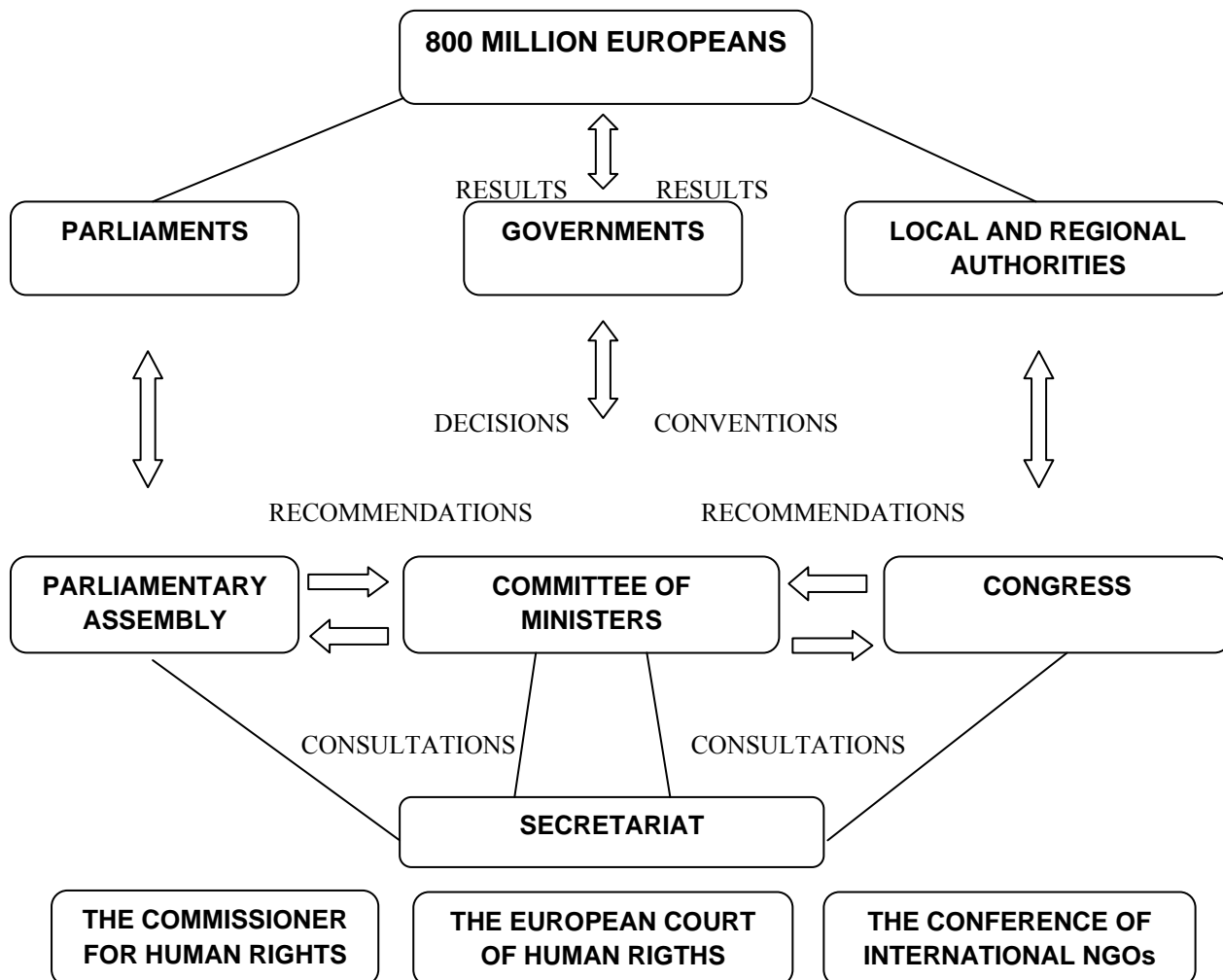


Figure 1.1 The Council of Europe's structure (adapted from http://www.coe.int/AboutCoe/media/interface/publications/outreach_en.pdf).

1.1.2 Objectives

Since its founding, the Council of Europe has successfully evolved in the pursuit of its aims. Article 1(a) of the Statute states that “*The aim of the Council of Europe is to*

achieve a greater unity between its members for the purpose of safeguarding and realising the ideals and principles which are their common heritage and facilitating their economic and social progress.” Therefore, it is a prerequisite to membership that a potential state must actively guarantee democracy and fundamental rights within its territory, because these values are indispensable in achieving democratic stability. Moreover, the Council of Europe believes that the role of co-operation is fundamental as a means of meeting the challenges of modern society. Cultivating Europe’s cultural identity and diversity, and trying to build a stable, functional and cohesive Europe through political, legislative and constitutional reform are at the heart of this process.

The circumstances in which the Council of Europe works have changed dramatically over the years. Technological, scientific, political, social and economic developments have brought new opportunities, but also the emergence of new threats to the human rights of the European population, such as cybercrime, people trafficking and terrorism. The graph below, in fact, illustrates the COE’s actual central aims:

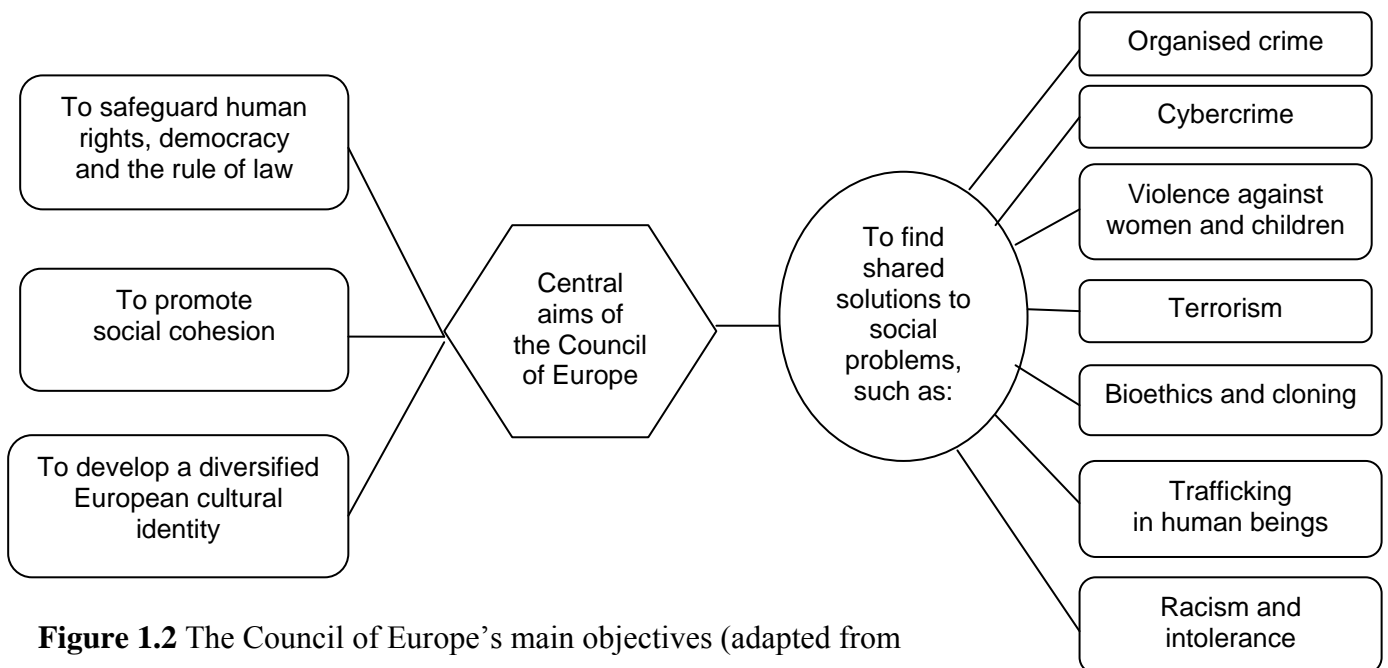


Figure 1.2 The Council of Europe’s main objectives (adapted from http://www.coe.int/t/dc/europeismore/default_EN.asp?

In order to actualise its objectives, the COE has produced several legal instruments, mainly conventions, and undertaken various actions which will be explained in more detail in the following sub sections.

1.1.2.1 The main Conventions

The COE's wide range of initiatives often take the form of conventions designed to harmonise member states' laws. Conventions are the pillars on which the organisation is built. They are legally binding agreements whereby states promise to co-operate on a particular issue once they have signed and ratified them. More than 200 treaties have been created to promote human rights, democracy and the rule of law and new treaties have been introduced to tackle modern issues such as healthcare crime, international terrorism and cybercrime. These conventions are reinforced by many resolutions and recommendations which play a vital role in finding solutions to European citizens' common problems. The *European Convention on Human Rights* constitutes the principal trunk of this great organic project. This core text has inspired the many other Council of Europe agreements, initiatives and campaigns.

Major conventions include:

The European Convention on Human Rights (Convention)

Established in 1950, it is the most sophisticated and effective propagator of civilised values and democratic growth that all member states are obliged to guarantee to all citizens within their jurisdiction. The rights¹⁰ enshrined in it are essentially drawn from the *Universal Declaration of Human Rights*, adopted by the United Nations

¹⁰ They are: the right to life; freedom from torture and other inhuman or degrading treatment or punishment; freedom from slavery and forced or compulsory labour; right to liberty and security of person; right to a fair trial; prohibition of retroactive penal legislation; right to private and family life, home and correspondence; freedom of thought, conscience and religion; freedom of expression; freedom of assembly and association; right to marry and found a family; right to an effective remedy for a violation of the rights; and freedom from discrimination in respect of the specific rights and freedoms.

General Assembly in 1948. Over the years these rights have been amended and augmented by a series of Protocols.

The European Social Charter

While the Convention is essentially concerned with civil and political rights, the Charter, introduced in 1961 and revised in 1996, works to protect the economic and social rights of Europe's citizens. These rights, which Tomuschat (2008) defines "rights of second generation" or "positive rights", regard employment, social and legal protection, housing, health, education, free movement and non-discrimination.

The European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment

Created in 1987, this convention is aimed to prevent torture and inhuman treatment in places of detention. It sets and enforces standards with regard to safeguarding the rights of those imprisoned or deprived of their freedom in the Council's states.

Framework Convention for the Protection of National Minorities

It is concerned with the protection of national minorities within the 47 member states. It establishes guidelines for the protection of several fundamental freedoms, such as peaceful assembly, expression, conscience and religion, access to media, language and education.

The Convention on Cybercrime

It is the only binding international agreement on cybercrime. Created in 2004, it sets out guidelines to develop a comprehensive national legislation on cybercrime and it also acts as a framework for international co-operation between member states.

The European Convention on Human Rights and Biomedicine

This convention safeguards ethical practice in biomedicine. It issues guidelines on practices regarding organ transplant, medical research involving human beings, the protection of human embryos and fetuses, and the use of medical records.

The European Convention on Action against Trafficking in Human Beings

This convention came into force in 2008 and its main objective is to prevent and fight trafficking in human beings.

1.1.2.2 The main actions

As stated in section 1.1.2.1, Conventions are the Council of Europe's main instruments for the protection of basic human rights, but in order to put them in practice the Organisation has undertaken a series of initiatives – seminars, conferences and especially campaigns – that impact on the everyday lives of the people. For instance, since one of its aims is to protect children from all forms of violence, including corporal punishment, it has set up a programme titled *Building a Europe for and with children* and in 2008, it launched an awareness-raising campaign called *Raise your hand against smacking!*. Sexual exploitation of children is one of the worst forms of violence against children which has long-lasting damaging consequences for the young victims, so in 2007, the Council of Europe adopted the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse and in 2010 it launched the campaign titled *One in Five* to stop sexual violence against children.

Despite positive developments in law, policies and practices, domestic violence still occurs in every Council of Europe member state at all levels of society and most victims are women. In order to promote the protection of women against violence and the implementation of effective measures for preventing and combating such violence, from 2006 to 2008, it ran a campaign to Combat Violence against Women, including domestic violence.

The counterfeiting of medicines has become a high-profit activity, as sanctions are weak and cooperation among states is deficient. In order to fight counterfeit and illegal medicines, the COE is, for example, involved in the standardisation of

medicines (European Pharmacopoeia) and it is also preparing a convention open to non-European countries too.

Europe is nowadays the only continent in the world where the death penalty is no longer applied, in fact no execution has taken place in Europe since 1997. The Council of Europe has been a pioneer in the battle for abolition of death penalty and two important steps were taken with the adoption of Protocol No.6 to the European Convention on Human Right in 1983 and Protocol No. 13 on the abolition of capital punishment in all circumstances in 2002. The Committee for the Prevention of Torture (CPT) is the only European institution which can inspect any place of detention located in a Council of Europe member state (including prisons, police stations, psychiatric institutions and immigration detention facilities). Torture and inhuman or degrading treatment or punishment are still persistent problems in Europe and the CPT has made a large number of detailed recommendations on improving the conditions of prisoners.

Since the Internet has a great impact on societies all over the world, the COE works to minimise risks of the misuse of the Internet by protecting freedom of expression, but also to maximise its potential to improve the quality of life, including of disabled persons by providing accessible, secure and reliable Internet services. The Council of Europe's measures in this field are based on conventions and innovative tools aimed at fighting cybercrime, protecting children from harmful Internet content, preventing cyberterrorism, as well as promoting e-democracy. E-democracy, which is the use of new information and communication technologies by governments, political parties and citizens, is considered by the COE a means to strengthen democracy and restore the declining interest in the democratic institutions and the democratic process. Even if e-voting has been introduced in several countries such as the UK and Switzerland, people are still skeptical and fear that the data and information stored in the system could be used against them, so the COE is seeking to promote the use of e-democracy tools as a way of offering new opportunities for

political participation, especially to people with disabilities who previously had difficulties in taking part in democracy. It pays particular attention to accessibility and design questions, so that these new technologies offer equal chances of full and active participation in the life of the community and do not constitute new sources of social exclusion. In some member states people with disabilities still have difficulties in accessing certain rights and freedoms, for example in fields such as employment, education or political life. Therefore, in 2006 the Council of Europe adopted a Disability Action Plan which gives emphasis to the integration of persons with disabilities within the community.

The Council of Europe has made it a priority to promote intercultural and inter-religious dialogue because it is central in preventing discrimination because of ethnic, religious, linguistic and cultural differences and in ensuring social cohesion and stability. In May 2008, it launched the *White Paper on Intercultural Dialogue* which provides policy-makers with guidelines for the promotion of intercultural dialogue as a tool to fight intolerance and foster mutual understanding of people's values and ways of thinking. This action is linked to the COE's work of defining a common policy in response to the challenges posed by migration which in the last decades has dramatically increased. It has reinforced co-operation between receiving, transit and origin countries; it has called on member states to act concretely to improve integration of migrants and their families and to combat racism, xenophobia and violence against them. There are approximately 10 million Roma present in almost all Council of Europe member states. They are Europe's largest minority but they are one of the most marginalised groups across Europe. The COE has set up the *European Roma and Travellers Forum* and it also runs the *Dosta Campaign* which promotes the fight against stereotypes and prejudices towards Roma.

Clearly the COE has devoted most of its efforts to promoting human rights especially through raise-awareness campaigns. Public communication campaigns are an essential part of our life; as stated by Perloff (2003), we live in the epoch of the

“permanent campaign” where campaigns are undertaken to influence people on every topic, ranging from personal issues to social issues. Human rights can be very persuasive and perhaps this is one of the reasons that makes human rights discourse so fascinating. In fact, Clapham (2007) asserts that:

The language of human rights is deployed to criticize, defend, and reform all sorts of behaviour. Playing the ‘human rights card’ can be persuasive, sometimes even conclusive, in contemporary decision making; this is one aspect of what makes the moral force of human rights so attractive – they help you to win arguments and, sometimes, to change the way things are done. (Clapham: 2007: 1-2)

As this study is devoted to the COE’s communication campaigns, the following section will try to define some characteristics of public communication campaigns.

1.2 What are public communication campaigns?

Public campaigns have a long and proud history. They, especially political and health campaigns, flourished in the twentieth century because of the spread of television and the idea that activists could change institutions through a combination of persuasion and protest. Campaigns imply very systematic organization and Rice and Atkin (2002) give a more detailed explanation defining them as:

purposive attempts; to inform, persuade, or motivate behavior changes; in a relatively well-defined and large audience; generally for noncommercial benefits to the individuals and/or society at large; typically within a given time period; by means of organized communication activities involving mass media; and often complemented by interpersonal support. (Rice and Atkin. Quoted in Perloff, 2003: 304)

Furthermore, the two scholars distinguish between public and private campaigns.

[Public communication campaigns] are public service oriented in the sense that the purpose is to benefit society [...]. A private communication campaign, in contrast, is exemplified by a candidate attempting to get elected, a political party attempting to bend public opinion in an advantageous partisan direction, a company trying to sell its product or service (or enhance its reputation), and an advocacy group attempting to advance its own particular cause (or enhance its organization's condition). (Rice and Atkin, 2001: X)

Public information campaigns are not designed to make profit, but to promote social issues or improve public health. They try to convince people to do something, to 'buy into' the idea rather than to buy a product. They involve more political issues and are less aimed to the mainstream. In the end they are more controversial because they can elicit strong sentiments by touching more directly on values and prejudices.

Paisley identifies two definitions: one in terms of "objectives" and the other in terms of "methods". The former "focuses on one group's intention to change another group's beliefs or behavior" (Paisley, 2001: 5), while the latter focuses on methods and unusual communication methods are often used to draw attention. He argues that the most important aspect of a public communication campaign is that it "[...] may involve a conventional mix of brochures, posters, advertisements, and commercials or a different array of communication methods" (Paisley, 2001: 5). In fact, the COE exploits different communicative strategies, using a large variety of materials and involving new technologies too. Nowadays hundreds of internet websites are dedicated to campaign issues and also the COE has devoted well structured websites to each campaign. "It is clear that the Internet is now one of the venues of public debate and that other competing points of view are only 'a click away'" (Paisley, 2001: 7). Public communication campaigns can employ various communicative techniques and different materials, but they are all based on the art of persuasion. According to Perloff they are grounded on the symbolic process of persuasion whose main aim is to change public attitudes regarding an issue. He says that:

Campaigns reflect [...] nation's cultivation of the art of persuasion. They rely on argumentation, sloganeering, and emotional appeals in an effort to mold public attitudes. They are not always pretty or logical. They can cross into coercion, as when antismoking groups push for bans on smoking in the workplace. They are conducted to shape public policy, as well as attitudes. (Perloff, 2003: 303)

Individuals are therefore persuaded by symbolic means. Miller argues that persuasion relies on the transaction of verbal and nonverbal symbols. He affirms that:

In most instances, language is an integral aspect of the persuasive transaction, with nonverbal behavior coming into play as an instrument for reinforcing the meaning and/or credibility of verbal messages. (Miller, 2002: 5)

In conclusion, public communication campaigns use persuasion to change people's minds and to improve social lives. Although they have a long history they mirror contemporary society. They cannot change the world but they can influence individuals and public policies. All campaigns are based on the same principle: "*The world will be a better place if social interventions effortfully try to change individual behavior*" (Perloff, 2003: 334. Italics in the original). The following chapter thus will review the notion of persuasion and the most relevant studies on public communication campaigns.

CHAPTER 2

PERSUASION: A LITERATURE REVIEW

Introduction

This chapter explains the term persuasion, reviewing the history of persuasion scholarship and presenting an overview of the main features of contemporary studies on persuasion. Such as for the concept of human rights, it is essential to outline the theoretical origins of persuasion in order to understand contemporary society.

2.1 Persuasion in a nutshell. From Aristotle to contemporary approaches

Persuasion is present throughout all human activities; people persuade each other while learning, working and socialising. Many scholars in communication, psychology and advertising have been studying this concept for many years and most of these theorists agree that persuasion is “*human communication designed to influence the autonomous judgements and actions of others*” (Simons, 2001: 7. Italics in the original). O’Keefe stresses the fact that it is impossible to establish what exactly persuasion is, because a definition of this concept would not define its precise boundaries. He asserts:

[...] one definition might be deemed unsatisfactory because it is too broad (it includes cases that it should not), whereas another is deemed unsatisfactory because it is too narrow (it excludes instances that it should include). (O’Keefe, 2002: 2)

Persuasion is a human activity, because it implies a persuader who intentionally seeks to influence someone else and it requires that the persuadee makes a conscious

or unconscious decision to change his/her mind about something. Persuasion tries to alter the way others think but it differs from coercion, because the latter implies negative consequences. When individuals believe they are free to refuse the persuader's position, the attempt at influencing them is seen as persuasion. On the contrary, when people perceive that they have no choice the influence is viewed as coercive. Nevertheless, it is difficult to distinguish between persuasion and coercion as they are not opposites, but overlapping concepts. Persuasion thus implies free choice. Perloff, in fact, defines it as:

[...] a symbolic process in which communicators try to convince other people to change their attitudes or behaviour regarding an issue through the transmission of a message, in an atmosphere of free choice. (Perloff, 2003: 8. Bold in the original)

It is a symbolic process, because it comprises a number of steps and involves symbols which include verbal and nonverbal elements which are immediately recognised. These symbols are persuaders' tools to change persuadees' attitudes. The persuader does not focus on creating attitudes, but on convincing another person to change attitudes that he or she already possesses through the transmission of a message which can be transmitted interpersonally, through mass media or the Internet. Consequently, a key aspect of persuasion is self-persuasion; persuaders do not change people's minds, it is the individual who decides if to change his/her behaviour or not, but it is not always simple, because the tools of self-persuasion can be controlled by both benevolent and malevolent communicators. Similarly, according to O'Keefe persuasion is:

[...] a successful intentional effort at influencing another's mental state through communication in a circumstance in which the persuadee has some measure of freedom. (O'Keefe, 2002: 5)

It is a process that begins with a source/persuader who has a goal. Firstly the source identifies those people who can help achieve the source’s goal and elaborates a message in order to create, change or reinforce their attitudes (Benoit and Benoit, 2008). Then the message will be delivered to the targeted audience and if it is effective the audience will comply with the source’s wishes. The figure 2.1 displays a simplified version of this process by applying it to the Council of Europe’s campaigns:

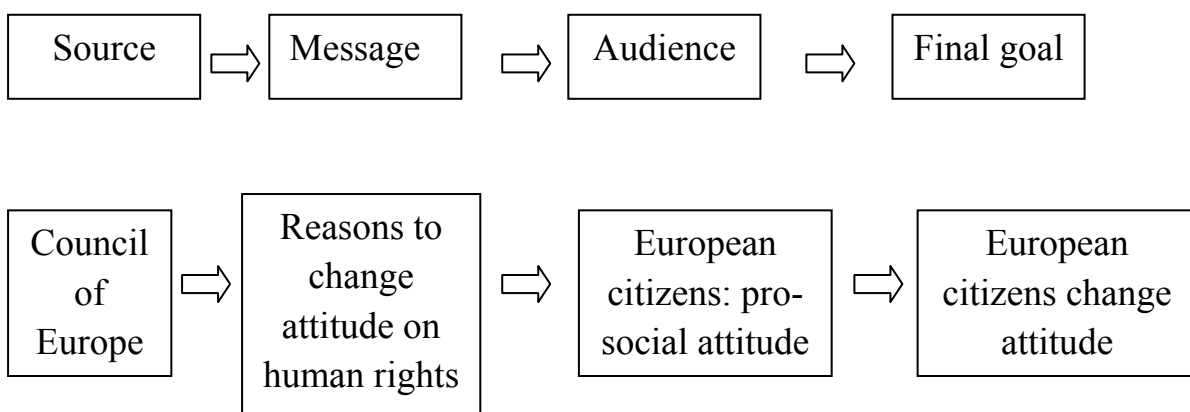


Figure 2.1 The persuasion symbolic process.

2.1.1 From Aristotle...

Persuasion has been studied by many scholars and it has a long history dating back to ancient Greece. It was the Greeks who invented rhetoric, the art of public persuasion. Sophists started to give lessons in this subject, but Plato denounced their work, because according to him rhetoric was the opposite of truth. It was not philosophy but like flattery, so it did not deserve respect. Then, one of his students, Aristotle thought that Plato was right about the important value of truth and the Sophists were correct about persuasive communication being a useful tool. His great contribution was to develop the first scientific approach to persuasion, in fact, he

believed that rhetoric's aim is not to persuade people but to discover scientific elements of persuasion. According to him persuasion can be based on three principles: the nature of the communicator (ethos), the emotional state of the audience (pathos) and the message arguments (logos). He wrote several books on rhetoric and his treatise *Rhetoric* is considered the most important work on persuasion ever written. Roman rhetorical theorists like Cicero and Quintilian refined Greek theories of persuasion stressing the power of emotional appeals. After the end of the western Roman Empire, the study of persuasion went into decline for several centuries. It was just during the XVI century that rhetoric regained its classical heights mainly thanks to Erasmus. His widely published book, *De Utraque Verborum ac Rerum Copia* (1512), which illustrated ways to introduce the maximum amount of variety into discourse, contributed to the rebirth of interest in rhetoric. Later, in the eighteenth century America became a persuader's paradise with lawyers, merchants, politicians who engaged to influence people. Many rhetorical works were born, including the Declaration of Independence. Finally, during the twentieth century, many rhetoricians, from Kenneth Burke to Marshall McLuhan to Michel Foucault, wrote significant books on the topic.

2.1.2 ... to contemporary approaches

Today, rhetorical theorists continue to work on the concept of persuasion but their mission has been supplemented and sometimes replaced by social scientists.

Social scientific studies of persuasion started in the 1930s with research on attitudes. Theorists such as William J. McGuire and Gerald R. Miller, took the concepts identified by Aristotle – ethos, pathos, logos – and examined their effects using refined techniques of scientific experimentation. Nowadays persuasion has become a multidisciplinary field of study. Social psychologists focus on the individual, investigating people's attitudes; communication scholars look at

persuasion in two-person units, analysing the effects of media on health and politics and marketing researchers explore consumer behaviour and influences of advertising on buying attitude. Today's approach hence is from a social science point of view: scientists formulate theories and hypothesise about persuasion which are empirically tested. Persuasion is a practice of bridging distances, reducing psychological differences and this is at the heart of the coactive approach which derives from Aristotle, Burke and social-psychological theory. "Coactive persuasion is an umbrella term for the ways that persuaders might *move toward* persuadees psychologically so that they will be moved, in turn, to accept the persuaders' position or proposal for action" (Simons, 2001: 74. Italics in the original). By defining persuasion as a communication practice, Simons points out that persuasion means winning beliefs, not arguments:

[...] communicators who seek to win belief need to communicate with their audiences, not at them; moving toward persuadees psychologically, recognizing that they are mostly likely to give you what you want if you can show them that what you propose also gives them what they want. (Simons, 2001: XXII)

To sum up, persuasion traces its roots to the ancient Greeks. While the early studies have focused on the sources of messages and persuaders' abilities in building a speech, in later research there has been a shift from the use of logic to the internal causes of the receiver, focusing exclusively on the audience who decides if persuasion has occurred, thus even unintended messages can become persuasive. Then following Burke's ideas, contemporary scholars believe that persuasion occurs only through cooperation between source and receiver. Today's studies do not focus only on the source, the message or the receiver but on all of them equally since they all collaborate to make a persuasive process. The SMCR¹¹ model of persuasion (fig.

¹¹ (S) stands for *source* that is the encoder of the message; (M) for *message* which is meant to convey the source's meaning through codes that may be verbal, nonverbal, visual, musical etc; (C) stands for *channel* which carries the message and may have distracting noise and (R) for *receiver* who decodes the message adding his/her interpretation.

2.2) suggested by Shannon and Weaver¹² in 1949 can help the reader to clarify the concept.

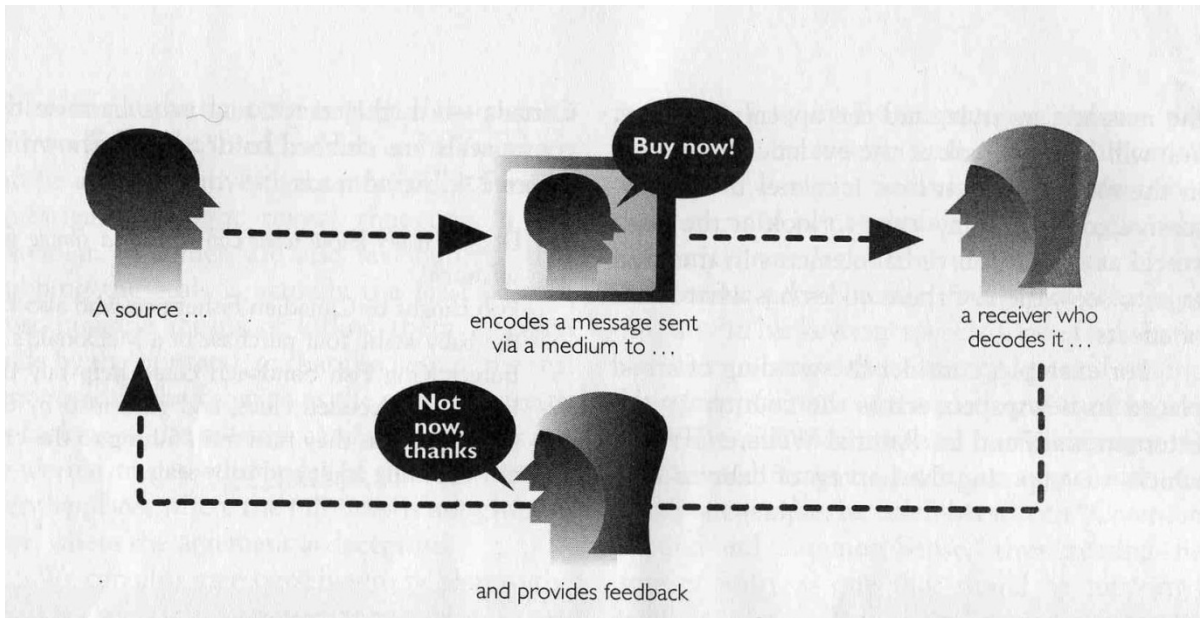


Figure 2.2 The SMCR model (from Larson, 1998: 13)

2.2 Persuasion and language

One of the characteristics of the coercive approach is the use of human communication resources. Different communicative tools can make people understand a source's intent and the message. The message has fascinated scholars for centuries trying to determine what impact variations in its structural elements and utilisation have on persuasion. Contemporary scholars (Simons, 2001; O'Keefe, 2002) have analysed the effects of different message components on audiences trying to understand which factors are more impactful and why. They have identified three types of message factors and their effects: the structure of the message, the content

¹² Shannon and Weaver were two American mathematicians who elaborated a model of communication intended to develop the effective communication between sender and receiver. This model has been widely applied in social science fields such as psychology, education etc.

and the language employed in the message. For example, with regard to structure, two-sided messages are supposed to be more persuasive than one-sided messages; the use of evidence to substantiate claims, such as case histories and citations, is one of the persuasive tools linked to the content domain. Therefore, the message includes not just what is said but how it is said. It contains a number of elements, but one of the most critical is language that is how communicators use verbal and nonverbal symbols to persuade an audience. Language intensity can increase a persuader's credibility and so enhance persuasion. Aristotle himself remarked that carefully chosen language is part of a successful persuasive strategy and he promoted the use of emotional expressions since they make people share feelings with the communicator. As we have seen in 2.1, there are several definitions of persuasion and the role played by language is crucial since the ability to utilise symbols – verbal, pictorial, musical – is the essence of persuasion. O'Donnell and Kable, emphasising the interactive aspect of persuasion, point out:

Persuasion is a **complex, continuing, interactive process in which a sender and a receiver are linked by symbols, verbal and nonverbal**, through which the persuader attempts to influence the persuadee to adopt a change, a given attitude or behaviour because the persuadee has had his perceptions enlarged or changed. (O'Donnell and Kable, 1982: 10. Bold added)

Persuasion is a symbolic act for both persuaders and receivers. It represents a democratic and humanistic way to influence others and convince them to take specific actions. Moreover, Larson (1998) distinguishes three dimensions of language in order to analyse verbal and nonverbal persuasive symbols. The *semantic dimension* which includes all the possible shadings of meaning for a word; the *functional dimension* that is what words can do; and the *thematic dimension* which represents the feel and texture of words. The use of ambiguity for the semantic dimension, sentence type, word order, syntax, pictorial design for the functional

dimension and metaphorical style for the thematic dimension are some tools identified by Larson and which will be taken into account in this study to analyse the persuasive verbal and visual language of the COE's campaigns.

Scholars recognise that the words persuaders choose can influence attitudes, but also nonverbal factors play an important role in the persuasion process. As we will see in chapters 4-6, for instance, the use of certain colours, pictures, layout patterns, and typefaces influences how the words are received. The message is really fascinating but a very complex area of research, because “[it] remains a work in progress – a critical persuasion factor, one about which we know a lot, but one that changes as new ideas, technologies, and norms diffuse through society” (Perloff, 2003: 210).

2.3 Persuasive communication campaigns

For many years researchers have focused mainly on the public speech and the single-shot approach on persuasion. Even if campaigns are probably the most prevalent form of persuasion, only recently have they been carefully examined (Rice and Atkin, 2001; Parrott et al, 2002).

Until the 1990s, campaigns were dominated by the single-shot perspective, because of the common belief that a single advertisement or news release could sell a product, candidate or cause. Then a new word in marketing and advertising came into vogue (Duncan and Everett, 1993; Cornelissen, 2001; Kitchen et al., 2004) – integrated marketing communication (IMC) – which refers to more coordinated activities of advertising, public relations, packaging, web sites, and branding into a single integrated campaign. Campaigns differ from single shots of persuasion because first of all they systematically position themselves in the audience's mind, then they are created to develop over time – they are based on stages for catching the

audience's attention – and finally they dramatise the product, candidate, idea for the receivers, inviting them to participate with the campaign.

Following movements or campaigns is like watching a TV series. Although the episodes can stand alone [...], they rely on one another to form a collage of messages that meld together until an entire image or picture of the campaign is perceived or stored in the minds of the consumer, voter, or joiner (Larson, 1998: 261).

In other words, a persuasive campaign is “[a] conscious, sustained, and incremental process designed to be implemented over a specified period of time for the purpose of influencing a specified audience” through a series of messages (Pfau and Parrott, 1993:13). According to Stiff and Mongeau, persuasive communication campaigns are goal-driven, for example, they are designed to support a particular issue, secondly, they have multiple goals and thirdly they can produce significant changes in receivers' response. Their messages and aims change over time so persuasive campaigns go through a number of identifiable stages.

In persuasive communication campaigns, receivers are exposed to multiple presentations of multiple messages. These multiple messages, moreover, are not haphazardly put together, but are part of a planned set of activities designed to accomplish a set of persuasive goals (Stiff and Mongeau, 2003: 282).

Seeing that persuasive campaigns are organised activities whose principal aim is to establish themselves in the audience's consciousness, they are more successful if “[...] they are based on theory, harness social marketing principles, are aesthetically appealing, and build in corrective evaluation mechanisms to change cause in midstream” (Perloff, 2010: 357) and guided by social psychological approaches such as social marketing which is a process of planning, implementing and evaluating

programmes to influence a specified audience. Figure 2.3 illustrates the five strategic steps of the social marketing model.

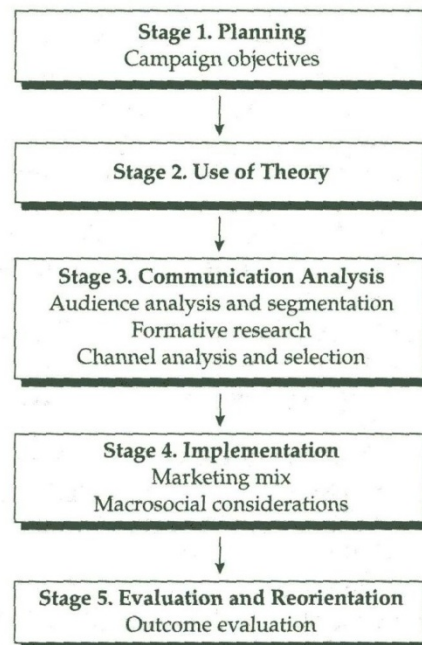


Figure 2.3 The Social Marketing five stages (from Perloff, 2003: 305)

Furthermore, other scholars (Bettinghaus and Cody, 1994; Perloff, 2003; Atkin and Freimuth, 2001) have investigated persuasive campaigns referring to McGuire's input-output model (see figure 2.4). There are two sets of input and output components one must consider when examining campaigns. The input steps are those independent variables that can be manipulated during a campaign to achieve particular outputs, while the output variables are those steps which may help to determine the success or failure of the campaign.

INPUT: Independent (Communication) Variables	SOURCE	MESSAGE	CHANNEL	RECEIVER	DESTINATION
	OUTPUT: Dependent Variables (Response Steps Mediating Persuasion)	number unanimity demographics attractiveness credibility ••	type appeal type information inclusion / omission organization repetitiveness ••	modality directness context ••	demographics ability personality lifestyle ••
1. Exposure to the communication					
2. Attending to it					
3. Liking, becoming interested in it					
4. Comprehending it (learning what)					
5. Skill acquisition (learning how)					
6. Yielding to it (attitude change)					
7. Memory storage of content and/or agreement					
8. Information search and retrieval					
9. Deciding on basis of retrieval					
10. Behaving in accord with decision					
11. Reinforcement of desired acts					
12. Post-behavioral consolidating					

Figure 2.4 McGuire’s input/output matrix (from Perloff, 2003: 307)

It is clear that campaigns are typical examples of communication system at work. Shannon and Weaver’s model (see fig. 2.2), which includes a feedback loop, is a good example of a communication system, because it creates an expected flow of symbolic information and a way of estimating the success or failure of the attempted communication. The expected flow of persuasive information in campaigns comprises both verbal and nonverbal symbols and it has measurable effects on either the audience or the environment. In order to accomplish their principal task, that is to persuade the audience to take action, campaigns must have well-defined purposes and create appropriate strategies. Larson, after identifying three kinds of campaigns – the

product-oriented advertising campaign, the politically oriented-campaign for office and the ideological or cause-oriented campaign – asserts that:

the successful campaign is not a case of “salesmanship in print”, [.....] Campaigns don’t “sell” anything. Instead, they deliver a prospective consumer, voter, or joiner to the point of sale, the voting booth, or the headquarters of the good cause. And if the campaign is to succeed, it must educate and prepare the consumer, voter, or joiner to be ready to take action – be it purchasing, voting, or joining/donating behavior. (Larson, 2004: 263)

Conclusion

There are hundreds of books and articles on persuasion focusing mainly on the techniques communicators use as well as the impact they have on people and society. Persuasion plays a central role in contemporary society and it is different from the past, in fact it has become ‘institutionalized’ and, as the number of mass media has increased dramatically, it has become more subtle and complex. Although persuasive communication can be used with several different topics, we will concentrate our attention on human rights issues and strategies designed to raise awareness among individuals. Persuasion theories can be applied to many contexts, ranging from advertising to politics to physical health, but there are not many studies on the application of these approaches to human rights campaigns run by an international organisation such as the Council of Europe, therefore this thesis will try to bridge this gap.

CHAPTER 3

ANALYTICAL TOOLS AND DATA

Introduction

As stated in the introduction, the aim of this work is to identify in the COE's persuasive communication campaigns the three main discursive strategies – promotion, popularisation and pedagogy (the 3Ps) – adopted by the organisation both to promote human rights and also to promote its institution. Moreover, since the study intends to explore the relationship (if any) existing between words and images, a multi-disciplinary approach is preferred in the analysis of the samples, basically combining two main instruments of investigation: Critical Discourse Analysis (henceforth CDA) with Social Semiotics. After presenting the data of this research, the following sections offer an in-depth introduction to the analytical tools used to investigate the research questions and seek to explain in which way they have been relevant to the purposes of the study.

Many definitions of discourse stress “language in use” (Brown and Yule, 1983; Stubbs, 1983) but there is a large body of opinion (Fairclough, 1992; Jaworski and Coupland, 1999) that emphasises what discourse is beyond language in use. “Discourse is language use relative to social, political and cultural formations – it is language reflecting social order but also language shaping social order, and shaping individuals' interaction with society” (Jaworski and Coupland, 1999: 3). Discourse is important for understanding society as well as for understanding language itself. Section 3.2 thus starts with a discussion of the term discourse and following Fairclough's three-dimensional framework as text, discursive practice and social practice, it focuses on the concept of language as discourse practice. To further

elaborate on the role of promotional, popularised and pedagogical discourse in the COE's campaigns, the following sub-sections focus on the main concepts of intertextuality and identity within CDA and state how these concepts are employed in this thesis. Additionally, as the wide range of genres which will be taken into account, sub-section 3.2.2.2 is an introduction on the notion of genre and hybridity and we will see that although genres present recognisable and sufficiently standardised aspects, they can reflect forms of mixing or/and embedding elements as a result of a process of intertextuality and interdiscursivity. Then, since the study will focus on the interplay between words and images in the selected data, section 3.3 illustrates the key dimensions of social semiotics giving more attention to the notion of modality.

3.1 Data

The analysis will be conducted on a corpus collected from the Council of Europe's websites devoted to its communication campaigns. It includes a wide range of text types – posters, leaflets, booklets, videoclips, and more – which belong to the most significant, recent campaigns (2005-2010)¹³. The texts vary in terms of genre, but at the same time they are united in representing the same social practice or some aspects of it. Campaigning on particular issues to accomplish tangible results for European citizens has become one of the most important COE's tasks in its promotion of human rights, democracy and the rule of law. Attention will be given to the following awareness raising campaigns:

Stop domestic violence against women

On 27th November 2006, the COE launched a campaign to combat violence against women, including domestic violence during a conference in Madrid with the

¹³ Only two of these campaigns – *Stop domestic violence against women* and *Human beings - not for sale* – have now finished.

objective to raise awareness that violence against women is a human rights violation and provide support for the victims of violence. It also aimed to promote effective implementation of legislative measures and action plans at three levels – intergovernmental, parliamentary and local/regional. The Campaign ended in 2008 and it resulted in the drafting of a legally binding *Convention on Preventing and Combating Violence against Women and Domestic Violence*.

Human beings – not for sale

The Council of Europe campaign to combat trafficking in human beings was launched in 2006. Several member states participated in the different information and awareness raising actions aimed at preventing this new form of slavery, protecting the human rights of victims and prosecuting traffickers. At the end of the campaign, it became clear that it was necessary a legally binding instrument, so the *Convention on Action against Trafficking in Human Beings* – the first European treaty in this field – was adopted and entered into force on 1st February 2008.

Dosta! Fight prejudice towards Roma

Dosta, meaning ‘enough’, is part of the COE’s campaigns to protect the rights of national minorities. Its main purpose is to encourage a positive image of Roma people against common stereotypes and prejudices. Launched in 2006 as part of a wider Council of Europe/European Commission Joint Programme *Equal Rights and Treatment for Roma in South Easter Europe*, it has now its own life and continues its fight against stereotypes and prejudices by raising the interest of several Council of Europe Member States.

Speak out against discrimination

This campaign’s aim is to fight the mounting problems of discrimination against certain groups of citizens and promote intercultural dialogue with a specific emphasis

on the role of the media in achieving that objective. Run in collaboration with journalists and media from across Europe, the campaign tries to implement the guidelines set out in the *White Paper on Intercultural Dialogue*, adopted in May 2008. In particular, it wants to work with and through the media to develop the rights of people who could be victims of discrimination, and at the same time, it also tries to develop training material for professionals working for all types of media.

Europe against the death penalty

In the early 1980s, the Council of Europe became a pioneer for the abolition of the death penalty, believing that it is a serious violation of human rights. In 1982, it adopted *Protocol No. 6* to the European Convention on Human Rights, which was the first legally-binding instrument abolishing the capital punishment in peacetime. Today Europe is the only death penalty-free region in the world and in 2007 a *European Day against the Death Penalty* was decided. Held every year on 10 October, this day celebrates the COE's role in fighting the death penalty in Europe and also sends out a strong message to other countries to do the same.

Building a Europe for and with children

Building a Europe for and with children is a three-year programme adopted by the Committee of Ministers in November 2008 aimed to guarantee an integrated approach to promote children's rights, including protection from various forms of violence. The programme consists of two related sections: *the promotion of children's rights* and *the protection of children from violence*. The main objective is to help all decisions makers to formulate national strategies to tackle these issues. The campaign aims at promoting a culture of non-violence through awareness raising, education and training. The focus is on the themes of corporal punishment, sexual abuse and trafficking in human beings and in settings where these forms of violence can take place such as school, family, media and cyberspace, prison and residential

institutions. This study will pay more attention to two campaigns: *Raise your hand against smacking!* and *One in five*.

Raise your hand against smacking!

This campaign, launched on 15th June 2008 in Zagreb, aims to abolish corporal punishment of children by promoting positive and non-violent parenting. It consists of two campaign packs: a media pack which concentrates on an animated TV spot addressing parents, teachers and child minders and an information pack containing books, brochures and leaflets which target legislators, policy makers and professionals working for and with children.

One in five

Protecting children from sexual violence, one of the most terrible forms of violence against children, has been a top priority at the COE for several years. For this reason the organisation is running a pan European campaign launched on 29th November 2010 in Rome. It has developed materials useful for decision makers and professionals who work in the education, health, justice and media sectors, but specific awareness-raising material has been designed to teach parents and children how to prevent and report sexual violence. For example, *The Underwear Rule* material which includes a TV spot, a children's book, posters and postcards, has been created to prevent sexual abuse by encouraging dialogue between parents and children.

3.2 Critical Discourse Analysis

CDA is just one of the various critical approaches on language in society. Its main areas of investigation are: political discourse, ideology, media, advertisement, racism and institutional discourse. Basically it focuses on the relationship between language and society and the relationship between analysis and the practices analysed. The

notion of language adopted by critical analysts (Fairclough, 1989; Fairclough and Wodak, 1997) is that of discourse, language as a form of social practice.

3.2.1 Language as discourse and social practice

The term language has been used in different senses, including the distinction in *langue* and *parole* made famous in the work of Ferdinand de Saussure¹⁴, but the term discourse is preferred since the emphasis is on language use but conceived of as socially determined. That implies that “[...] language is a part of society, and not somehow external to it. Secondly, that language is a social process. Thirdly, that language is a socially conditioned process [...]” (Fairclough, 1989: 22). Fairclough, drawing on Foucault’s ideas, constructs its methodological programme by identifying three dimensions of a discourse:

Discourse-as-text, that means that the linguistic characteristics of discourse – vocabulary, grammar, cohesion and text structure – should be systematically investigated.

Discourse-as-discursive-practice, discourse is created, circulated and consumed in society. Analysts should give attention to three elements that connect a text to its social context: speech acts, coherence, and intertextuality.

Discourse-as-social-practice, the ideological effects in which discourse is seen to perform.

Therefore, language and society are not two independent entities but there is an internal and dialectical relationship; language is part of society and linguistic phenomena are determined socially and have social effects. A text is a product rather than a process and the discourse is the entire process of social communication of which a text is just an aspect. This process includes three stages: description of text,

¹⁴ *Langue* is a social system which is prior to actual language use, while *parole*, what is said or written, is individual, determined by individual choices not socially. Sociolinguistics (Downes, 1984; Holmes, 1992) have demonstrated that language use (*parole*) is characterized by linguistic variation which is a product of social differentiation not individual choice.

interpretation of the relationship between text and interaction and explanation of the relationship between interaction and social context. In the stage of description the attention is on the textual-linguistic features: vocabulary (rewording, synonymy, euphemistic expressions, metaphors, etc.), grammar (nominalisations, active/passive, modes, modality, pronouns) and textual structures which may be experiential, relational and expressive. In this study the expressive value of words will be a central concern because of the focus on persuasive communication. Interpretation is how actors understand discourse on the basis of their cognitive, social, and ideological resources. Van Leeuwen, by stressing the phase of interpretation, defines discourse as:

[...] *socially constructed knowledges of some aspect of reality*. By ‘socially constructed’ I mean that these knowledges have been developed in specific contexts, and in ways in which are appropriate to the interests of social actors in these contexts, whether they are large contexts – multinational corporations – or small ones – a particular family – strongly institutionalized contexts – the press – or the relatively informal ones – dinner table conversations, etc. (Van Leeuwen, 2005: 94. Italics in the original)

He states that the same subject can be represented differently through different discourses and this relates to diverse ways of knowing and interpreting the same object of knowledge. In the explanatory phase, the scholar’s intention is to unveil the ideological underpinnings of lay interpretative practices.

As discourse is seen as a social practice, it means that “discourse is socially *constitutive* as well as socially shaped” (Fairclough and Wodak, 1997: 258. Italics in the original). Discourse is conditioned by situations and social structures, but it also conditions them. Since discourse is so socially influential, it may have ideological effects. Power and political commitment have become the trademark of CDA; discourse is an instrument of power and CDA aims to identify how this instrument of

power works. Blommaert affirms that a critical discourse analysis should not be a discourse analysis which only criticises power, but it should be an examination of power effects. As discourse means language in action, it should provide insights in the dynamics of societies in the world. It implies an interdisciplinary approach, thus, following Foucault's theory, he says:

Discourse to me comprises all forms of meaningful semiotic human activity seen in connection with social, cultural, and historical patterns and developments of use. (Blommaert; 2005: 3)

A critical analysis of discourse is an analysis of "voice", an analysis of power effects:

Voice stands for the way in which people manage to make themselves understood or fail to do so. In doing so, they have to draw upon and deploy discursive means which they have at their disposal, and they have to use them in contexts that are specified as to conditions of use. (Blommaert; 2005: 4-5)

Blommaert talks about an "ethnographic-sociolinguistic analysis of discourse" since he believes that it is important to find out how language matters to people in order to understand the dynamics of language in society. Then, language must be used in a sociolinguistic sense, that is to focus on varieties in language, because people are not completely free when they communicate and what they produce is conditioned by their sociolinguistic background. Language works differently in different contexts so it is necessary to contextualise it, but in a globalised world contextualisation must comprise not a single society but the relationships between different societies. Consequently, in seeing language as discourse and social practice, it is fundamental to take into account the relationship between texts, interactions and contexts.

3.2.2 Discourse in context

A critical analysis is always the analysis of language in context. Context “[...] addresses the way in which linguistic forms – ‘text’ – become part of, get integrated in, or become constitutive of larger activities in the social world” (Blommaert, 2005: 39) and it is the text-context relation that creates meaning. Context is responsible for the interpretation of a “text”, it defines its meanings and conditions of use. The concept of context cannot be restricted to what happens in specific communicative events since people always recontextualise parts of text produced in a different context by different people and for different purposes. For Bakhtin (1986, 1999), all discourses are multi-voiced, because all words reflect other words derived from the historical, cultural and genetic heritage of the speaker/writer and from how these words have been previously interpreted.

3.2.2.1 Recontextualisation – intertextuality

The notion of recontextualisation deals with the notion of context. Any discourse or text is embedded in contexts. A text or a discourse is not only a sequence of utterances, but there are contexts supporting the coherence of the discourse and its interpretation. So contexts are necessary for understanding discourses and recontextualisation deals with a dynamic view of context. Linell (1998: 144-145) defines recontextualisation as “the dynamic transfer-and-transformation of something from one discourse/text-in-context to another”. Therefore, it is a process that extracts some parts of text or discourse from their original context (decontextualisation) in order to fit them into another context. Following Goffman’s terminology, we could say that recontextualisation corresponds to reframing. The process of decontextualisation and recontextualisation adds a new metadiscursive context to the

text, thus another concept to take into account is the concept of entextualisation which:

[...] refers to the process by means of which discourses are successively or simultaneously decontextualised and metadiscursively recontextualised, so that they become a new discourse associated to a new context and accompanied by a particular metadiscourse which provides a sort of ‘preferred reading’ for the discourse. (Blommaert, 2005: 47)

In a similar vein, Hodges points out that:

Entextualization, the act of turning a piece of discourse into a text and moving it from one context to another, allows social actors to bring with the text varying degrees of the earlier context while also transforming the text in the new setting. (Hodges, 2008: 485)

When pieces of texts or discourses are recontextualised they are subject to textual transformations such as simplification, elaboration and condensation and at the same time also their meanings change. There is never the propagation of a fixed message, but a transformation, so what is central in one context may become secondary in another; again even if linguistic expressions may be retained, semantic aspects and communicative values are changed due to the change of contexts. In fact, Linell (1998) says that the prefix ‘re’ does not connote the repetition of the same action such as in words like (recopy, reprint), but it connotes change as in words like (reform, rework). So recontextualisation implies creativity.

Three levels of recontextualisation can be identified: intratextual, intertextual and interdiscursive. Firstly it is possible to distinguish between intratextuality and intertextuality. The former means within the same text, for example in conversation one part usually recontextualises what the other part has just said in a new context adding new meanings to it. On the contrary, intertextuality relates different texts,

discourses and conversations. Secondly, in Fairclough's terms, interdiscursivity occurs at more abstract level and concerns relations between discourse types, i.e. genres. But these two terms are overlapping and sometimes it is difficult to distinguish between them.

Given the common practice in social life of quoting, repeating and reformulating previous bits of discourses, the notion of intertextuality has received considerable attention from sociocultural linguistics and discourse analysts (Bauman and Briggs, 1990; Fairclough, 1992; Blommaert, 2005). Intertextuality is a concept often ascribed to Bakhtin and developed by Kristeva. Blommaert (2005: 46) affirms that "[it] refers to the fact that whenever we speak we produce the words of other, we constantly cite and re-cite expressions, and recycle meanings that are already available". So every utterance has a history of (ab)use, interpretation and evaluation. For example, when journalists describe events, they usually report on other texts, citing speeches and when they report acts they inevitably interpret reality on the basis of the way they have viewed the event. The text of another person may be explicitly set off from the rest of the text by, for instance, quotation marks and a reporting verb, or it can be implicit and integrated stylistically and structurally, for example, through a rewording/paraphrasing of the original. Intertextuality plays an important role in revealing speakers' and writers' strategies in reinforcing ideas and beliefs and it can also reveal traces of the dominant ideology or cultural changes. It must be combined with a theory of power. Fairclough (1992) suggests Gramsci's theory of hegemony and Bauman and Briggs (1990: 76) remark that to "decontextualize and recontextualize a text is thus an act of control".

Recontextualisation and the blending of discourses can be studied within a single text but also in intertextual chains, series of texts, discourses or conversations in which the same context is reconstructed, reformulated and recontextualised. An example is the case of police interviews: the interview forms the basis of a report reformulated by the policeman and the report may be used and recontextualised in

other situations, i.e. by lawyers in court. But individual texts and discourses can also include elements from other communicative genres and situations which mix and merge and in this case we can talk about the hybridisation of one genre or text type within another.

3.2.2.2 Hybrid genres

Generally speaking, genre refers to the type of goal-directed communicative event with a schematic structure. Van Leeuwen says that:

The term 'genre' is generally used to mean 'a type of text'. Texts become 'typical' when they have characteristics that can also be recognized in other, similar texts. The reason for this is that the people who produce the texts follow certain 'rules' – prescriptions, traditions, ingrained habits, role models, etc. [...].(Van Leeuwen, 2005: 122-123)

It is a distinctive category of discourse, spoken or written, situated within discourse communities with a shared set of communicative purposes. By analysing genres at the levels of purpose, moves and rhetorical strategies, Swales defines genre as:

[...] a class of communicative events, the members of which share some set of communicative purposes. These purposes are recognized by the expert members of the parent discourse community, and thereby constitute the rationale for the genre. The rationale shapes the schematic structure of the discourse and influences and constrains choice of content and style. [...] In addition to purpose, exemplars of a genre exhibit various patterns of similarity in terms of structure, style, content and intended audience. (Swales, 1990: 58)

Genres are characterised by three elements: content, form and function. Studying the text alone is not enough because the communicative actions that make up genres are

enclosed in social practices which include other factors like actors, places, times, and so on. Therefore, genre “allows us to understand the social relations of the participants in the making, the reception and the reading/interpretation of the text” (Kress, 2003: 96).

Although genres are seen as highly structured and conventionalised textual activities, they are not static but they continually develop and change and they can be exploited to create new patterns. Some features can be applied to several contents, for example, the ‘advice column’ genre can be applied to gardening problems as well as health problems, but that does not mean that genres are neutral, in fact:

[g]enres are culturally and historically specific forms of communication and they realize culturally and historically specific power relations between the communicating parties. The ‘advice column’ genre, for instance, is one of the ways in which society enacts and perpetuates the relation between the ‘helpless’ and ‘ignorant’ lay person and the resourceful and knowledgeable professional ‘expert’. (Van Leeuwen, 2005: 128)

Bateman stresses the multimodality of genres. They are semiotic resources with communicative purposes and they are versatile. When a researcher examines a multimodal document, it is important to understand what he or she is comparing it with, because “the meanings that are being made in the document and the forms of expression employed to carry those meanings are anchored in a historical and societal context that appears considerably more fluid than that effecting verbal language” (Bateman, 2008: 9), so genre plays a key role as it provides an approach of theorising the range of possibilities open to documents. Bateman considers genres not as a set of separated text types, but as “regions” in a space of genre potentialities. Genres can change, hybridise with and colonise one another, so it is necessary to have a “region” within which they can move and encounter one another. Hoey by trying to

characterise texts such as encyclopaedias and timetables, dictionaries and shopping lists, gives a definition of “colony”:

I labelled these texts 'colonies', taking the term from natural science where it is used to describe such phenomena as anthills, beehives and wasps' nests. If one jumbles the components of a colony, the utility of the colony may be radically affected but its meaning remains the same. So, if the sequence of the entries in a dictionary were to be randomised, we would find it extremely difficult to locate the entry we wanted, but our ability to understand the entry, once we located it, would (normally) be unaffected by its new location. A corollary property of colony text is that its adjacent components do not normally form continuous prose. (Hoey 1996: 151)

According to Bhatia (2004) colonisation is a process which involves invasion of the territorial integrity of one genre by another, often leading to the birth of a new hybrid – both mixed and embedded – genre, for instance the discourse of advertising has successfully “colonised” other discourse types, including academic, political and journalistic genres, becoming particularly salient within the order of discourse. Citing Bakhtin’s theory of genre, Fairclough and Wodak affirm that:

[...] any text is necessarily shaped by socially available repertoires of genres (for example, the genre of scientific articles, or the genre of advertisements), but may creatively mix genres. There are pressures for texts to follow conventional genres, but also pressures to innovate by mixing genres. (Fairclough and Wodak, 1997: 262)

Given the instability and rapid changes of late modernity, hybrid texts seem the norm since boundaries between social fields and consequently between language practices have been weakened and redrawn. Chouliaraki and Fairclough (1999: 10) talk about cultural commodities. “Cultural commodities consist of signs – they are

semiotic. What is produced, circulated and consumed in the case of cultural commodities is words and images [...]”. Language has thus become commodified so texts are accurately designed to sell. “The commodification of language in late modernity entails a pervasive primacy for the aesthetic” (Chouliaraki and Fairclough, 1999: 12) and even socially and politically engaged texts are subject to aesthetic design to make them sell; they seem to be designed to catch the reader’s attention. This is one of the reasons why postmodern texts tend to mix different semiotic modalities, photographs, diagrams, music etc. “Social and political campaigns and movements are being drawn into the orbit of advertising and the commodified language of the market – as also are social and public services, the professions and the arts” (Chouliaraki and Fairclough; 1999: 12).

In the case of the COE’s campaigns we will see the extent to which the language is commodified in order to ‘sell’ both the human rights advertised and the institution itself. Drawing on the idea of hybridity as interaction between different discourse types (Fairclough, 1992; Chouliaraki and Fairclough, 1999; Bhatia, 2004), the following chapters analyse the linguistic and visual choices made by the COE when running its campaigns and the mixture of a variety of genres and discourses could be seen as resources of creativity and differentiation, that is as a strategy to establish new power in the international political domain.

3.2.3 Identity

The notion of identity has become an important topic in social science research. Identity is who and what you are and it involves a semiotic work of representation, in fact, “[w]ho you are is partly a matter of how you speak, how you write, as a matter of embodiment – how you look, hold yourself, how you move, and so forth” (Fairclough, 2003: 159). Many scholars think that people do not have an identity, but they perform their identity which is the result of socially conditioned semiotic

process. Moreover, it is also believed that identity is constructed by others, that means that a person is often categorised by others even though he/she does not want to belong to a particular group. An identity thus has to be recognised by others in order to be established. These ideas involve different semiotic practices, so identity is not seen “as a property or stable category of individuals or groups, but as *particular forms of semiotic potential, organised in a repertoire*” (Blommaert, 2005: 207. Italics in the original).

As identities are created through the social actions people perform, this analysis will look at the role of the COE’s persuasive campaigns in shaping its identity. Attention will be called to those linguistic and/or visual features adopted by the COE to win consensus and promote its institutional structure as a collective identity.

One of the linguistic features of the linguistic analysis of group identity which will be taken into account is the use of the pronoun ‘we’¹⁵. There are two uses of the pronoun ‘we’. ‘We’ is inclusive (‘we’ = the COE + European citizens) when it includes both the speaker/writer and the audience/reader. It indicates collectivity but also power, because it gives the speaker/writer an authority to speak for others. ‘We’ is exclusive (we = the COE) when it excludes the audience/reader and this is a way of distancing and power too. For Pennycook:

‘We’ is always simultaneously inclusive and exclusive, a pronoun of solidarity and of rejection, of inclusion and exclusion. On the one hand it defines a ‘we’, and on the other it defines a ‘you’ or a ‘they’. (Pennycook, 1994: 175)

So even if this pronoun conveys collectivism, it also creates a we/you or a we/they dichotomy so an analysis of ‘we’ must also reflect on the use of other pronouns. The use of ‘we’ depends on the context and speaker/writer’s purpose but it can be ambiguous, in fact it is often employed by politicians because it can lead vague

¹⁵ Some examples can be seen in Fairclough’s (1989; 2000) analysis of political discourse, i.e. his study of Blair’s New Labour language and Thatcher’s language.

meanings, deny or distance oneself from responsibility, encourage solidarity. The struggle to construct identities is one of the most pervasive issues of late modernity. Collective forms include discursive aspects of nationalism but struggles over identity are also struggles over difference, so the study will try to demonstrate that sometimes in the COE's human rights discourse the use of 'we' to create a universal Europe constitutes an identity which suppresses difference.

The COE human rights discourse does not include just verbal texts but visuals too and sometimes they function in a reciprocally reinforcing way which makes them complicated to disentangle. If discourse is the set of social practices which 'make meaning', then many of the texts produced in this process are multi-modal. Some of the major scholars in critical linguistics have more recently extended discourse analysis to include non-linguistic semiotic systems, developing a Social Semiotics (Hodge and Kress, 1988). Social semiotics tries to find ways of investigating visual images and their relationship with language and Kress and Van Leeuwen (1996) underline that the study of visual images may contribute to rethinking the theories of language. Social semiotics also focuses on productive and interpretative practices associated with types of text and the notion of genre has become central as well as the concept of intertextuality. Section 3.3 will introduce some tools of multimodal analysis which will help to examine the data taken into account in this study.

3.3 Social Semiotics

Social semiotics (Hodge and Kress, 1988) has been developing its methodological framework for more than a decade, starting from Visual Grammar (Kress and Van Leeuwen, 1996, 2006) and founding Multimodal Discourse Analysis (Kress and Van Leeuwen, 2001). Since then, many scholars have been investigating this field and have produced a number of valuable works, in some cases elaborating original results, for example Baldry and Thibault (2006). Although referring explicitly to

Hallidayan linguistics, social semiotics and multimodal analysis demonstrate that a multimodal approach to texts gives new perspectives to the interpretation of language and communication.

What I do in this study is to demonstrate that a communicative text is an integrated text which includes words, images and sometimes sounds and together contribute to the creation of a persuasive message of great complexity. I use Kress and Van Leeuwen's practical approach to the interpretation of images in order to interpret both the verbal and visual code of the corpus selected. In their text *Reading Images: A Grammar of Visual Design* (1996; 2006), they compare images to verbal language, suggesting that visuals have their own specific *grammar*.

Just as grammars of language describe how words combine in clauses, sentences and texts, so our visual 'grammar' will describe the way in which depicted people, places and things combine in visual 'statements' of greater or lesser complexity and extension. (Kress and Van Leeuwen, 1996: 1)

3.3.1 Multimodality and social semiotics dimensions

We live in a multimodal epoch where meaning is rarely made with language alone. Multimodality is the study of different semiotic modes in a text or communicative event. It is "the combination of different semiotics modes – for example, language and music – in a communicative artefact or event" (Van Leeuwen 2005: 281). It is impossible to have a text which is pure language and moreover with digital technology it has become easier to mix modes. Lemke (2002) states that only purists insist on monomodality and modes are *inseparable integrated*. The objective of multimodality is to analyse how meaning is made in all the modes separately and how they work together to create a unified text or communicative event. First of all, it is important to define what a mode is. Kress (2009: 54) says that "[m]ode is a socially shaped and culturally given resource for making meaning", so image, writing, music,

speech, and so on are examples of modes and they are all used to make meaning. A mode is how we use things. It is not a fixed concept, in fact new modes are constantly being created and existing ones are transformed by their users in response to specific communication needs. Usually people tend to say that words are more important than visuals, but according to social semioticians there is not hierarchy but difference.

The sequential/temporal characteristic of language-as-speech may lend itself with greater facility to the representation of action and sequences of action; while the spatial display of visual images may lend itself with greater facility to the representation of elements and their relation to each other. (Kress, 2000: 147)

Sacks (1991: 20) argues that signing is: “[...] a complete language, capable of expressing not only every emotion but every proposition and enabling its users to discuss any topic, concrete or abstract, as economically and effectively and grammatically as speech”.

There are different approaches to multimodality but I will take into account the social semiotics approach (Kress, Van Leeuwen, Jewitt) since it focuses on discourse and its context, in fact the focus is on “[...] the way people use semiotic ‘resources’ both to produce communicative artefacts and events and to interpret them – which is also a form of semiotic – in the context of specific social situations and practices” (Van Leeuwen, 2005: XI). Moreover, this approach compares semiotic modes exploring what they have in common as well as how they differ. All signs are “motivated” by the “interest” of sign makers. When we produce signs our choice is based on “interest”, what we want to communicate and it depends on who we are and the context of the sign production. Therefore, unlikely traditional semiotics, for social semiotics semiotic rules are made by people so they can change over time even if not everybody can change the rules, because power or influence are necessary.

Social semiotics involves the description of semiotic resources and how they are used in specific historical, cultural and institutional contexts and how they can be interpreted. Van Leeuwen defines semiotic resources as:

[...] the actions and artefacts we use to communicate, whether they are produced physiologically – with our vocal apparatus; with the muscles we use to create facial expressions and gestures, etc. – or by means of technologies – with pen, ink and paper; with computer hardware and software; with fabrics, scissors and sewing machines, etc. (Van Leeuwen, 2005: 3)

Again, Lemke says:

We speak meaningfully, draw meaningfully, compose and choreograph meaningfully, dress and move meaningfully, build and play meaningfully by developing *resources* our community gives us (words, lines, notes, steps, moves) [...]. (Lemke, 1990. Quoted in Maagerø, 2005: 57. Emphasis added)

Paris school structuralist semiotics call them signs which are the union of a signifier (sound pattern or marks on paper) and a signified (concept referred to), but in social semiotics the term *resource* is preferred because the term sign gives the impression of something pre-given and not affected by its use.

Social semiotics follows Halliday's metafunctions – ideational, inter-personal and textual – and Kress and Van Leeuwen (1996) have extended this notion to images using a slightly different terminology: representational, interactive and textual.

3.3.1.1 Representational, interactive and textual meaning

Representational meaning (ideational)

It describes events and states in the world and the entities involved. The meaning is depicted by the participants. There is a stress on the ‘syntax’ of images as a source of representational meaning, a matter of particular relationships, where they are and whether they are connected. Two kinds of patterns can be identified: narrative (recognised by the presence of a vector) and conceptual.

Narrative representations relate participants in terms of ‘doings’ and ‘happenings’, of the unfolding of actions, events, or processes of change. Conceptual patterns represent participants in terms of their more generalized, stable or timeless ‘essences’. They do not represent them as doing something, but as being something, or meaning something, or belonging to some category, or having certain characteristics or components. (Jewitt and Oyama, 2000: 141)

The concept of narrative visual analysis can help interrogate images and understand if participants are playing active or passive roles while conceptual structures define the meaning or identity of participants.

Interactive meaning (interpersonal)

It expresses a relationship between viewers and depicted people/objects. “In this way [images] interact with viewers and suggest the attitude viewers should take towards what is being represented” (Jewitt and Oyama, 2000: 141). Three factors play a key role in the realisation of this meaning: distance, contact and point of view. For example, the gaze of a person represented in an image can express the degree of relation between he or she and the viewers. Similarly, size of frame can be used as a sign of social distance or involvement and modality.

Compositional meaning (textual)

It means to create a recognisable kind of text out of individual parts which coheres with the context in and for which it is produced. The compositional meaning includes three resources: information value, framing and salience. Information value is realised by the placement of the elements of a composition. The idea is that the role of any element depends on whether it is placed on the left or on the right, in the centre or the margin, or in the upper or lower part of the page. Framing indicates which elements belong together or are separate identities. Connection can be created through similarities of colour/form, connecting “vectors” and through the absence of framelines. On the contrary, disconnection can be created through contrasts of colour or form, framelines and empty space. Salience is used to indicate that some elements can be more eye-catching than others and this can be made in different ways, through size, colour contrast, focus, lighting, placement etc.

3.3.2 Modality

Modality is the social semiotic approach to the truth value of statements about the world and it means how real a representation should be taken to be. “The term *modality* therefore refers to the way we communicate *as how true* or *as how real* a representation should be taken (i.e. *not* how true or how real it really *is*)” (Machin, 2007: 46. Italics in the original). Palmer (2001) relates the concept of modality to the distinction between *Realis* and *Irrealis*. The *Realis* portrays situations as actualised and known through our direct perception, while the *Irrealis* represents situations as thought and known only through our imagination, so it is more a distinction between what is represented and what not rather than one between what is true and what is untrue. This term originates in linguistics where Halliday revealed that language has resources to express kinds and levels of truth represented by the modal auxiliaries such as *may*, *will*, *must* and their related adjectives and adverbs, but it is not only

expressed through these clear linguistic systems. Kress and Van Leeuwen suggest that modality is interpersonal, because it cannot express absolute truths. They state that:

It relates both to issues of representation – fact versus fiction, reality versus fantasy, real versus artificial, authentic versus fake – and to questions of social interaction, because the question of truth is also a social question – what is regarded as true in one social context is not necessarily regarded as true in others, with all the consequences that brings. (Kress and Van Leeuwen, 2005: 160)

It was Kress and Hodge (1979) who first argued that modality is not restricted to language but may also be expressed non-verbally and later Kress and Van Leeuwen pointed out that:

The concept of modality is equally essential in accounts of visual communication. Visuals can represent people, places and things as though they are real, as though they actually exist in this way, or as though they do not – as though they are imaginings, fantasies, caricatures, etc. (Kress and Van Leeuwen, 1996:161)

Also images have their own modality and, here too, modality judgements are social, depending on what is considered true or not in the specific social group at whom the images are targeted. In place of words Kress and Van Leeuwen suggest other techniques which can reduce or increase modality. They develop eight modality markers (degrees of the articulation of detail, degree of articulation of the background, degrees of depth articulation, degrees of articulation of light and shadow, degrees of articulation of tone, degrees of colour modulation, colour saturation and colour differentiation) that are gradable, running from high to low modality, much like the scales from certain to uncertain. When there is reduction we have abstraction and when there is increase we have exaggeration.

This approach to the question of truth allows to understand the ideology of a representation. By identifying what is hidden, changed, lessened in importance, or what is enhanced, added, given increased salience can reveal the view of the world that is being created for us.

Conclusion

By starting with the definition of discourse – language but also other forms of semiosis such as visual images – as a form of social practice rather than an individual activity, we have seen that scholars emphasise the social nature of discourse and the fact that discourse renders meaningful every aspect of our life: “discourse is what transforms our environment into a socially and culturally one” (Blommaert, 2005: 4). While CDA is more concentrated on linguistic-discursive textual structures, Kress and Van Leeuwen underline the key role of visual images in discourse and move towards broader multimodal conceptions of semiosis. Since the relation between language and other modes is changing and becoming more and more complex, the study of language and other semiotic modes needs to be more integrated. This analysis hence will try to combine the two codes (verbal and non-verbal) used in the COE’s campaigns looking at the way in which they interact to produce a persuasive message. Following the tradition of CDA and Social Semiotics, chapters 4-6 will investigate the selected data in detail in order to verify how the Council of Europe promotes both human rights issues and its institution through the discursive strategies of promotion, popularisation and pedagogy.

CHAPTER 4

HUMAN RIGHTS DISCOURSE VIA PROMOTION

Introduction

Language is our major means of communication, but even when we talk to each other, our speech is accompanied by gestures and poses. The simultaneous use of verbal and non-verbal communication is an extremely essential aspect in our culture. In order to comprehend communication patterns around us, the analysis of language alone is not enough. Many applied and theoretical linguists have studied language in relation to its contexts, but they have ignored multimodality for a long time. Only recently the developments of mixing communication modes in the new media, like the computer and the Internet, have forced scholars to focus on language from other kinds of meaning-making practices and how they semiotically work and combine in the modern social and cultural contexts. On this point Baldry and Thibault affirm that:

The term *multimodality* does not designate a pre-given entity or text-type. Rather, it is a diversity of meaning-making activities that are undergoing rapid change in the contemporary cultural context. (Baldry and Thibault, 2006: XVI)

Promotional discourse, especially advertising, exploits both the verbal and non-verbal strategies of communication. In order to have an accurate interpretation and a full understanding of the message, Dyer (1982: 86) points out that “[a]nalysing the content of advertisements involves looking at both verbal and visual aspects of an advertising text”. This genre has achieved an important status in most modern societies and is the basis to capitalist economies. Historically, evidence of advertising can be found in ancient Greece and Rome, but large scale consumer advertising

developed in the nineteenth century when newspaper and advertising taxes were abolished and trade and manufacturing increased. Moreover, scholars state that it was at this time that the lay-out and design of an advert began to be considered, replacing discursive sentences with shorter, bold, capital words in order to attract viewers' attention and convey a message efficiently and rapidly (Dyer 1982; Leech 1966).

The importance of pictures in advertising has been attributed to different factors. Various studies on marketing strategies and advertising psychology emphasise the advantages of perception, showing that human beings can perceive pictures quicker and understand them more easily than equally complex verbal information.

[T]he one child depicted in a photograph becomes undeniably more 'present' to us, whereas the million individual children whose tragedy and suffering are summed up in a statistic are not. (Hill and Helmers, 2004: 29)

Nowadays, the combination of verbal text and pictures has become so important that, for example, the Food and Drug Administration (FDA)¹⁶ has announced that cigarette companies will not be allowed to sell their brand in the United States without printing graphic warnings on their packaging. Not only are they required to place larger and more visible written warning on the packages of their products, but a graphic shocking anti-smoking image to accompany it, because it is believed that "pictures or graphics likewise are more noticeable and more likely to be recalled than text-only warnings" (Required Warnings for Cigarette Packages and Advertisements; Proposed Rule:8)¹⁷.

Many scholars, such as Dyer (1982) and Vestergaard/Schroder (1985), referring to Peirce's categories of icon, index and symbol, mention characteristics of the relation

¹⁶ The Food and Drug Administration is the oldest consumer protection agency in the U.S.A. It also regulates the manufacturing, marketing and distribution of tobacco products in order to protect the public health and to reduce tobacco use by minors.

¹⁷ The entire proposed rule is accessible at <http://www.fda.gov/>.

between text and picture and Cook (1992) demonstrates the interdependence of verbal text and pictorial message showing that they constitute a semantic unit. Furthermore, as other visual aspects can be investigated, Kress and van Leeuwen (1996) observe the representation of temporal, spatial, and topographical patterns of pictures, the modality, the composition of images and the interaction with the viewer.

It is problematic to give a concrete definition of the advertising genre, because the medium through which an advertisement is presented can also affect the style of an advert (Cook, 1992). Nevertheless, what most commercial ads have in common is the intention to persuade the consumer or audience to the senders' way of thinking. Thus, advertising genre and consequently promotional discourse in general are essentially persuasive; the persuader tries to convince an audience to change some behaviour or to embrace some ideology through the conjunction of words and pictures. Larson (2004: 11) states that “[p]ersuasion is the process of cocreating a state of identification between a source and a receiver that results from the use of verbal and/or visual symbols”. Bhatia (2004) defines public campaigns as secondary members of the colony of promotional genres. They have a strong promotional concern such as advertisements even if they may promote not necessarily a product or service but an idea, a public issue. Similarly, Goddard affirms that:

[C]entral to our idea of an advert appears to be the factor of conscious intention behind the text, with the aim of benefiting the originator materially or through some less tangible gain, such as enhancement of status or image. So, although church poster might not be selling us anything in material sense, it is still intentionally selling us an idea – religion – in order to benefit the institution of the church by drawing converts and swelling its ranks. (Goddard, 1998: 7)

Thereby, this chapter will demonstrate that the COE's campaign material and the ads for commodities are very similar in terms of their communicative purpose and the use of discoursal resources. We will focus on the verbal and visual rhetorical devices and

attempt to highlight their promotional aspects when co-occurring in different discourse types. A rhetorical figure is defined by Phillips (2003: 298) as “an artful deviation from audience expectation that occurs at the level of style, not content, and is not judged as an error by the audience”. That means that it always leaves something implied that must be completed by the audience and its main goal is to persuade them to consider a topic from a different perspective. Choosing to focus on the persuasive techniques used by the COE in order to promote human rights in Europe, each section is dedicated to investigations of the linguistic and/or visual manifestations of persuasion across a range of different genres such as brochures, flyers, posters and TV spots.

4.1 Flyers and brochures: two hybrid genres

The fundamental concept of intertextuality is that each text exists in relation to others. No text is original but a mixture of inevitable references and quotations from other texts and this phenomenon conditions its meaning. Intertextuality links texts both synchronically and diachronically. According to David Harvey (quoted in Wodak, 2000: 192), all texts are anchored in time and space and refers to texts created formerly, simultaneously or subsequently. The COE’s brochures and flyers are interdiscursively complex, since they present a variety of genres and discourses, including elements of advertising genre. They are an example of the generation of new hybrid, mostly promotional genres.

The back page¹⁸ of the flyer *Stop domestic violence against women* (see Appendix A) gives us an example of inter-generic intertextuality (Cook, 2001), because it contains the “voice” of a different genre; it refers to a legal document, *Recommendation of the Committee (2002)5 of Ministers to member states on the*

¹⁸ The front page is equal to the poster (see section 4.2.1).

*protection of women against violence.*¹⁹ Interestingly, even if the text in the flyer appears in quotation marks, it is not a simple quotation from the original, but by comparing the source text (S) and the target (T) one, we realise that the quote in the flyer has been transformed and recontextualised in a new hybrid genre.

(S) Reaffirming that violence **towards** women is the result of an imbalance of power between **men and women** and is leading to serious discrimination against **the female sex**, both within society and within the family.

(T) Violence **against** women is the result of an imbalance of power between **women and men**, leading to serious discrimination against **women**, both within society and the family.

(S) Considering it urgent to combat this phenomenon which affects **all European societies and concerns all their members**. [...] [Violence against women includes:] *a. violence occurring in the family or domestic unit*, including, *inter alia*, physical and mental aggression, emotional and psychological abuse, rape and sexual abuse, incest, rape between spouses, regular or occasional partners and cohabitants, crimes committed in the name of honour, female genital and sexual mutilation and other traditional practices harmful to women, such as forced marriages;

(T) **Violence in the family or domestic unit** occurs in every Council of Europe member state despite positive developments in law, policies and practices.

(S) Affirming that violence against women both **violates and impairs or nullifies the enjoyment of their human rights and fundamental freedoms**;

Noting that violence against women constitutes **a violation of their physical, psychological and/or sexual integrity**;

Noting with concern that women are often subjected to multiple discrimination on ground of their gender as well as their origin, including as victims of traditional or customary practices inconsistent with their human rights and fundamental freedoms;

(T) Violence against women is a **violation of human rights**, the very nature of which **deprives women of their ability to enjoy fundamental freedoms**.

¹⁹ It is available at: http://www.coe.int/t/dg2/equality/DOMESTICVIOLENCECAMPAIGN/Campaignmaterial_en.asp (Last accessed: November 2011).

(S) Considering that violence against women runs counter to the establishment of equality and peace and constitutes **a major obstacle to citizens' security and democracy in Europe**.

(T) It often leaves women vulnerable to further abuse and **is a major obstacle to overcoming inequality between women and men in society. Violence against women damages peace, security and democracy in Europe.**

In the target text, it is simple to identify Van Leeuwen and Wodak's (1999) four types of transformation which result from recontextualisation: addition of elements, deletion of elements, rearrangement of elements and substitution of elements. The original text has been extracted from its original context, the legal document, transformed and recontextualised in another genre, the flyer. Given the informative and promotional nature of flyers, the target text has been simplified to make the reading easier (see chapter 5 for a more detailed analysis on popularisation), but it also employs some promotional aspects typical of advertising discourse. In order to maximise its persuasive effects, we find repetitions (violence, women) and the use of parallelism – three clauses out of four start with the word 'violence'. Restating these key words is a tactic to reinforce the point being made, echoing political discourse and creating a sense of rhythm that invites the reader to remember what is being read. The emphasis on women is also expressed in changing the order of the collocation 'men and women' which in the flyer becomes 'women and men'. There are also some features of the self promotional genre; in fact, by explaining that violence towards women is a problem which affects all Europe, the sentence 'despite positive developments in law, policies and practices' adds emphasis on the COE's work and distances itself from direct responsibility.

The same sentence is also repeated in the CAHVIO's²⁰ flyer *Working towards a convention on preventing and combating violence against women and domestic violence* (see Appendix B.1). Given a clear need for a Convention in order to fight

²⁰The Committee of Ministers of the Council of Europe set up, in December 2008, the *Ad Hoc Committee on Preventing and Combating Violence against Women and Domestic Violence (CAHVIO)* and instructed it to prepare one or more legally binding instrument[s].

domestic violence against women and to protect the victims, in December 2010, the CAHVIO approved the *Draft Council of Europe Convention on preventing and combating violence against women and domestic violence* which was opened for signature in Istanbul on 11th May 2011. This flyer, which is mainly informative, presents a catchy phrase typical of advertising genre ‘Combating violence against women concerns each and every one of us. Let's act. Together. Now.’ The passage from the informal language of the caption to a more formal tone of the body can be seen as a persuasive stratagem. The CAHVIO tries to shorten the distance with the reader but at the same time it shows its authority.

The embedding of informative and promotional elements is a recurrent characteristic in the COE’s leaflets. The leaflet *Speak out against discrimination* (see Appendix C) starts with a very catchy headline which clearly expresses the COE’s point of view.

DISCRIMINATION IS A CRIME

YOU MAY BE THE NEXT VICTIM OR THE NEXT WITNESS, SO

SPEAK OUT AGAINST DISCRIMINATION!

According to Van Dijk (1998) titles are very important, because they function as macro-propositions, they summarise the content, provide signals for the reader and anticipate what will be said. Besides, their additional function is to arouse the addressee’s interest.

The brochure *Dosta!* (see Appendix D) exploits many features of advertising discourse. For instance, across the text there is a wide use of the exclusive pronoun ‘we’ (the COE) addressing to ‘you’ (European citizens) in order to become an inclusive ‘we’ (COE + European citizens) in the catchy phrase ‘The future? Let’s build it together!’ (Excerpt 1) suggesting involvement and action. Additionally, the question form implies a direct address and the exclamation mark “[is] an attempt to recreate the intonation and facial expression that go with face to face interaction”

(Myers, 1994: 51). These two sentence types are over-represented in ads, because they give the feeling that someone is talking to readers from printed page.

Excerpt 1

Dosta! campaign is not conceived as an exclusively joint Council of Europe/European Commission action. **We warmly** welcome the citizens of Ukraine and Moldova, as well as any other Europeans, Roma and non-Roma, who share the objectives of the Campaign to join and contribute to it. If **you** want to participate, there are plenty of ways for supporting the campaign, starting from spreading its messages and fighting stereotypes! If **you** are interested in launching the campaign in your country **you** can establish a partnership with **us**. **You** can support both by contributing in kind or financially. Official requests must be addressed by your authorities to Mrs Maria Ochoa-Llido, Head of the Migration and Roma Department of the Council of Europe, c/o the Dosta! campaign Secretariat.

The future? Let's build it together!

The COE attempts to persuade citizens to join the campaign and/or contribute financially. The addressee is specifically and clearly mentioned: the citizens of Ukraine and Moldova, as well as any other Europeans, Roma and non-Roma. At the bottom, the image represents a happy Roma couple: a man who is hugging his wife. The fact that the picture is straight after the slogan includes another interpretation: the sentence could be pronounced by the couple who invite European citizens to work together to fight prejudices. The image on the left occupies the entire page and it is the same as in the poster (see section 4.2.1), but here some hanging washing has been added on the top with the word 'dosta' overlapping it. This is one of the stereotypes most likely to come to mind, whereas the reality suggested by the family's and couple's portraits challenges the stereotypes associated with Roma. The second page opens with a question and an answer:

What do they have in common

Django Reinhardt, Esma Redžepova,

Saban Bajramovic, Tony Gatlif,

*Serge Poliakoff, Camarón...? They are Roma!*²¹

The COE asks a question to the addressee but it gives the answer too. These people are all Roma and another thing that they have in common is that they are artists. So, famous people are used to endorse and fight prejudices. Suspension points, which usually indicate that “something has been omitted or that the sentence is incomplete” (online Oxford dictionary), want to communicate that they are just some, a sample and that it is a chunk of spoken speech, highlighting the mixture of written and spoken language. But we wonder if these names really endorse. Does this sentence not reinforce the common stereotype that ‘gypsies’ can express themselves only through art?

Excerpt 2

“Dosta!” means that we want to stop prejudices and stereotypes not by denouncing them but by breaking them, showing who the Roma are. They are not perfect, of course, but “**who is perfect?**”.

Excerpt 2 summaries the COE’s views emphasised by the rhetorical question. Asking this rhetorical question allows the COE to make a statement as the answer is implied by the question. “Persuasive statements often need proof or backing, but questions, on the other hand, need answers not proof. So a rhetorical question can allow us to make a claim without having to offer proof” (Rogers: 2007: 29). The photos in this page (see Appendix D.2) show some happy Roma people in a short shot and eye

²¹Jean Django Reinhardt was a pioneering virtuoso jazz guitarist and composer; Esma Redžepova is a Romani Macedonian vocalist, songwriter, and humanitarian; Šaban Bajramović was a Romani musician from Serbia; Tony Gatlif is a French film director of Romani ethnicity who also works as a screenwriter, composer, actor, and producer; Serge Poliakoff was a Russian-born French modernist painter and Camarón de la Isla was the stage name of flamenco Romani singer José Monje Cruz.

contact; they command, they are asking readers to contribute to breaking down prejudices towards them.

Also in the flyer *Europe against the death penalty* (see Appendix E) it is possible to identify some typical promotional features such as the use of inclusive and exclusive pronouns and examples, for instance:

‘We’ exclusive:

Excerpt 3

For the past 30 years the Council of Europe has worked to outlaw the death penalty in Europe. In the last ten years no executions have taken place in any of **our** 47 member countries. The death penalty has been legally abolished in most of these countries but **we** still need to consolidate abolition in Europe and achieve abolition worldwide.

‘We’ inclusive:

Excerpt 4

When **we** hear of a particularly vicious crime or are close to the victim of a brutal act, **we** naturally have intense reactions, which could include wanting to see the perpetrator put to death.... **We** should work to keep Europe a death penalty free zone.

[...] **We** have to encourage them again and again to follow the example of European and many other countries by saying yes to justice and no to cruelty, torture and death.

The ‘others’ not ‘us’:

Excerpt 5

Many people across the continent still feel that the death penalty would be an acceptable response to particularly barbarous acts, and there are of course **some countries** in the world where the death penalty still exists.

Excerpt 6

Unfortunately, the abolition of the death penalty is still unfinished business. **Many Europeans** are still in favour of the death penalty, and there is a continuing need to explain why it is wrong, why it has been abolished, and why it should remain abolished.

In excerpt 7, on the contrary, the COE supports its idea showing some evidence, some research from the USA and the American Civil Liberties Union²², even if they are quite vague and outdated. The COE refers to the USA, maybe because it is one of the countries where the death penalty is still used, or because, by referring to another important organisation, it claims the topos of authority for itself and implicitly indicates that it has a lot of experience and know-how. Furthermore, the campaigner uses the example of the hanging of Saddam Hussein as evidence and to reinforce the organisation's beliefs.

Excerpt 7

A major UN study, updated in 1996, concluded that there is no proof 'that executions have a greater deterrent effect than life imprisonment'. **Findings from the USA**, where the use of the death penalty differs from state to state reveal that this punishment does not prevent crime. **According to the American Civil Liberties Union**, states that have death penalty laws do not have lower crime or murder rates than states without such laws.

[...] Despite the need to appropriately punish one of the world's worst criminals, **the hanging of Saddam Hussein** has not brought justice or reconciliation to Iraq.

In conclusion, the COE's brochures and flyers draw upon rhetorical features (the use of pronouns you/we, rhetorical questions, repetitions, etc.) widely used in advertising and promotional material. An obvious promotional element is the presence of marks of commodity advertising genre, realised mainly textually in the 'catchy' headlines and in the personalisation of the reader (you) and the institution (we) avoiding explicit 'deontic' request. Faircough points out that:

The avoidance of explicit obligational meanings is also in line with the elevation of the promotional function. The avoidance of explicit obligational meanings marks a significant shift in authority relations. Promotional material addresses

²² The *ACLU* is the nation's first organisation dedicated to defending the rights enshrined in the U.S. Constitution. More information is available at <http://www.aclu.org/>.

readerships as consumers or clients, and when someone is selling to a client, the client is positioned as having authority. (Fairclough, 2002: 93)

4.2 Posters and TV spots: two stable promotional genres

The multimodal composition of the COE's posters and TV spots is an important aspect to investigate in order to understand how particular verbal and non-verbal techniques are used to influence people's beliefs, opinions and actions on social issues such as the protection of human rights. Even if verbal descriptions are usually interpreted in sequential bits and images are perceived as a unit, as a *gestalt*, they both play an active role in the persuasion process. Therefore, this section will try to understand how verbal rhetoric can in isolation or in connection with non-verbal language lead to a persuasive message. This gives some indication and confirm that text and image have something in common and should be related when considering one or the other.

4.2.1 From posters.....



Figure 4.1 *Human being – not for sale*

The poster *Human being – not for sale* (fig. 4.1) might be considered an example of *mise en abyme*, which in literary criticism is a type of frame story in which the core narrative can be used to highlight some elements of the framing story. We might define it as ‘an ad-within-an ad’ underlining the intertextual nature of language. In fact, it is a combination of two levels of advertising and the interaction between the words and the image helps the viewer understand the message. The first promotional message is that a ‘new product’ has been created for consumers: the human being. The image of the woman represented in a plastic bag and the indexical meaning of barcode – almost every item purchased from a department store and mass merchandiser has a barcode on it – accentuate the commercial nature of the product and, as stated by Vestergaard and Schrøder (1985), the adjective ‘New’ in an exploding balloon is a common commercial strategy used to attract the viewer. The second level consists of a black background on which a red cross, the slogan ‘not for sale’, and the COE’s logo are depicted. The final message becomes clear only if the image and the words are read together combining the two levels: society is advertising a new product – the human being – but the COE wants to stop this phenomenon.

By considering the experiential metafunction (Kress and Van Leeuwen, 1996) – the participant-process relation – the poster consists of a single participant, the woman, and a *vector* formed by the direction of her gaze. Here it extends from the eyes of the woman, out of the frame towards the Council of Europe’s logo. The logo, which in ads is usually in the bottom right corner, is fundamental in this poster, because it is the only device which helps identify the COE and, consequently, it makes viewers realise that it is a campaign for the promotion of human rights. In fact, Baldry and Thibault assert that:

a LOGO is a visual mini-genre, similar in status to the LITTLE TEXT genre. It indexes a specific corporate or organizational identity as the addresser of the text and ties this identity to the meanings in the text. In other words, it has an

anchoring function which grounds the text in relation to a particular company or cause which the reader or consumer of the text can identify with. (Baldry and Thibault, 2006: 41)

The cross and the slogan, because of their handwritten style, seem to be written by a human hand which could represent the COE; thus, probably, this device contributes to the “humanisation” of the institution, as a strategy for the COE’s self-representation (Caliendo and Magistro, 2009). The cross is an element necessary to understand the message and probably the colour red has been adopted to reinforce it because of its connotations of ‘Danger’ and ‘Stop’. Moreover, the black and red contrast, often used in the COE’s posters (see figs 4.2; 4.3), catches the attention and emphasises the message contributing to its salience. Jewitt and Oyama support this statement by affirming that:

The term ‘salience’ is used by Kress and Van Leeuwen (1996) to indicate that some elements can be made more eye-catching than others. This again can be made in many different ways, through size, through colour contrasts (red is always a very salient colour), tonal contrast [...]. (Jewitt and Oyama, 2001: 150)

What is most striking in this image is the use of irony. Irony is a powerful figure of speech, often used in advertising discourse, because it attracts addressees’ attention and also gives rise to an emotional response. Traditionally, irony means the opposite of what one says. It comes from the Greek word *eirōneía* meaning ‘dissimulation’, ‘assumed ignorance’. The aspect of obliviousness on the part of one or more of the participants in an ironic circumstance and of awareness on the part of the ironist and the audience is an essential characteristics of irony. Sperber and Wilson (1981: 559) interpret irony as “echoing a remark or opinion that the speaker wants to characterise as ludicrously inappropriate or irrelevant”. In this poster, the incongruity which occurs between the world as depicted in the image and our own prior world view and preconceptions makes us recognise its ironic intent. The image is ironical because it

flouts our expectations – ads usually advertise products rather than human beings – and “force us to question our beliefs and in so doing alert us to the possibility that we were hitherto duped by these beliefs, that we were the victims of our own fallible world views” (Scott, 2004: 44). By seeing incongruity as a signal of a flawed world, the poster with its clear “condemnatory” (Scott, 2004) ironic intent becomes a medium for social judgement. Its main aim is to raise emotions such as resentment at the condition of women and anxiety about the danger of becoming a victim of domestic violence.



Figure 4.2 *Stop domestic violence against women*

In figure 4.2 the first thing that hits the viewer is the photograph which accompanies the text. There is a close-up of a woman’s face looking at the viewer with troubled eyes. Her features are normal except for the fact that they are not very regular, because the poster seems to be wrapped. This ‘trompe l’oeil photo’ symbolically alludes to the condition of women who suffer domestic violence. It probably evokes images of women with scars and bruises and it might also be

interpreted as an implicit *pictorial metaphor*: in family, women are often treated as useless waste paper and their place is just in rubbish bins. The image can be analysed following the *interpersonal metafunction* which “is concerned with language as interaction [...], the expression of attitudinal and evaluative orientations (modality) and the taking-up and negotiating of particular subjective positions in discourse” (Baldry and Thibault, 2006: 22). Some of the main resources that function to orient interactants are: gaze, distance and perspective. Here there is a direct gaze establishing eye contact between the woman and the viewer of the text, realising a visual demand. The close distance establishes an intimate and personal relationship with the woman and the vertical angle puts the viewer on the same level as the woman, establishing a relationship of equality and solidarity. The image needs the text to express its persuasive message, for example the visual demand is reinforced by the deontic modal ‘must’ and the adverb ‘never’ of the caption.

It starts with screams
and must never
end in silence

The caption on the top left comprises elements of advertising discourse. The parallelism, “a structural repetition of sentences, clauses or syntactic groups” (Gieszinger, 2001: 158), and the antithesis, the use of contrasting ideas in the same sentence, of the verbs (start/end) and the nouns (scream/silence) are two promotional devices commonly used to attract the viewer’s eye.

Moreover, the text at the bottom-right reads:

Text 1

12% to 15% of European

women over 16 suffer domestic
abuse in a relationship
– too many have died.
Many more continue to
suffer physical and sexual
violence from former partners
even after the break-up.
It's time to find
a way out!

Also the use of statistics may create a rhetorical effect. The discourse is supported by competent and reliable scientific evidence. Persuasive actors often introduce information used as logical proof in the discourse of advertising. According to O'Hair:

Evidence in whatever form it takes, increases the persuasiveness of a message [...] highly credible evidence sources are more persuasive than less credible sources.
(O'Hair et al., 1995: 594)

By projecting this percentage, the COE is trying to give an air of scientific precision. Moreover, this technique here can be linked to the concept of intertextuality since it has reformulated a paragraph from the *Stocktaking study on the measures and actions taken in Council of Europe member States to combat violence against women* prepared by Prof. Dr. Carol Hagemann-White for the Council of Europe in 2006.

Text 2

Secondary data analyses
now under way in several countries
support an estimate that about
12% to 15% of all women have been
in a relationship of domestic abuse

after the age of 16. Rates of physical and sexual violence by former partners after separation are substantially higher, indicating that the protection of women is not secured when they end an abusive relationship.²³

By comparing the two texts, it is clear that many transformations have taken place in the process of recontextualisation. Obviously, due to the space constraints of an advertising genre, the text has been shortened and the main concepts have been rearranged in various ways to suit the persuasive purpose of the poster, for example the use of repetitions like ‘suffer’, ‘many’ in Text 1 and the addition of conversational expressions such as the last sentence ‘It’s time to find a way out!’. The latter is an indirect command which tries to create a relationship with the viewer and relates to the explicit command, expressed by the imperative mood of the slogan: *Stop domestic violence against women*. In Text 1, the introduction of the adjective ‘European’ in line 1 may be seen as an attempt to underline the European identity of women from the COE’s member states, legitimating the COE’s actions, but at the same time it excludes women who come from the rest of the world. The discourse in Text 1 becomes interdiscursively complex. It articulates together features of the source discourse (the scientific study) and features of the target discourse (the promotional poster), shown in the use of these contrasting discourses: the scientific, specific discourse (12% to 15%) and the conversational, general one (too many, many more). Alternating official discourse with colloquial discourse is maybe a strategy to give “a populist force to official voices, but at the same time preserving the legitimacy of official discourse” (Fairclough, 1995b: 71).

²³ Extract taken from: *Stocktaking study on the measures and actions taken in Council of Europe member states to combat violence against women* (Council of Europe, 2006) p.8, available at: http://www.coe.int/t/dc/campaign/stopviolence/default_en.asp.

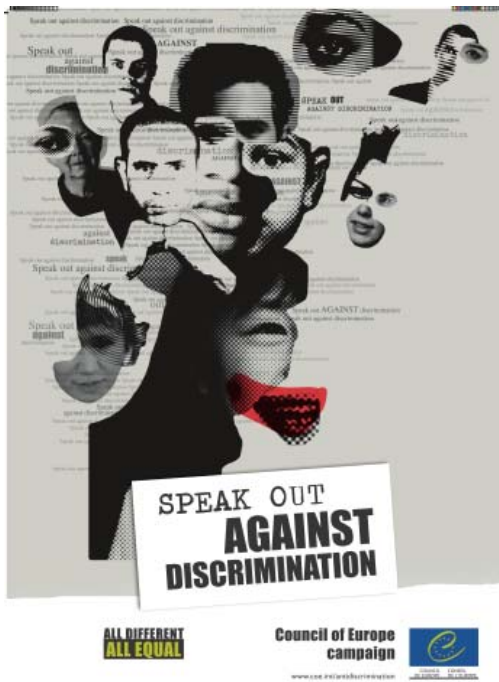


Figure 4.3 *Speak out against discrimination*

Figure 4.3 represents different fragments of faces which are not well defined, with some elements bigger than others. The slogan ‘Speak out against discrimination’ is repeated several times but in different typographic style and mingled with the images. There is a diagonal line which culminates in a red spot, maybe a mouth. Since it is the only red element in the poster, it immediately attracts the viewer’s attention and the fact that it is very near the slogan might allude to the ‘mouth’, the voice of the COE which ‘commands’ viewers to act. This order is clearly and directly expressed by the use of the imperative mood ‘speak out’. In some of these campaigns black and white colours are dominant carrying a lot of information and persuasive meanings. Colours are an invaluable source for visual communicators. In some posters, for instance, black is dominant because dark colours as blue, grey and black are often seen as powerful colours, indicating that they convey authority and power (Borchers, 2005). This poster shows a very unclear and confusing composition. This is one of the cases where visuals by themselves are not sufficient to make the message clear and understandable and words are necessary in order to clarify the communicative

meaning. The repetitive words give ‘voice’ to the overlapping pieces of faces depicted.

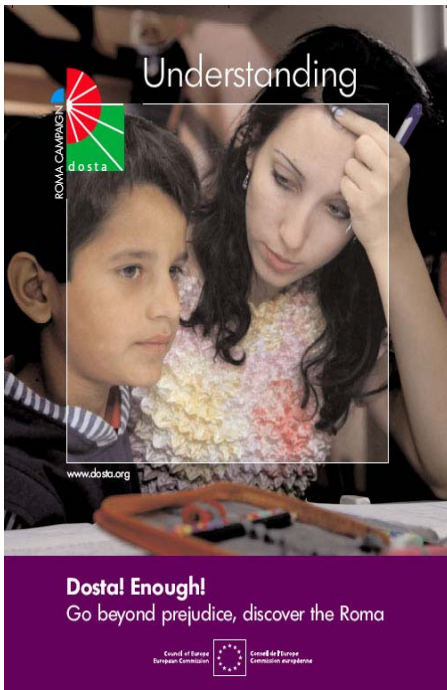


Figure 4.4 *Dosta!*



Figure 4.5 *Dosta!*²⁴

Barthes (1977) affirms that a visual image, like a word, can have both denotative and connotative meanings. Denotation refers to literal meanings, who and/or what is represented in an image; connotation refers to the ideas and values conveyed through what is represented and through the way in which it is represented by inspiring personal or emotional reactions. When integrated in a verbal text, visuals can add denotative and connotative meaning to the words used. In fig. 4.4 and fig. 4.5, denotatively the two images represent very common everyday activities, but it is the slogan which adds a specific denotative and connotative meaning. The repetition of the same word in Romani language (Dosta!) and in English (Enough!) conveys to the word a powerful symbolic meaning: it becomes a way to knit together Roma and non-Roma, to bring these two different worlds closer together. The imperative mood

²⁴ There is the EU's logo instead of the COE's logo, because this campaign is a joint programme by the two institutions.

– *Go beyond prejudice, discover the Roma* – is an explicit command, a communicative speech act which orders viewers to do something, to act against prejudice and racism that Roma people face all over Europe. The two posters have the same layout and structure and convey the same message but the visual content is different. Figure 4.4 depicts, in the middle, a child who looks ahead and a young woman, maybe his teacher, who looks at him. The setting should be a classroom; in fact we see a book, a pencil case on the table and the woman has got a pen in her hand. In figure 4.5, a family is represented while they are celebrating their child's first birthday. It is usually considered an important happy moment for each family and here it is possible to perceive a very peaceful and relaxed atmosphere. The father, who seems to be the major *actor*, holds the child in his hands while the mother stops his child's hand. It is a very familiar gesture: a child is always curious and usually tries to touch the cake. They are arranged in a symmetrical fashion, in a big and circular hug and all of them look at the candle, maybe symbol of life or a new society without prejudices. On the foreground, the little child is placed in the centre unifying the other people surrounding him around a central meaning. "For something to be presented as Centre means that it is presented as the nucleus of the information on which all the other elements are in some sense subservient" (Kress and Van Leeuwen, 1996: 206). So he is the central element because he symbolises the future and a new better life for Roma people thanks to the *Dosta!* Campaign. This interpretation is reinforced by the caption 'living'.

While in fig. 4.5 the relation between words and images is straightforward, in fig 4.4 it is quite contradictory. The word 'understanding' is not supported by the image, because the relation between the teacher and the student does not evoke understanding but distance and lack of communication, clearly expressed by the boy's gaze. This impression is confirmed by the TV spot (see section 4.2.2) which employs the same pictures, but this image is different, in fact in the video spot the

two characters are in the same environment but they are engaged in different actions which suggest ‘understanding’.

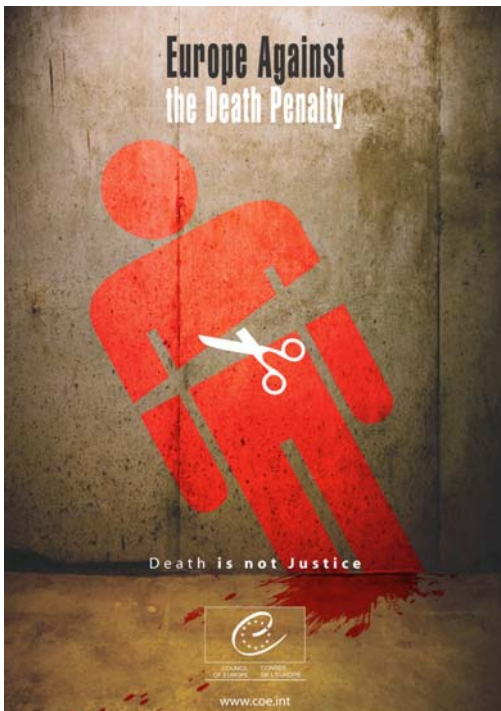


Figure 4.6 *Europe against the death penalty*

The pictorial presentation of these posters can also be analysed according to Peirce’s (1931-1958) well-known trichotomy of signs. He distinguishes three different categories: the icon, the index and the symbol.

The icon: this sign relates to its meaning through similarity or resemblance, for example, a scale model of a town is an iconic representation of the real town. It is an iconic relationship of signifier and signified, a relationship of ‘likeness’: it looks like one, but we know it is not actually the real town.

The index: this sign relates to its meaning through a physical or causal relationship for example smoke for fire, an uneven walk for drunkenness.

The symbol: this sign involves neither similarity nor physical causation but an arbitrary convention on the part of users for example flags, words etc.

In cases such as figure 4.6, the iconic and indexical features of the images may complement the syntactic explicitness of the verbal language. The picture represents an iconic stylised man. The scissors symbolise the death penalty and they are white, the same colour of the words (the death penalty/death). The blood conveys the indexical meaning of death. By examining how the slogans are arranged in the page, top-bottom, we can refer to Kress and Van Leeuwen's (1996) distinction between ideal and real. The slogan *Europe Against the Death Penalty* placed on top represents the ideal, the ideological essence of the information while *Death is not Justice* placed at the bottom represents the real, the more realistic information, reinforced by the realistic spot of blood on the floor.

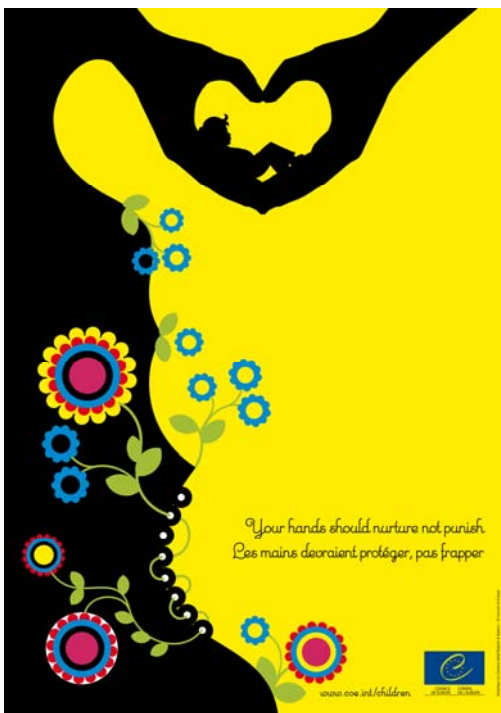


Figure 4.7 *Raise your hand against smacking!*



Figure 4.8 *Raise your hand against smacking!*



Figure 4.9 *Raise your hand against smacking!*

Also figures 4.7, 4.8 and 4.9 are strongly related to the video spot since they are three still images from the TV spot *Raise your hand against smacking!* (see section 4.2.2.). They have a very metaphorical dimension; an image of a concrete physical event or situation is used as a means of evoking an analogous abstract concept. Because of the analogical connection between each image and its corresponding concept, these images can be considered visual metaphors. According to Messaris (1997: 10) a metaphor is “the representation of an abstract concept through a concrete visual image that bears some analogy to that concept.” It comes from the Greek *metapherin* (to carry over) and it means more than what it literally says. We use metaphors in every discourse and sometimes we do not even recognise them because they are very common.

Conventionalized metaphors are metaphors that were once novel, but with repeated usage have been completely absorbed into the conventions of everyday language (e.g., “The *leg* of a table”). Such metaphors are not immediately recognized as metaphors.” (Sopory and Dillard, 2002: 390)

In *Metaphors We Live By*, a linguistic and philosophical study on metaphors which has been influential in a range of disciplines, Lakoff and Johnson (1980: 5) affirm that “[t]he essence of metaphor is understanding and experiencing one kind of thing

in terms of another”. Metaphors help people interpret many areas of their lives, especially abstractions and emotions and persuaders often use them, because:

Metaphors are persuasive because they help the audience see the relationship between something new and something that they already know. Metaphors help us to escape our previous way of seeing by looking at something from a different angle. Metaphors are effective means of transferring an audience’s positive feelings from one object to another. (Borchers, 2005: 190)

In these posters we have both verbal and pictorial metaphors. The two slogans ‘Raise your hand against smacking’ and ‘Raise your hand to nurture not to punish’ (see figs 4.7, 4.8 and 4.9) are two verbal metaphors; the hand becomes an instrument to combat corporal punishment and, like a mother, plays the role of nurturing children. The concept is reinforced by the pictorial metaphor which represents a hand stilised in such a way as to represent a street (fig. 4.9), a swing (fig. 4.8) and a tree and finally a heart (fig. 4.7) – symbolic sign of love.

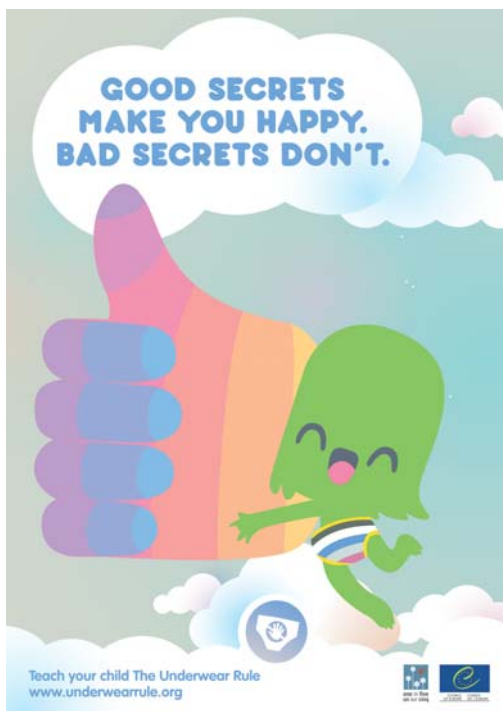


Figure 4.10 *One in five*



Figure 4.11 *One in five*

A hand is a recurrent image in the COE’s campaigns. There is a hand also in the campaign *One in Five* against child sexual abuse (figs 4.10; 4.11). Here a colourful hand has been humanised. It has a double metonymic meaning, because it stands for touching which can be positive or negative.



Figure 4.12 *Building a Europe for and with children*

In fig. 4.12 advertising discourse is expressed by the parallelism dictated by the caption: ‘I have rights, you have rights, he/she has rights...’ and also by the list below of children’s rights. Moreover, the emphasis on children’s rights is given by the anaphora, i.e. the repetition of the words ‘the right to’ at the beginning of eleven successive clauses. This poster is interesting because it exploits some features typical of promotional discourse – parallelism, repetition, anaphora – but at the same time it refers to a discourse practice typical of education system: learning grammar rules, especially tenses, through repetition. Moreover, this technique echoes the main purpose of this campaign: to educate children on their rights (the educational discourse will be discussed in chapter 6). The dreamy, peaceful images, typical of the

illustrator²⁵, and their dynamism represented by the visual metaphor – Europe is like a machine and children can contribute to making it work – perfectly convey the message of this campaign: the necessity to build a Europe for and with children.

4.2.2....to TV spots

Words and images are also two semiotic modes of TV spots, and sound is a third, which complements them in the creation of a persuasive message. In *Speech, Music, Sound*, Van Leeuwen tries to integrate speech, music and other sounds, pointing out that, like pictures, sound has a grammar of its own. Sound and image are different media, but both can establish relations between what is being represented and the addressee of the message and, hence, contribute to communication.

There is, for instance, no equivalent of the ‘frontal’ and ‘side on’ angle in sound. Sound is a wrap-around medium. But there are also similarities. Both can create relations between the subject they represent and the receiver they address [...]
(Van Leeuwen: 1999: 14).

The COE’s TV spots are a combination of different modes in which music and sound play a significant role in order to attract attention and elicit a certain emotion. Given their powerful capability to reach people and arouse emotions through evocative messages, in this section the emphasis is on the persuasive role of music and sounds in TV spots rather than on verbal and visual techniques.

In the spot *Stop domestic violence against women*²⁶, it is the sound effects which create the mood and the emotional temperature of the scene represented. For Van

²⁵ Éric Puybaret, a French illustrator specialized on children literature. He has published more than 20 books which include *Puff, the Magic Dragon*, *The Nutcracker* and *Manfish: A Story of Jacques Cousteau*.

Leeuwen (1999: 18), sound is dynamic, “[...] it can move us *towards* or *away from* a certain position, it can *change* our relation to what we hear.” The level of the sound of the woman’s shoes is far too high relative to the other sounds. It is positioned as *Figure*, it means that it is treated as the most significant sound, the sound which the listener must identify with and/or act in response. So, it has been associated with the woman’s emotions of fear and anguish by stirring viewers’ response.

The video spot *Human being - not for sale*²⁷ presents both a direct and an indirect mode of address. The indirect address includes a monologue represented by the thoughts of a girl. She sits on the floor and reminisces in a voice-over her expectations from society: “I thought that I could start a new life. I thought that I would be treated like a human being”. She does not address the listener directly and it is a clear promotional technique with which “[y]ou are invited to eavesdrop on his private thoughts; although you are not mentioned, you are brought into the story as privileged observer” (Brierley, 1995: 145). The direct address is expressed by the intervention of a male voice-over at the end which anchors the meaning of the text and relates the story directly to the listener. The sound of the voice is an important element in the system of social distance.

In the age of amplification and recording it becomes an independent semiotic system, the system of (aural) social distance, able to create imaginary social relations between what is presented or represented by a sound and the listener.
(Van Leeuwen: 1999: 27)

Social distance can be related to the voice too, not only to images. At formal distance, the male voice-over is conveying public information as speaking in a public context, whereas, at personal distance, the girl’s soft voice at low pitch and volume

²⁶ This TV spot is available at: http://www.coe.int/t/dc/campaign/stopviolence/default_en.asp (Last accessed: November 2011).

²⁷ This TV spot is available at: http://www.coe.int/t/dghl/monitoring/trafficking/default_en.asp (Last accessed: November 2011).

creates a personal relation between the sound and the listener. The listener has become a friend to whom the girl can talk about her private matters.

The video for the campaign against discrimination²⁸ employs a combination of powerful visual rhetorical techniques – metaphor and metonymy - in order to convince people to act against discrimination. The glass ceiling stands for the invisible obstacles in our daily life because of racist attitudes and prejudices. The people above the glass ceiling pass without interacting with each other, but one of them falls below the glass and is immediately confronted with this issue. Other people are trapped beneath the glass. Together they start banging the glass ceiling. The people from above become aware and help knocking on the glass until it breaks. Also here it is the music and sound effects which represent people's actions and interactions (the sound of the knocks on the ceiling and the broken glass). The ascending music, moreover, is a clear call to action, because “[r]ising pitch can energize, rally listeners together for the sake of some joint activity or cause” (Van Leeuwen, 1999: 103). Also in the video spots for the *Dosta!*²⁹ and *Raise your hand against smacking*³⁰ campaigns, the two melodies employed express clear emotions. Both the evocative rhythm of the Roma anthem in the former and the lively tempo of the melody in the latter communicate joy and optimism. Furthermore, in the video spot against the punishment of children the presence of curved lines contribute to evoking positive emotions in the viewer.

Whereas there is a wide range of specific objects with which one could associate a circle or an ellipse, it is also likely that the most salient aspect of such shapes – when they are viewed out of context – is a more abstract quality of gentleness or smoothness. (Messaris, 1997: 61)

²⁸ This TV spot is available at: <http://www.coe.int/t/DG4/ANTI-DISCRIMINATION-CAMPAIGN/> (Last accessed: November 2011).

²⁹ This TV spot is available at: http://www.coe.int/t/dg3/romatravellers/dosta_en.asp (Last accessed: November 2011).

³⁰ This TV spot is available at: http://www.coe.int/t/dg3/children/corporalpunishment/default_en.asp (Last accessed: November 2011).

Confirming all this, the animated video called *Handscape* is based on a combination of colourful and curved lines which represent two hands helping a child through a day's journey. While straight lines indicate rigidity and stiffness, curved lines often communicate dynamism, suppleness and liveliness.

4.3 A photo exhibition: persuading through personal narratives

The use of photographs as a persuasive tool is quite common. They are often employed in reporting news to document the reality of wars, poverty and cruelty in order to bring social issues to the wider attention of the public and raise awareness. For Barthes, even if the photo is not the reality, it represents the literal reality, in fact he points out that from the object to its image there is a process of reduction which could also be considered part of transformation resulting from recontextualisation as stated by Van Leeuwen and Wodak (1999).

Certainly the image is not the reality but at least it is the perfect *analogon* and it is exactly this analogical perfection which, to common sense, defines the photograph. (Barthes, 1977: 17)

For this reason, photos have often had a massive impact on our societies, because “they are compelling evidence that inform us about actual moments in time and give us the chance to act upon them” (Machin, 2007: 45). They do not comprise only a denoted message which is the *analogon* itself, but also a connoted message which is the way in which the society to a certain extent manifests what it thinks of them.

The Council of Europe's photo exhibition, *Break the silence on domestic violence*, realised jointly by the Council of Europe Congress and Parliamentary Assembly, formally opened at the French Senate in June 2008. The photographer Sandro Weltin has produced the portraits of those people involved in domestic violence: the

parliamentarians, the local and regional deputies, delegates of non-governmental organisations (NGOs), activists in the field, and the victims themselves. The structure of this photo exhibition is quite unusual. The totality of the message is carried by two different modes, the linguistic and the visual one. They occupy their defined spaces, adjacent but not integrated. These two modes are cooperative, but remain separate and not always they complement each other: “[...] here (in the text) the substance of the message is made up of words; there (in the photograph) of lines, surfaces, shades” (Barthes, 1977: 16).

The exhibition consists of 36 items which can be divided in:

5 introductory panels

18 photos of the COE’s representatives and activists in the field

14 photos of the victims of domestic violence

The five introductory panels (see Appendix F.2, F.3, F.4) do not have any images but just words on a red background. They are a combination of informative, promotional and political discourse. For example, the first two panels, consisting of quotations by two members of the COE, present a mixture of promotional and political language. On the contrary, in the third and fourth panels the informative text on the actions of the Parliamentary Assembly and the Congress is anchored to the politicians’ chunks of direct speech. Here intertextuality does not involve transformation of text as such as in the posters analysed before, but a prior context of the speeches is re-contextualised – a kind of ‘inter-contextuality’.

The second group combines 18 black and white photos of parliamentarians, politicians, representatives of NGOs and activists and their quotations (see Appendix F.1). Kitis (1997) suggests that the black and white photo adds a sense of realism to images creating associations with newspapers where, in most cases, factual news is reported. This appears to be a signature of the entire campaign, distinguishing it from the other campaigns run by the organisation. The actors look directly at the viewer’s eyes creating an imaginary relation with him/her and the quotations reinforce the

sense of connection between the viewer and the authority figures depicted, but the choice of a medium close shot creates a sense of engagement but also of authority. The COE is here humanised through these portraits that give a ‘face’ to the words. Some of these quotations look like advertising slogans, a mix of conversational and political discourse, for example, sentences like ‘Beating, strangling, raping, slapping, kicking, shooting, knifing... Speak up! Speak out!’ and ‘Silence = complicity’ could be employed in an ad’s headline both for the presence of rhetorical devices such as parallelism, alliteration and for the immediate concise message they contain. Moreover, most of the politicians represented are wearing a white ribbon, but it is only in the panel 32 (Appendix F.4) that the meaning of the bow is made clear. It is the symbol of the *White Ribbon Campaign* which is the UK branch of the global campaign to ensure men take more responsibility for reducing the level of violence against women. So this is another example of promotional *mise en abyme*, ‘a campaign-within-a campaign’; the exhibition promotes the COE’s campaign against domestic violence which promotes the *White Ribbon Campaign*³¹. Most protagonists are categorised in terms of their role or occupation, for example, the people active in the field are represented in their working environment and sometimes their clothes are indexical signs of their professions (see panels 34 and 35 in Appendix F.5). In fact, Van Leeuwen (2002) identifies two types of categorisation: functionalisation and identification. Functionalisation takes place when social actors are referred to in terms of what they do, their activity or job. Identification occurs when social actors are defined in terms of what they are that can include classification (age, gender, race,

³¹ The white ribbon is often used by political and social movements as a symbol of their beliefs gaining different meanings depending on the context. For instance, it has been the badge of the Woman’s Christian Temperance Union, Quebec peace movement and of some feminist movements. Recently, it has also adopted by cinematography. In 2009, it appeared in Michael Haneke’s allegoric film **The White Ribbon**, in which the white ribbon is a symbol of purity and innocence.

religion etc) and relational and physical identification, in fact most victims are also referred to in terms of their age.

The last set of photos contains testimonies of the victims speaking about their experience. We know their names and age and sometimes their profession, but their countries of origin are not revealed: these women could come from any background in any country in Europe. Promotional genre often employs testimony such as examples and statistics as form of evidence in order to persuade. Here we have the testimonies from women who have first-hand experience on domestic violence. People are more receptive to messages delivered by those who are perceived as sharing their values and background. Perloff (2003: 310) argues: “ [...] people are frequently more apt to listen to someone who they perceive to be similar to themselves, particularly when the topic is a stressful one”.

Telling stories is a universal discourse. “Stories or narratives are discursive accounts of factual or fictitious events which take, or have taken or will take place at a particular time” (Jaworski and Coupland, 1999: 29-30). Sociolinguistics and anthropologists have always emphasised the role of narrative in human lives. It is still considered one of the most common modes of human communication. Narratives can be verbal, pictorial, musical. They can combine different modalities and many voices in a single event and can have different functions: informative, self-presentation, entertainment or, as in this case, persuasive. Following Hymes, Blommaert (2005: 68) defines ‘voices’ as the ways in which people manage to make themselves understood, that is “the capacity to accomplish desired *functions* through language”. Although narratives vary in their function they share a basic structure. Labov (1997, 1999) identifies six structural features: abstract, orientation, complicating action, evaluation, result or resolution, coda. Vestergaard and Schrøder (1985) apply this type of work to the language of advertising, by distinguishing six paired roles: subject-object, helper-opponent, giver-receiver, that is a model typical of many fairy tales (Propp, 1958). Narratives are organised into units, segments, episodes and their

relations are structured and such patterns reflect cultural and subjective ways of organising knowledge and affect into discourse.

Narratives are not at all objective or impartial ways of representing events, even though they might be *objectifying devices* (ways of claiming or constructing an air of factuality). [...] But even ‘factual’ narratives are intimately tied to the narrator’s point of view, and the events recounted in a narrative are his/her (re)constructions rather than some kind of objective mirror-image of reality. The first instance of the narrator’s subjectivity is present in what s/he chooses to narrate, what s/he finds ‘tellable’ or ‘reportable’. (Jaworski and Coupland, 1999: 32)

Narratives aim at influencing an audience’s motivation to identify with the persuader. They evoke images and help audience to feel emotions associated with the story. They evoke great emotional response from the audience. They also help the persuader to move the audience from one emotion at the beginning of the speech to another emotion at the end, for example the persuader may start with fear and build to joy or vice versa. Narratives are one of the most powerful persuasive strategies available. People have always been fascinated or been persuaded by hearing about the stories of others – that is, by vicarious experiences and most of them are dramatic in nature.

Such persuasion relies on the human ability to project themselves into the context or situation described by the persuader – to ‘feel’ what others feel, to ‘live’ the problem vicariously. This type of evidence encourages persuadees to cocreate proof with the persuader. (Larson, 2004: 189)

The effect may be powerful, enduring persuasion. By hearing direct testimonies, receivers vicariously live through what the witness experienced.

In this exhibition every narrator accomplishes narrations meeting readers’ expectations of a discourse oriented to suffering. Blommaert states:

Whenever we communicate we have expectations of iconicity: expectations about mappings of style and content; correspondences between ways of speaking and topics or domains. We are expected to adopt a ‘serious’ style when talking about serious topics; a funny one when talking about funny things. Failure or refusal to meet these expectations may be a source of, for example, humour, irony, or sarcasm [...]. (Blommaert 2005: 85)

If the exhibition’s texts are investigated following Labov’s theory, first of all it is evident that *abstract* and *orientation* are often missing. Apart from text 1 where the narrator begins with a sentence summarising the story and setting the scene, the other texts start in *medias res*, for example in text 2 the last sentence “All I want now is to get my son back.” makes readers realise that the narrator had already mentioned her son, so the reader is not reading the whole story, but just an extract. In most texts, in fact, the first element is the *complicating action*, the sequence of events occurred and then the stories move to a resolution. Most of them finish with a *coda* which “wraps up the action and returns the conversation from the time of the narrative to the present” (Bell, 1999: 237), for example, “Today, I am a member of a victim support association” (text 1), “Now I express my feelings through my painting” (text 3) and “There is always hope. There is a life after this hell” (text 4). All texts present the *evaluation*, which refers to

that part of the narrative that reveals the attitude of the narrator towards the narrative emphasizing the relative importance of some narrative units as compared to others. (Labov and Waletzky, 1997: 32)

In these texts it is expressed by direct statements such as ‘I wanted to give him another chance because I loved him’ (text 2), ‘I was terrified of running into my ex-husband’ (text 4) and judgement of a third person such as ‘My husband was judged irresponsible’ (text 1), ‘After the wedding, he became a different man’ (text 3). The

main function of evaluation is self-aggrandisement, that is to show the woman/narrator in a favorable position as compared to the perpetrator.

Text 1

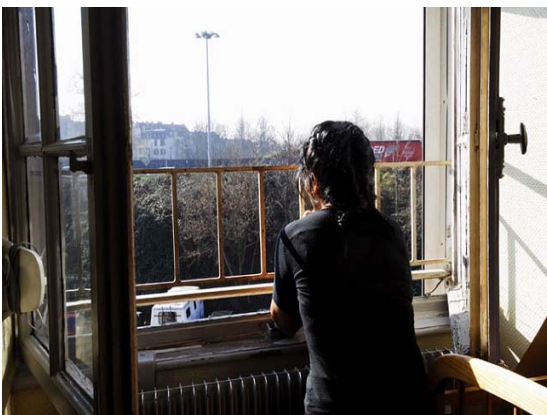


Sonia

51, assistant nurse

“I left my violent husband 14 years ago, taking my three young children with me, because it was a matter of life or death. My husband was judged irresponsible for his acts at the time. It was horrifying to realise that no charges would be upheld against him and he would not be convicted. But even worse were the words of his psychologist who thought that I should be punished for what I’d made him go through. He swore that he would kill me as soon as my youngest son turned 18. I think about it more and more since that date is getting closer but it doesn't stop me from living. I will never trust a man again but life always goes on. Today, I am a member of a victim support association – if my testimony gives just one woman the strength to leave and to fight, it will slightly sooth a wound that will never heal.”

Text 2



Sherine

31

“We got married because we were in love. Some time later, he started locking me in the house and hitting me. He raped me and forced me to have sexual relations which I did not agree to. I had bruises everywhere. After beating me he would go out and lock me in. He threatened to stop me from getting my papers. I wanted to give him another chance because I loved him. Today I live in an emergency shelter and I am afraid to go out. My husband is still threatening me and trying to get me back. He has scaled the wall. He waits outside. Just knowing he’s there makes me shake like a leaf. All I want now is to get my son back.”

Text 3



37

“After the wedding, he became a different man. He used to lock the door and wouldn’t go out with me or eat with me. I felt stupid and guilty. I stopped eating and ended up in hospital. He made me leave home and I am afraid that will backfire on me. I filed a complaint against him but I didn’t have any proof. I wasn’t as “lucky” as other victims - he didn’t beat me. Then nobody wanted to take me in. I decided to take my life into my own hands and with the help of doctors, social workers, lawyers and the shelter for women, where I was in very good company, I regained my self-confidence. Now I express my feelings through my painting.”

Text 4



Anna

35, *employee*

“We had been living together for 7 years. The verbal aggression started at the beginning of my pregnancy. He did everything he could to keep me away from my friends and family. Yet I had done nothing wrong. When he hit me for the third time, I ran away with my child. A work colleague took me in, and I was put in touch with the “SOS Femmes Solidarité” association. It was the only safe haven where I could tell my story without fearing reprisals or feeling ashamed. I was terrified of running into my exhusband when leaving work, at the nursery, at the end of the street or even in front of the block of flats where I live, even though he didn't know my new address. After the divorce and after he had been sentenced for violence and death threats, I turned the page and put it all behind me. I have been able to rebuild a trusting relationship with a man I had known for a long time – he was the one for me. There is always hope. There is a life after this hell.”

Concerning the relationship between words and images, in some panels the verbal text becomes necessary to understand the meaning of the image. According to Barthes, images are polysemous, so both denotative and connotative meanings are often anchored by language. In texts 5 and 6 we find an example of anchorage. Words and images have many meanings and often the picture helps constrain the possible choices, but in this case it is the words which narrow down the multiple meanings of images. The images no longer illustrate the words, it is now the words which fix the meaning of the images.

[I]n the traditional modes of illustration the image functioned as an episodic return to denotation from a principal message (the text) which was experienced as connoted since, precisely, it needed an illustration; in the relationship that now holds, it is not the image which comes to elucidate or ‘realize’ the text, but the

latter which comes to sublimate, patheticize or rationalize the image (Barthes, 1977: 25).

Text 5



Flora

35, *civil servant*

“Dancing brought us together. But then it provided an excuse for jealousy. There were no insults, degrading comments, attempts to cut me off from others, threats or physical violence when we first met, but they soon came. To cope with them, I contacted a victim support association, SOS Femme Solidarité, who helped me a great deal, both morally and materially. After we broke up I had to move out of my flat because he had sent me death threats. I experienced real fear – the type where you shake from head to foot for fear of dying, being disfigured for life or being disabled. And yet we had separated and I had reported him to the police. If he isn’t supervised, I wonder what offences he will commit next and who his next victim will be. [These keys symbolise the flat where I can sleep safely now and have been able to start a new life.](#)”

Text 6



Christine, 43,
died on 23 February 2007 as a result of violence by her husband.

It is believed that photography is an accurate representation of reality, but, in fact, photos are subjective interpretations of events. We must consider several variables of photography to understand the persuasive power of its images. Three elements – framing, angle and pose – influence how people perceive a photo’s meaning. “By centering the subject in the photograph, the persuader communicates a sense of balance. By placing the subject to one side, the persuader creates a sense of imbalance”(Borchers, 2005: 165); in fact, unlike the politicians, the victims are rarely centered in the photos. The camera angle can influence viewers too, an upward-looking camera angle on all politicians gives power to the subject and a straight-on shot indicates that the subject is trustworthy. Pose is another element which influences viewers’ perception. Victims’ photos have been taken without they were knowing exactly when the shutter would be snapped, while the politicians are well prepared for the photo. Victims of war or disasters usually do not pose, so victims of domestic violence do not pose either.

Clearly this exhibition is an interesting example of a multimodal hybrid genre. It is impossible that the words duplicate the image, in the movement from one mode to the other second signifieds are developed. Sometimes the verbal text amplifies a set of connotations already given in the photo. Sometimes it produces a totally new signified which is projected into the picture. These are stories about power and humiliation. This exhibition reinforces the idea of domestic violence as a form of

social control, a way of keeping women in their place, but, at the same time, it seems to exploit very general and approximate beliefs. Victims are mostly young women and the perpetrators are always men (just one story mentions violence perpetrated by parents-in law) and the focus is mostly on physical acts of violence; there is no allusion to other forms of domestic violence, sometimes even more difficult to eradicate, such as forced marriages or genital mutilation.

4.4 A serious comic strip as a persuasion format

The comic strip *You're not for sale. Trafficking in Human Beings*³² is a further COE's contribution to promote human rights in Europe. It illustrates the stories of Talina, Fabia, Yvo, Anna and Sofia who are victims of this new form of slave trade and subjected to verbal and physical abuse.

For Frahm (2003) comics belong to one of the categories of 'bourgeois aesthetics'. They are neither literature nor art. Comics emerge from a mixture. Spiegelman (1988, quoted in Frahm) defines comics a *com-mix*, a mixture of words and images which must be read at the same time. They may be separate as signs, but as panels they are so intertwined that they are virtually inseparable. McCloud (1993), for example, records seven different ways in which these two modes can combine in the cartoon genre, ranging from 'word specific' or 'image specific', where one mode carries the message and the other simply adds secondary details, to 'interdependent', where the combined modes generate messages that neither could convey alone. Definitions of comics are based on the co-presence and interplay of images, which are 'icons' based on a physical resemblance between signs and their meanings, and words which are 'symbols' based on conventions. Some critics, such as McCloud, consider this

³²It is available at: <http://www.coe.int/t/DG2/TRAFFICKING/COMICS/> (Last accessed: November 2011).

relation as a clash of opposites – simplicity versus complexity – insisting on the dialectic between images which are instantaneous and easy to interpret and words which are abstract and not easily understood.

Pictures are **received** information. We need no formal education to ‘get the message’. The message is instantaneous. Writing is **perceived** information. It takes time and specialized knowledge to decode the abstract symbols of language. (McCloud, 1993: 49)

By contrast, according to Hatfield,

[...] words can be visually inflected, reading as pictures, while pictures can become as abstract and symbolic as words. In brief, the written text can function like images, and images like written text. (Hatfield, 2005: 36)

Therefore, for Hatfield the word/image dichotomy may be simplistic because also pictures must be decoded. They also require learned skills in order to understand them. This tension between codes is fundamental within comics demanding from readers different reading strategies and interpretive options. Cartoon genre is more than merely words adorned with pictures or pictures adorned with words. It’s a completely different medium in which the words and images may achieve multiple communicative effects.

It is not surprising that it can be a powerful instrument of persuasion. Since 1960s comics have been used to promote and/or sell everything, from products and gadgets to political and social ideas and, because of their narrative structure, they have an incredible strength both to attract the reader and to make the message stick. As they represent an event or a sequence of events, they stimulate identification and empathy which result in a deep emotional involvement in which “we feel what we believe to be the emotions of others” (Keen, 2006: 208). In this case, the COE exploits this genre to sensitise readers about serious and difficult subjects. Obviously, it is not the first comic strip

dealing with serious life issues. Spiegelman's well-known *Maus*, which is about the horrors of the Holocaust, or Joe Sacco's *Palestine*, which deals with the problems of Palestinian people, are just two examples of comic books whose themes are very serious. Trafficking of human beings is not a topic that one would generally associate with comic strips, but this could be an ideal means for raising awareness among both young and old people since it makes such topics accessible for everyone. The book looks at verbal and physical aggression, rape, domestic cruelty and other kinds of violence, but it also outlines people's legal rights.

Each page is organised in a different number of units or panels that do not have an equal size. The use of many small panels in each page establishes a rhythm and sometimes this rhythm captures the horrific violation of human rights (fig. 4.13, 4.14 and 4.15). The use of close-ups reinforces the tragedy since they allow readers to understand the characters' feelings.

Close-ups allow details of facial expressions to be shown and, thanks to that, the readers of a story can guess the character's feelings and emotions. In a way, as if they can gain some access into the character's mind [...]. (Saraceni, 2003: 81)

This unconventional design conceit suggests the violent behaviour of the perpetrators. The author suggests this by representing a briefer sequence of events but also by the variation of the bubbles shape.



12



13



Figure 4.13

Figure 4.14

Figure 4.15

Ewert (2004) states that images do not just illustrate a story, they have also important and specific narrative functions. For example, in panel 3 of fig.4.13 the verb ‘to tuck someone into bed’ suggests a maternal and sweet gesture, but the image in panels 5 – the window looks like a prison’s window – immediately contradicts the literal meaning of the verb, creating a sense of fear and imminent danger.

The illustrator utilises different stylistic features across the book, mixing the naturalistic and the abstract. For instance, the drawing shows an articulation of detail about the environment, featuring a quite articulated background (fig. 4.16), but the style tends more towards abstraction by distorting the physical proportions of the protagonists. For example, in fig. 4.17 the shape of the girl’s body clearly does not correspond to realistic proportions and even the thought balloon increases abstraction, since it translates thoughts into a visible form. The exaggerated features of the protagonists especially of the women reinforce the sense of suffering. El Refaie, in fact, points out that

When visual artists need to represent concepts that have no visible presence at all, such as mental states and emotions, they have no choice but to use abstract symbols or metaphors. (El Refaie, 2010: 167)

But it does not mean that the stories are perceived as less authentic, because the perception of authenticity does not depend on the stylistic realism of images (Scott, 1999), rather it depends on how reality is subjectively perceived by the artist (El Refaie, 2010). Images and words here fulfil persuasive needs, by facilitating identification with the victims of trafficking and enhancing feelings of fear and injustice.



Figure 4.16



Figure 4.17

Time is another important element in comics. Its unique characteristics is that it is simultaneous. “A comic, in addition to unfolding temporally, also exists ‘all at once,’ and this existence is a feature unique to the medium” (Versaci, 2007: 16). For instance, the motion lines in panels 3, 4 and 5 of figure 4.18 increase the sense of action whereas the wordless panels in fig. 4.19 create a sense of ‘the silence of time passing’ (Carney, 2008: 198).



Figure 4.18



Figure 4.19

In all comics, panels are separated by a blank space called *the gutter* which is very important because it allows readers to connect the different moments depicted in panels and “mentally construct a continuous, unified reality” (McCloud, 1993: 67). Here the panels are attached to one another with a very thin blank space between them, so the process of reading images and finding connections between them seems quite straightforward. The use of adjacent panels to represent the story implicates the reader in an easy way to translate the given series into a narrative sequence. The story flows smoothly with many repeated elements which connect the panels together allowing the reader to fill the gap easily.

This is typical of children’s comics, for example, where reading should not normally require any extra effort. In such comics, the separation between the panels is minimised as much as possible and the gutter is only a blank, empty space between the panels, which readers can skip effortlessly. (Saraceni, 2003: 55)

Furthermore, the fact that girls' physical features are very similar to those of the very popular Bratz³³ dolls (fig. 4.20 and 4.21) might be another signal that the COE is trying to address to a younger audience more than to an adult one.



Figure 4.20 *You're not for sale* (postcard)



Figure 4.21 *Bratz*

Also in the comic strip, the COE explicitly uses the narrative sequence to promote its institution. In fig. 4.22 and 4.23 the channel 'euro channel' and its starred logo evoke the COE and the last scene (fig. 4.23) is a clear promotional message. Through an example of a 'hybrid mise en abyme', the TV reporter promotes the COE and its authoritativeness strengthened by the square shape of the balloon which gives more respectability to the story (Saraceni, 2003).

³³ Bratz is an American line of fashion dolls released in 2001. They are portrayed as teenagers characterised by skinny bodies, almond-shaped eyes and big glossy lips.



Figure 4.22 *You're not for sale*

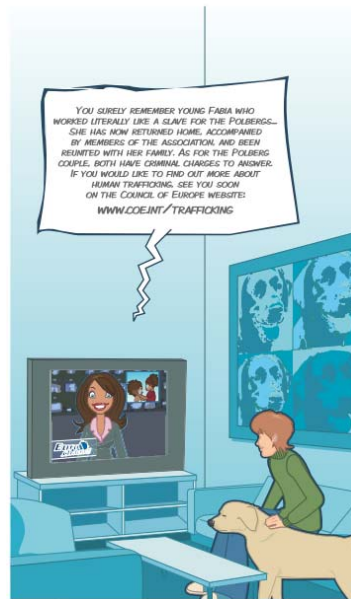


Figure 4.23 *You're not for sale*

Conclusion

This analysis has allowed to recognise common denominators of advertising language across genres which are inherently persuasive. Despite the different restrictions that genres impose on the features of persuasive language, it has been possible to identify the same linguistic forms. On the contrary, these genres differ in the exploitation of visuals and in the way they hybridise for persuasive purposes. While the posters and video clips seem to be quite stable, the brochures and flyers show the dynamism of genres from an intertextual and interdiscursive perspective, matching texts with other texts and genres with other genres. In addition, the analysis of the photo exhibition and the comic strip has revealed that narratives are employed as a persuasive instrument to raise awareness on human rights by facilitating identification with the victims of violence and trafficking.

CHAPTER 5

HUMAN RIGHTS DISCOURSE VIA POPULARISATION

Introduction: what is popularisation?

In the COE, citizen empowerment is becoming fundamental in order to raise awareness on human rights issues, so the institution has generated, in addition to legal documents, a variety of popularizing texts. On the one hand we have authentic and official legal documents and, on the other hand, popularising texts whose main purpose is to disseminate the content of these legal documents. Thus, the texts to be analysed in this chapter are representative of different types of discourses with different aims – dissemination of information, political persuasion, awareness raising etc. – addressed to a general public but also to specialists and characterised by different levels of specialisation and popularisation. The discursive practices and strategies deployed in the various texts will be investigated trying to identify recurrent features. The investigation will mainly rely on intertextuality to verify whether the transfer from legal language to popularising texts involves any contamination in discursive practices, thus leading to hybridisation and compromising generic integrity, or generating new genres. Given that research on popularisation has focused overwhelmingly on the words of legal texts reinforcing the assumption that popularisation means simplifying and perhaps distorting the authentic message, attention will also be given to multimodal analysis.

Popularisation involves not only a *reformulation*, but especially a *recontextualisation* of specific discourses – in this case legal discourse – that is originally generated in specialised contexts to which lay people have limited access. Calsamiglia and van Dijk state that:

Popularization is a vast class of various types of communicative events or genres that involve the transformation of specialized knowledge into ‘everyday’ or ‘lay’ knowledge, as well as a recontextualization of scientific discourse, for instance, in the realm of the public discourses of the mass media or other institutions. (Calsamiglia and van Dijk, 2004: 370)

This means that various linguistic and explanatory devices such as metaphors, definitions, examples, and visual persuasive facets are used to allow the general public to familiarise with legal discourse. Popularisation is seen as a way to start a process of convergence or narrowing of the gap existing between two separated words: law and the lay public.

This chapter will be focused on the popularisation of legal documents through elements of intertextuality and interdiscursivity and how elements of hybridisation are responsible for easy-to-read language. The COE intends to raise citizens’ awareness on their human rights and encourage them to make greater use of existing legal institutions. In order to achieve this goal the COE has prepared legal information materials for the public and provided information in a form that can be easily understood by those who are not legal specialists.

5.1 The popularisation of legal documents through brochures

The texts taken into account in this section imply different functions and actors. The COE's Conventions are legally enforceable documents. They are official, international written agreements concluded between States and once they enter into force, they become legally binding. Each Convention has an Explanatory Report which “[...] does not constitute an instrument providing an authoritative interpretation of the convention, although it might be of such a nature as to facilitate the application of the provisions contained therein.” (Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse;

Explanatory Report: p.1)³⁴. Accordingly, even if the Explanatory Reports are not an authoritative interpretation of the Conventions, they cover the main issues and provide information to better understand the object and purpose of the Conventions. Finally, the Recommendations are legal documents adopted by the Committee of Ministers of the Council of Europe and addressed to the Governments of the member States which advise the states. Even though they are not legally binding, they create political pressure on governments.

These legal documents basically consist of many issues and a vast amount of information which can be difficult to spread to a lay audience. The information distributed needs to be easy to understand, fact based, informative and able to reach many citizens. A way to help citizens understand specific legal issues is to use a genre of *informational legal brochures*. This type of genre constitutes a brief yet informative way to reach a varied audience providing a best-practice example of user-friendliness from a plain language point of view.

5.1.1 A brochure to explain the *Council of Europe Convention on Action against Trafficking in Human Beings*

The brochure *Human being – not for sale* is an example of *intertextual chain* as the issue of trafficking of human beings is recreated through different recontextualising practices. The content of the Convention is elaborated and reformulated in the Explanatory Report, especially through expansion, and then the same concepts are re-elaborated and rebuilt, mostly through reduction, in the brochure. The brochure follows the same structural organisation of the Convention (preamble/introduction, purpose, definition, measures etc.) but in order to popularise the legal language not only is most of the content extracted from the Report, but also the composition and the layout are different. For example, the use of direct questions such as ‘Why a new convention?’, ‘What is trafficking in human beings?’ (see Appendix G) is clearly a

³⁴ The entire document is available at <http://conventions.coe.int/>.

linguistic device to make the text easy to read, since the reader immediately understands what the content of the page is about. The presence of direct citations by the representatives of the COE is another way to simplify the legal discourse on human rights by giving the reader the possibility to give a human voice to the Institution.

Moreover, this brochure is a mixing and blending of different discourses and influences from other genres. By comparing excerpts 1, 2 and 3 we can observe as the definition of trafficking in human beings has been extracted from the Report, but it has preserved the direct quotations from the Convention. The fact that the definition is taken directly from the Convention might not help the comprehension, but by analysing the composition and layout of the page (see Appendix G.4), we can notice how the employ of bullet points, the use of a colloquial direct question ‘What is trafficking in Human beings?’ and the image of a woman crying make the page more appealing and accessible and which results in a mixed hybrid genre.

Excerpt 1 (Brochure)

The Council of Europe Convention defines trafficking in human beings as:

- **The action of:** “the recruitment, transportation, harbouring or receipt of persons”.
- **By means of:** “the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person”.
- **For the purpose of exploitation:** “Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs”.
- **A victim** is defined as any person who is subject to trafficking by any of the means specified in the Convention. The consent of a victim to the exploitation is irrelevant where any of the means set forth by the definition (coercion, fraud, deception...) have been used.

Excerpt 2 (Convention)

Article 4 – Definitions

For the purposes of this Convention:

a "Trafficking in human beings" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

b The consent of a victim of "trafficking in human beings" to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;

c The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in human beings" even if this does not involve any of the means set forth in subparagraph (a) of this article;

d "Child" shall mean any person under eighteen years of age;

e "Victim" shall mean any natural person who is subject to trafficking in human beings as defined in this article.

Excerpt 3 (Explanatory Report)

Article 4 – Definitions

Introduction concerning the Article 4 definitions

70. It was understood by the drafters that, under the Convention, Parties would not be obliged to copy *verbatim* into their domestic law the concepts in Article 4, provided that domestic law covered the concepts in a manner consistent with the principles of the Convention and offered an equivalent framework for implementing it.

Definition of trafficking in human beings

71. The Article 4 definition of trafficking in human beings is not the first international legal definition of the phenomenon. For instance, *Recommendation No. R(2000)11 of the Committee of Ministers to member states on action against trafficking in human beings for the purpose of sexual exploitation* gives a definition of trafficking, but one whose scope, unlike the definition in the present Convention, is restricted to trafficking in human beings for the purpose of sexual exploitation.

72. To combat trafficking more effectively and help its victims, it is of fundamental importance to use a definition of trafficking in human beings on which there is international consensus. The definition of trafficking in human beings in Article 4(a) of the Convention is identical to the one in Article 3(a) of the Palermo Protocol. Article 4(b) to (d) of the Convention is identical to Article 3(b) to (d) of the Palermo Protocol. Article 3 of that protocol forms a whole which needed to be incorporated as it stood into the present convention.

73. The definition of trafficking in human beings is essential in that it crucially affects implementation of the provisions in Chapters II to VI.

74. In the definition, trafficking in human beings consists in a combination of three basic components, each to be found in a list given in the definition:

- **the action of:** “recruitment, transportation, transfer, harbouring or receipt of persons”;
- **by means of:** “the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person”;
- **for the purpose of exploitation**, which includes “at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs”.

75. Trafficking in human beings is a combination of these constituents and not the constituents taken in isolation. For instance, “harbouring” of persons (action) involving the “threat or use of force” (means) for “forced labour” (purpose) is conduct that is to be treated as trafficking in human beings. Similarly recruitment of persons (action) by deceit (means) for exploitation of prostitution (purpose).

76. For there to be trafficking in human beings ingredients from each of the three categories (action, means, purpose) must be present together. There is, however, an exception regarding children: under Article 4(c) recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation is to be regarded as trafficking in human beings even if it does not involve any of the means listed in Article 4(a). Under Article 4(d) the word “child” means any person under 18 years of age.

77. Thus trafficking means much more than mere organised movement of persons for profit. The critical additional factors that distinguish trafficking from migrant smuggling are use of one of the means listed (force, deception, abuse of a situation of vulnerability and so on) throughout or at some stage in the process, and use of that means for the purpose of exploitation.

78. The actions the Convention is concerned with are “recruitment, transportation, transfer, harbouring or receipt of persons”. The definition endeavours to encompass the whole sequence of actions that leads to exploitation of the victim.

79. The drafters looked at use of new information technologies in trafficking in human beings. They decided that the Convention’s definition of trafficking in human beings covered trafficking involving use of new information technologies. For instance, the definition’s reference to recruitment covers recruitment by whatever means (oral, through the press or via the Internet). It was therefore felt to be unnecessary to include a further provision making the international-cooperation arrangements in the *Convention on Cybercrime* [ETS No.185] applicable to trafficking in human beings.

80. As regards “transportation”, it should be noted that, under the Convention, transport need not be across a border to be a constituent of trafficking in human beings. Similarly Article 2, on the Convention’s scope, states that the Convention applies equally to transnational and national trafficking. Nor does the Convention

require, in cases of transnational trafficking, that the victim have entered illegally or be illegally present on national territory. Trafficking in human beings can be involved even where a border was crossed legally and presence on national territory is lawful.

81. The means are the threat or use of force or other forms of coercion, abduction, fraud, deception, abuse of power or of a position of vulnerability, and giving or receiving payments or benefits to achieve the consent of a person having control over another person.

82. Fraud and deception are frequently used by traffickers, as when victims are led to believe that an attractive job awaits them rather than the intended exploitation.

83. By abuse of a position of vulnerability is meant abuse of any situation in which the person involved has no real and acceptable alternative to submitting to the abuse. The vulnerability may be of any kind, whether physical, psychological, emotional, family-related, social or economic. The situation might, for example, involve insecurity or illegality of the victim's administrative status, economic dependence or fragile health. In short, the situation can be any state of hardship in which a human being is impelled to accept being exploited. Persons abusing such a situation flagrantly infringe human rights and violate human dignity and integrity, which no one can validly renounce.

84. A wide range of means therefore has to be contemplated: abduction of women for sexual exploitation, enticement of children for use in paedophile or prostitution rings, violence by pimps to keep prostitutes under their thumb, taking advantage of an adolescent's or adult's vulnerability, whether or not resulting from sexual assault, or abusing the economic insecurity or poverty of an adult hoping to better their own and their family's lot. However, these various cases reflect differences of degree rather than any difference in the nature of the phenomenon, which in each case can be classed as trafficking and is based on use of such methods.

85. The purpose must be exploitation of the individual. The Convention provides: "Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs". National legislation may therefore target other forms of exploitation but must at least cover the types of exploitation mentioned as constituents of trafficking in human beings.

86. The forms of exploitation specified in the definition cover sexual exploitation, labour exploitation and removal of organs, for criminal activity is increasingly diversifying in order to supply people for exploitation in any sector where demand emerges.

87. Under the definition, it is not necessary that someone have been exploited for there to be trafficking in human beings. It is enough that they have been subjected to one of the actions referred to in the definition and by one of the means specified "for the purpose of" exploitation. Trafficking in human beings is consequently present before the victim's actual exploitation.

88. As regards "the exploitation of the prostitution of others or other forms of sexual exploitation", it should be noted that the Convention deals with these only in the context of trafficking in human beings. The terms

“exploitation of the prostitution of others” and “other forms of sexual exploitation” are not defined in the Convention, which is therefore without prejudice to how states Parties deal with prostitution in domestic law. 89. Nor does the Convention define “forced labour”. Nonetheless there are several relevant international instruments, such as the *Universal Declaration of Human Rights* (Article 4), the *International Covenant on Civil and Political Rights* (Article 8), the *ILO Convention concerning Forced or Compulsory Labour* (Convention No.29), and the 1957 *ILO Convention concerning the Abolition of Forced Labour* (Convention No.105).

90. Article 4 ECHR prohibits forced labour without defining it. The authors of the ECHR took as their model the *ILO Convention concerning Forced or Compulsory Labour* (No.29) of 29 June 1930, which describes as forced or compulsory “all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily”. In the case *Van der Müsselle v. Belgium* (judgment of 23 November 1983, Series A, No.70, paragraph 37) the Court held that “relative weight” was to be attached to the prior-consent criterion and it opted for an approach which took into account all the circumstances of the case. In particular it observed that, in certain circumstances, a service “could not be treated as having been voluntarily accepted beforehand”. It therefore held that consent of the person concerned was not sufficient to rule out forced labour. Thus, the validity of consent has to be evaluated in the light of all the circumstances of the case.

91. Article 4(b) of the present Convention follows ECHR case-law in that it states that a human trafficking victim’s consent to a form of exploitation listed in Article 4(a) is irrelevant if any of the means referred to in sub-paragraph a. has been used.

92. With regard to the concept of “forced services”, the Court likewise found, in *Van der Müsselle v. Belgium*, that the words “forced labour”, as used in Article 4 ECHR, were to be given a broad meaning and encompassed the concept of forced services (judgment of 23 November 1983, Series A, No.70, paragraph 33). From the standpoint of the ECHR, therefore, there is no distinction to be made between the two concepts.

93. Slavery is not defined in the Convention but many international instruments and the domestic law of many countries define or deal with slavery and practices similar to slavery (for example, the *Geneva Convention on Slavery* of 25 September 1926, as amended by the New York Protocol of 7 December 1953; the *Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices similar to Slavery* of 7 September 1956; the *ILO Worst Forms of Child Labour Convention* (Convention No.182)).

94. The definition of trafficking in human beings does not refer to illegal adoption as such. Nevertheless, where an illegal adoption amounts to a practice similar to slavery as defined in Article 1(d) of the *Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices similar to Slavery*, it will also fall within the Convention’s scope.

95. The ECHR bodies have defined “servitude”. The European Commission of Human Rights regarded it as having to live and work on another person’s property and perform certain services for them, whether paid or unpaid, together with being unable to alter one’s condition (Application No.7906/77, D.R.17, p. 59; see also the Commission’s report in the *Van Droogenbroeck* case of 9 July 1980, Series B, Vol. 44, p. 30, paragraphs 78 to 80). Servitude is thus to be regarded as a particular form of slavery, differing from it less in character less than in degree. Although it constitutes a state or condition, and is a “particularly serious form of denial of freedom” (*Van Droogenbroeck* case, judgment of 24 June 1982, Series A, No.50, p.32, paragraph 58), it does not have the ownership features characteristic of slavery.

96. Exploitation also includes “removal of organs”. The principle that it is not permissible for the human body or its parts as such to give rise to financial gain is established Council of Europe legal *acquis*. It was laid down in Committee of Ministers Resolution (78) 29 and was confirmed, in particular, by the final declaration of the 3rd Conference of European Health Ministers (Paris, 1987) before being definitively established in Article 21 of the *Convention on Human Rights and Biomedicine* [ETS No.164]. The principle was then reaffirmed in the protocol to that convention *concerning transplantation of organs and tissues of human origin* [ETS No.186], which was opened for signature in January 2002. Article 22 of the protocol explicitly prohibits traffic in organs and tissues. It should also be recalled that the Parliamentary Assembly of the Council of Europe adopted a Report on “Trafficking in organs in Europe” (Doc. 9822, 3 June 2003, Social, Health and Family Affairs Committee, Rapporteur: Mrs Ruth-Gaby Vermot-Mangold, Switzerland, SOC) and *Recommendation 1611 (2003) on trafficking in organs in Europe*.

97. Article 4(b) states: “The consent of a victim of ‘trafficking in human beings’ to the intended exploitation set forth in sub-paragraph (a) of this article shall be irrelevant where any of the means set forth in sub paragraph (a) have been used”. The question of consent is not simple and it is not easy to determine where free will ends and constraint begins. In trafficking, some people do not know what is in store for them while others are perfectly aware that, for example, they will be engaging in prostitution. However, while someone may wish employment, and possibly be willing to engage in prostitution, that does not mean that they consent to be subjected to abuse of all kinds. For that reason Article 4(b) provides that there is trafficking in human beings whether or not the victim consents to be exploited.

98. Under sub-paragraphs b. and c. of Article 4 taken together, recruitment, transportation, transfer, harbouring and receipt of a child for the purpose of exploitation are regarded as trafficking in human beings. It is immaterial whether the means refers to in sub paragraph a. have been used. It is also immaterial whether or not the child consents to be exploited.

Definition of “victim”

99. There are many references in the Convention to the victim, and the drafters felt it was essential to define the concept. In particular the measures provided for in Chapter III are intended to apply to persons who are victims within the meaning of the Convention.

100. The Convention defines “victim” as “any natural person who is subjected to trafficking in human beings as defined in this Article”. As explained above, a victim is anyone subjected to a combination of elements (action – means – purpose) specified in Article 4(a) of the Convention.

Under Article 4(c), however, when that person is a child, he or she is to be regarded as a victim even if none of the means specified in Article 4(a) has been used.

It is important to notice some linguistic changes which perhaps make the brochure more comprehensible and functional from a lay reader’s point of view. The word ‘convention’ is not mentioned until page 7 (see Appendix G.3), and in the title itself the word convention is omitted, in fact it says ‘Council of Europe Action against Trafficking in Human Beings’. The emphasis here on the word ‘Action’ rather than on the Convention can be a bit misleading at first sight for the non-expert reader, because he/she may deduce that he/she is going to read something about the COE’s practical actions against trafficking. The source text includes in its title both the term ‘convention’ and ‘action’ in order to underline that this Convention provides not only legislative measures but also other actions; in fact in the Explanatory Report we read:

Furthermore, the Convention includes in its title the term “action” in order to underline that the Convention provides not only legislative measures but also other initiatives to be taken to combat trafficking in human beings. Action against trafficking in human beings should be understood to include prevention and assistance to victims as well as criminal law measures designed to combat trafficking. (Explanatory Report on the Council of Europe Convention on Action against Trafficking in Human Beings; II/39 p. 32)³⁵

But the title of the Convention ‘The Council of Europe Convention on Action against Trafficking in Human Beings’ has been extracted from its original context and adapted in another genre deleting the word ‘convention’. It might be seen as a rhetorical strategy to attract the attention and underline the COE’s activities and

³⁵ *The Council of Europe Explanatory Report on the Convention on Action against Trafficking in Human Beings* is accessible at http://www.coe.int/t/dghl/monitoring/trafficking/default_en.asp.

actions that must be taken if the States signs the Convention. According to the Oxford Dictionary³⁶, action is “the fact or process of doing something, typically to achieve an aim”. This active attitude is reinforced by the use of words such as *fight*, *active*, *engage*, *initiatives*. In this respect, Van Leeuwen affirms that:

Activation occurs when social actors are represented as the active, dynamic forces in an activity, *passivation* when they are represented as ‘undergoing’ the activity, or as being ‘at the receiving end of it’. (Van Leeuwen, 2008: 33. Italics in the original)

Furthermore, the adoption of expressions typical of military language such as *fight*, *combat*, *victims*, *to fall victim*, *entrapment* – and also the word *action* can refer to an armed conflict, a military engagement – imply *activation* but they are also examples of conventionalised (Lakoff and Johnson, 1980) or ‘dead’ metaphors. As already stated in chapter 4, they are so rooted in our mind that we do not perceive them as metaphors anymore. Contrarily to creative verbal metaphors which can “guide us beyond the automatic and unconscious everyday use of metaphor” (Lakoff and Turner, 1989: 72), these are very conventional verbal metaphors which are generally processed unreflectively, unconsciously. It is not surprising that metaphors play an important role in popularising discourses. They have an ornamental and decorative function and their principal aim is not only to make content more interesting and stimulating or challenging for the common reader, but also make concepts more accessible. The fact that in this brochure political and legal commitment is seen like a war and the COE is its most active warrior helps the readability of legal issues and the comprehensibility of the COE’s activities. In fact, these metaphors are organised in such a way that an area of knowledge unfamiliar to most citizens, that of the legal

³⁶ It is available at <http://oxforddictionaries.com/>.

measures which can be adopted to protect and promote human rights, is being reconceptualised in terms of a more familiar and concrete area.

Another significant change is noticeable by comparing excerpts 4 and 5. While in the Convention the third ‘P’ stands for ‘promote’ in the brochure it stands for ‘prosecute’. It might be seen as another way to impress the common reader. Probably it is more effective to underline the prosecution of offences rather than the promotion of international cooperation, as for most people it is more important to have their rights guaranteed through legal actions which aim to punish those responsible for trafficking.

Excerpt 4 (Convention)

Article 1 – Purposes of the Convention

1 The purposes of this Convention are:

- a to **prevent** and combat trafficking in human beings, while guaranteeing gender equality;
- b to **protect** the human rights of the victims of trafficking, design a comprehensive framework for the protection and assistance of victims and witnesses, while guaranteeing gender equality, as well as to ensure effective investigation and prosecution;
- c to **promote** international cooperation on action against trafficking in human beings.

2 In order to ensure effective implementation of its provisions by the Parties, this Convention sets up a specific monitoring mechanism.

Excerpt 5 (Brochure)

The Convention is a comprehensive treaty which aims to:

- **Prevent** trafficking
- **Protect** the human rights of victims of trafficking
- **Prosecute** traffickers

Another significant change that contributes to giving a different message is that in the Convention and the Explanatory Report we find a great emphasis on the principle of *gender equality* considered integral to human rights. Conversely, there is no reference to this aspect in the brochure. The aspect of *gender equality* seems to

become secondary. If we look at the images (see Appendix G) it is clear that they do not have any direct link to the content and it appears that their function is just to attract the reader's attention. In a way they could be misleading, because it seems that the COE's Convention is only for the protection of women making the reader believe that trafficking concerns just women, but these pictures could also be interpreted as a way to compensate the lack of reference to *gender equality* that the Convention frequently mainstreams in its provisions.

5.1.2 A brochure to explain the *Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse*

The modern three 'Ps' (prevention, protection and promotion) approach pervade the campaigns like a motto and interestingly also in the brochure explaining the *Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse* (see Appendix H) the term 'promotion' (the third P) has been substituted by the term 'prosecution' (excerpts 6 and 7).

Excerpt 6 (Brochure)

What is the purpose of the convention?

The new Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse is a major step forward in the **prevention** of sexual offences against children, the **prosecution** of perpetrators and the protection of child victims. **Protecting** children is at the heart of this convention. It focuses throughout on respect for children's rights, ensuring their well-being, responding to their views, needs and concerns, and acting at all times in their best interests.

Excerpt 7 (Convention)

Chapter I – Purposes, non-discrimination principle and definitions

Article 1 – Purposes

1 *The purposes of this Convention are to:*

- a **prevent** and combat sexual exploitation and sexual abuse of children;
- b **protect** the rights of child victims of sexual exploitation and sexual abuse;
- c **promote** national and international co-operation against sexual exploitation and sexual abuse of children.

2 In order to ensure effective implementation of its provisions by the Parties, this Convention sets up a specific monitoring mechanism.

Also in this brochure we deal with different text-types “which forms links in chains of communication situations, in which ‘the same issue’ is recurrently reconstructed, reformulated, and recontextualized” (Linell, 1998: 149). By mixing and elaborating elements of the Convention and its Explanatory Report, this document is another example of hybridisation. For example, article 23 of the Convention undergoes a process of simplification in the Report which involves expansion as a result of paraphrasing and detransformation:

Excerpt 8 (Convention)

Article 23 – Solicitation of children for sexual purposes

Each Party shall take the necessary legislative or other measures to criminalise the intentional proposal, through information and communication technologies, of an adult to meet a child who has not reached the age set in application of Article 18, paragraph 2, for the purpose of committing any of the offences established in accordance with Article 18, paragraph 1.a, or Article 20, paragraph 1.a, against him or her, where this proposal has been followed by material acts leading to such a meeting.

Excerpt 9 (Explanatory Report)

Article 23 – Solicitation of children for sexual purposes

155. Article 23 introduces a new offence in the Convention which is not present in other existing international instruments in the field. The solicitation of children for sexual purposes is more commonly known as “grooming”. The negotiators felt it was essential for the Convention to reflect the recent but increasingly worrying phenomenon of children being sexually harmed in meetings with adults whom they had initially encountered in cyberspace, specifically in Internet chat rooms or game sites.

156. The term “grooming” refers to the preparation of a child for sexual abuse, motivated by the desire to use the child for sexual gratification. It may involve the befriending of a child, often through the adult pretending to be another young person, drawing the child into discussing intimate matters, and gradually exposing the child to sexually explicit materials in order to reduce resistance or inhibitions about sex. The child may also be drawn into producing child pornography by sending compromising personal photos using a digital camera, web-cam or phone-cam, which provides the groomer with a means of controlling the child through threats. Where a physical meeting is arranged the child may be sexually abused or otherwise harmed.

157. The negotiators felt that simply sexual chatting with a child, albeit as part of the preparation of the child for sexual abuse, was insufficient in itself to incur criminal responsibility. A further element was needed. Article 23, therefore, requires Parties to criminalise the intentional “proposal of an adult to meet a child who has not reached the age set in application of Article 18 paragraph 2” for the purpose of committing any of the offences established in accordance with Article 18 paragraph 1 a or Article 20 paragraph 1 a against him or her. Thus the relationship-forming contacts must be followed by a proposal to meet the child.

158. All the elements of the offence must be committed intentionally. In addition, the “purpose” of the proposal to meet the child for committing any of the specified offences needs to be established before criminal responsibility is incurred.

159. The offence can only be committed “through the use of information and communication technologies”. Other forms of grooming through real contacts or non-electronic communications are outside the scope of the provision. In view of the particular danger inherent in the use of such technologies due to the difficulty of monitoring them the negotiators wished to focus the provision exclusively on the most dangerous method of grooming children which is through the Internet and by using mobile phones to which even very young children increasingly now have access.

160. In addition to the elements specified above the offence is only complete if the proposal to meet “has been followed by material acts leading to such a meeting”. This requires concrete actions, such as, for example, the fact of the perpetrator arriving at the meeting place.

On the contrary, in the brochure the same article is first introduced and summarised (excerpt 10) and then repeated and expanded in another section (excerpt 11):

Excerpt 10 (Brochure)

Criminal law measures

criminalise conduct which makes use of new technologies, in particular the Internet, to sexually harm children, for example grooming (soliciting children for sexual purposes);

Excerpt 11 (Brochure)

The convention also criminalises:

the solicitation of children for sexual purposes (grooming); Grooming has been included in an international treaty for the first time, reflecting the increasingly worrying phenomenon of children being sexually harmed when meeting up with adults initially encountered in cyberspace, specifically in Internet chat rooms or game sites. The term “grooming” refers to the preparation of a child for sexual abuse, motivated by the desire to use the child for sexual gratification.

The images do not have a functional aim but they seem purely decorative. What is interesting here is how the text has been organised in the page. In this brochure popularisation is reached mainly through the composition of the layout; lines, bullet points and colours contribute to popularising the legal discourse so, contrarily to the Explanatory Report, in this case the text is the result of a process of *easification* (Bhatia, 1993).

5.1.3 A brochure to celebrate the Council of Europe and *UN Convention on the Rights of the Child*

The brochure taken into account in this subsection (see Appendix I) was designed to celebrate the 20th Anniversary of the *UN Convention on the Rights of the Child* and the 60th Anniversary of the Council of Europe with the precise aim to help children to discover their rights in a comprehensible and enjoyable way. We find a similar structure to the brochure analysed above (see subsection 5.1.2) in the use of different colours for each topic, bullet points and pictures, but, in addition, here the images are related to the content of each section even if because of their symbolic nature, the meaning becomes clear just after reading through the verbal text. The difference between this brochure and the others investigated in this section is the presence of the use of you/your. The brochure is directly addressed to children exploiting an advertising device (see section 5.3).

In order to satisfy the requirements for an easy-to read way the brochure avoids using the modal verb *shall* in favour of *must*. *Shall* is used in each article of the UN Convention, in active and passive constructions. In fact, if we compare excerpts 12 and 13 it is possible to view avoidance of *shall* in the brochure, which seems to represent a detachment from legal discourse. Prescriptive values are often conveyed by *shall*, but this modal verb is often considered imprecise:

In most English speaking countries which draft authentic text in English, *shall* is the most frequent modal construction [...] It is considered *ubiquitous, imprecise* and able to create uncertainty and ambiguity [...] (Williams, 2005: 113-127).

The auxiliary verb *shall* is often used not only to express the future but also an obligation so sometimes things can become very confused. By using *must* instead of *shall* to impose an obligation can be a way to avoid this ambiguity.

Must is a clear and definite word that imposes an obligation with certainty. It cannot be confused with the future. *Must* is also a commonly used word. We all know what it means. It is the word most people use when they speak about obligations. (Asprey, 2003: 193)

Excerpt 12 (Brochure)

You and the state

- The state **must** do whatever is necessary to enable you to exercise your established rights and freedoms.
- The state **must** protect you and assure your well-being. It **must** help your parents or the persons who care for you by establishing institutions and services to look after your interests and your well-being.
- If you cannot live with your family, the state **must** protect and help you. It **must** find a solution that takes account of your past and your culture, and you will be entitled to have your situation regularly reviewed.
- The state **must** take measures to protect you from the dangers connected to illicit drugs.
- If you have suffered violence, the state **must** help you and assist your return to a normal way of life.
- You are entitled to justice. The state **must** ensure that the justice system is adapted to your specific rights

and needs.

- You may not be subjected to torture or cruel or degrading punishment.
- You may not be executed or imprisoned for life.
- You may not be arrested unlawfully. Detention **must** be the last possible option. It **must** be as short as possible and take account of your needs and your age. In detention, you **must** be separated from adult detainees or prisoners and, other than in exceptional circumstances in your own interests, you will have the right to remain in contact with your family.
- In wartime, the state **must** protect and care for you. If you are under 15 you may not be recruited into any armed forces.

International conventions are contracts between states. These contracts lay down rules that **must** be obeyed, but they also encourage states to take measures that are still more favourable to children. If the law of your country is more favourable to you than a convention, it is the national law that **must** be applied.

Excerpt 13 (UN Convention)

Article 3

[...]

2. States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, **shall** take all appropriate legislative and administrative measures. [...]

Article 20

1. A child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, **shall** be entitled to special protection and assistance provided by the State.

2. States Parties **shall** in accordance with their national laws ensure alternative care for such a child.

3. Such care could include, inter alia, foster placement, kafalah of Islamic law, adoption or if necessary placement in suitable institutions for the care of children. When considering solutions, due regard **shall** be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background.

Article 33

States Parties **shall** take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production and trafficking of such substances.

Article 37

States Parties **shall** ensure that:

(a) No child **shall** be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release **shall** be imposed for offences committed by persons below eighteen years of age;

(b) No child **shall** be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child **shall** be in conformity with the law and **shall** be used only as a measure of last resort and for the shortest appropriate period of time;

(c) Every child deprived of liberty **shall** be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. In particular, every child deprived of liberty **shall** be separated from adults unless it is considered in the child's best interest not to do so and **shall** have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances;

(d) Every child deprived of his or her liberty **shall** have the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his or her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action.

Article 38

1. States Parties undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child.

2. States Parties **shall** take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities.

3. States Parties **shall** refrain from recruiting any person who has not attained the age of fifteen years into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, States Parties **shall** endeavour to give priority to those who are oldest.

4. In accordance with their obligations under international humanitarian law to protect the civilian population in armed conflicts, States Parties **shall** take all feasible measures to ensure protection and care of children who are affected by an armed conflict.

5.1.4 A brochure to explain the *Committee of Ministers Recommendation (2006)19 on policy to support positive parenting*

As can be observed from excerpts 14-17, in the brochure *Policy to support positive parenting* (see Appendix L) there is a tendency to schematisation. The source text has been reformulated and re-arranged according to a schematic division into different

parts. For instance, the brief definition of ‘positive parenting’ is turned into three different definitions aiming at better specifying and explaining the meaning of positive parenting.

Excerpt 14 (Recommendation)

“Positive parenting”: refers to parental behaviour based on the best interests of the child that is nurturing, empowering, non-violent and provides recognition and guidance which involves setting of boundaries to enable the full development of the child.

The brochure first gives a general definition of positive parenting:

Excerpt 15 (Brochure)

Positive parenting refers to parental behaviour that respects children’s best interests and their rights. [...] The positive parent nurtures, empowers, guides and recognises children as individuals in their own right. Positive parenting is not permissive parenting: it sets the boundaries that children need to help them develop their potential to the fullest. Positive parenting respects children’s rights and raises children in a nonviolent environment.

Then it gives a detailed definition for each principle employing everyday words. In fact, a strategy employed to popularise legislation is the use of colloquial words instead of legal expressions:

Excerpt 16 (Brochure)

The concept of positive parenting is based on the following basic principles.

Parents should provide their children with:

- *Nurture* – responding to a child’s need for love, warmth and security;
- *Structure and guidance* – providing a child with a sense of security, a predictable routine and necessary boundaries;
- *Recognition* – listening to children and valuing them as persons in their own right;
- *Empowerment* – enhancing a child’s sense of competence and personal control;
- *A non-violent upbringing* – excluding all corporal or psychologically demeaning punishment. Corporal punishment is a violation of children’s right to respect for physical integrity and human dignity.

Finally, not only are the concepts explained and extended but we find another section in which the same concepts are explained in a much simpler language referring to everyday situations and also giving parents some concrete and precise advice.

Excerpt 17 (Brochure)

In short, children do best when their parents:

- are warm and supportive;
- spend quality time with them;
- try to understand their life experiences and behaviour;
- explain the rules they are expected to follow;
- praise good behaviour;
- react to misbehaviour with explanation and, if needed, non-violent punishment such as “time-out”, repairing damage, less pocket money and so forth, rather than with harsh punishment.

So here we find three levels to explain the concept of ‘positive parenting’ from a more formal, impersonal definition to a more personal, subjective one. The concepts are also visually represented in the vignettes whose pictorial metaphors are often anchored to the words. Besides, the presence of humour (fig. 5.1 and 5.2) contribute to lightening the content and involve the reader especially if young.



Figure 5.1 Parents need help in overcoming stress.



Figure 5.2 Children need more protection not less.

In addition, some images also contribute to the humanisation of the COE, for instance, in figure 5.3 the COE is represented as a good giant who is supportive both for parents and children.



Figure 5.3

5.2 Handbooks: practical tools for Parliamentarians

In recent years attention has turned towards parliaments as the main institutions through which citizens can exercise their right. In order to strengthen their role as guardians of human rights, they must fully play their role and be aware of the international legal human rights framework and the obligations their countries have entered into by signing human rights treaties.

It is essential that members of parliament be fully familiar with the constitution and the State's human rights obligations, the functioning of government and public administration and, of course, parliamentary procedure. (Nowak, 2005: 76)

The handbooks about the *Convention on Action against Trafficking in Human Beings* and the *Recommendation Rec(2002)5 on the protection of women against violence* can be seen as practical tools for parliamentarians intended to suggest working approaches for those who want to fight these issues and promote the COE's legal framework. The COE has created these handbooks to facilitate and support the work

of parliamentarians involved in combating domestic violence and trafficking of human beings. They contain suggestions for awareness raising activities as well as legislative actions to fight the violations of human rights.

If we take into account the handbook *Parliaments united in combating domestic violence against women*³⁷, features of interdiscursivity can be seen in the fact that the ‘overview’ is a reformulation of different source texts, some more legal than others. For instance, the definition of violence against women (excerpt 18) is taken from the Appendix to *Recommendation Rec(2002)5* of the Committee of Ministers to member states on the protection of women against violence but in the handbook it has been subject to a phenomenon of reduction. The definition is shorter and some parts have been omitted, because of a different context, since here the focus is on domestic violence while the Recommendation is about violence towards women in general, so the points b,c and d (excerpt 19) have been completely omitted. In order to make the definition more accessible we can notice some changes at pragmatic level. The first sentence (excerpt 18) has been split up in two shorter sentences and some words, too technical or impersonal and typical of the legal language, have been omitted, such as the Latin word ‘inter alia’, or substituted with more colloquial expressions; for example, the expression ‘domestic unit’ is substituted by ‘home’ and the phrase ‘crimes committed in the name of honour’ becomes “‘honour’ crimes”.

Excerpt 18 (Handbook)

Violence against women – Definition

“Violence against women” refers to any act of gender-based violence which causes, or is likely to cause, physical, sexual or psychological harm or suffering to women. It includes the threat of such acts, coercion and arbitrary deprivation of liberty, occurring either in public or in private life. This definition applies, among other things, to violence occurring in the family or **home**, including physical and mental aggression, emotional and psychological abuse, rape and sexual abuse, incest, rape between spouses, regular or

³⁷ It is available at: http://www.coe.int/t/pace/campaign/stopviolence/HandbookParliamentariansAcceuil_EN.asp (Last accessed: November 2011).

occasional partners and cohabitants, **“honour” crimes**, genital and sexual mutilation, and other traditional practices which are harmful to women, for example, forced marriages.

Excerpt 19 (Appendix to Recommendation)

Definition

1. For the purposes of this recommendation, the term “violence against women” is to be understood as any act of gender-based violence, which results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in public or private life. This includes, but is not limited to, the following:

- a. violence occurring in the family or **domestic unit**, including, *inter alia*, physical and mental aggression, emotional and psychological abuse, rape and sexual abuse, incest, rape between spouses, regular or occasional partners and cohabitants, **crimes committed in the name of honour**, female genital and sexual mutilation and other traditional practices harmful to women, such as forced marriages;
- b. violence occurring within the general community, including, *inter alia*, rape, sexual abuse, sexual harassment and intimidation at work, in institutions or elsewhere trafficking in women for the purposes of sexual exploitation and economic exploitation and sex tourism;
- c. violence perpetrated or condoned by the state or its officials;
- d. violation of the human rights of women in situations of armed conflict, in particular the taking of hostages, forced displacement, systematic rape, sexual slavery, forced pregnancy, and trafficking for the purposes of sexual exploitation and economic exploitation.

Conversely, other sources are directly cited in inverted commas (excerpt 20). The presence of legal discourse in a popularised discourse through ‘direct quotation’ technique is most likely due to the need by the COE to provide the handbook with official character (Fairclough, 1995a).

Excerpt 20 (Handbook)

In General Recommendation No. 19 (29 January 1992), the Committee further made the point that: **“Under general international law and specific human rights covenants, states may also be responsible for private acts if they fail to act with due diligence to prevent violations of rights or to investigate and punish acts of violence, and for providing compensation.”** It accordingly recommended that **“states parties should take appropriate and effective measures to overcome all forms of gender-based violence, whether by public or private act”**.

The section ‘Questions and answers’ contains many features of spoken, conversational language, and more generally, of dialogism for example the use of verb contractions. As legislative writing is highly impersonal and decontextualised, the employ of questions and answers in a dialogic, Socratic approach makes the text more interesting to follow and innovative. For example, the following statements/questions have a very subjective, personal, colloquial tone.

“The anti-violence measures you’re proposing cost too much.”

“Does domestic violence really exist in each European country? Surely it’s limited to certain social groups or ethnic minorities?”

Besides, in order to persuade parliamentarians to act the last section gives a few examples of good practices.

Also the handbook³⁸ about *Convention on Action against Trafficking in Human Beings* employ the same verbal tools to make parliamentarians familiarise with the legal framework suggesting actions and providing concrete examples which may contribute to the implementation of the Convention. This handbook is very interesting because it re-elaborates the content of the Convention through a process of easification. Bhatia (1993) introduces the notion of easification as an alternative to simplification, as a way to make legal texts more accessible to lay readership without losing their integrity. Several easification devices are employed in this handbook. It describes the main provisions of the Convention ‘recycling’ previous texts but it cites examples of legislation from various European countries and introduces question-answer structure to clarify some points and facilitate the work of legislators.

³⁸ It is available at: <http://assembly.coe.int/main.asp?Link=/communication/campaign/notforsale/notforsale.htm> (Last accessed: November 2011).

5.3. Promotional discourse embedded in popularisation

Even if this chapter focuses on popularisation, it is important to underline that also elements of promotional discourse play an important role in these texts. Even though the materials selected and investigated in this chapter are mainly intended to popularise legal language, we can find different verbal and visual strategies aimed to promote either human rights or the COE itself.

The brochure *Human being – not for sale* (see subsection 5.1.1) is an example of how linguistic and visual strategies are adopted by the COE to win consensus and promote its institutional structure. According to Fairclough and Wodak (1997) public entities have been experiencing a process of commodification of social life, carrying elements of marketisation of public and institutional discourse. The discourse of advertising has become one of the most innovative forms of discourse today. In fact, Bhatia (2004:84) sustains that

[it] has influenced the construction, interpretation, use and exploitation of most other forms of academic, professional and institutional genres, thus invading their territorial integrity to create appropriated, embedded, mixed or hybrid forms of discourse [...]

On the first two pages of the brochure there is a reproduction of the poster analysed in chapter 4 – a typical feature of public campaigns – but with two new elements: the COE's website and the phrase *Council of Europe Action against Trafficking in Human Being*. In order to promote the success of the institution, a more commercial approach in terms of the objects they deal with has been used. It is expressed in the adoption of some promotional linguistic strategies, such as repetition, alliteration, parallelism, metaphor, among others. On page 9 (see Appendix G.3) we find the following utterance:

“The Council of Europe Convention is a comprehensive treaty which aims to
(three Ps):

- **P**revent trafficking
- **P**rotect the Human Rights of victims of trafficking
- **P**rosecute the traffickers.”

It is an example of *alliteration*, that is a device which occurs when “the initial sound of a word (or the initial sound of its first stressed syllable) is repeated as the initial sound of other words either within the same sentence or occasionally across the sentence boundary” (Blake, 1990. Quoted in Gieszinger, 2001: 166). The repetition of the same sound is meant to attract attention, providing the phrase with rhythm and structure which supposedly makes it easier for the reader to remember the slogan. Furthermore, the **3 Ps** echoes Professor E. Jerome McCarthy’s simplification of the ‘marketing mix’ by showing it to consist of **4 Ps**: Product, Place, Promotion and Price. We find several examples of repetition: words like ‘Council of Europe, Convention’ and verbs like ‘fight, combat, protect, promote’ are constantly repeated. As already seen in chapter 4, repetition is a typical advertising technique to attract the attention and in this case the repetition of the same subject (the COE) is a clear way to attract the reader’s attention to the COE’s role and actions in fighting the trafficking of human beings. Another persuasive technique employed is the intensifying and downplaying technique, as we can see in the following sentences:

Existing international texts are either **not sufficiently binding** or take into account **just ‘one aspect’** of the problem. (from the brochure ‘Human being – not for sale’)

Protecting children from violence, especially sexual violence, has been **a long-standing priority** at the Council of Europe. (from the brochure ‘Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse’)

This persuasive technique becomes an instrument to promote the Institution's activities and actions and emphasise the Convention's effectiveness.

Does the Council of Europe convention go further than any other international instrument in the field of victim protection?

Yes. First of all, the convention requires states to adopt specific procedures to ensure the identification of trafficked persons, while neither the Palermo Protocol nor the European Union Directive contains provisions aiming at ensuring the prompt and accurate identification of trafficked persons. Second, while the Palermo Protocol requires its parties only to “consider implementation of measures to provide for physical, psychological and social recovery of trafficked persons”, the Council of Europe convention requires states to take a range of legislative and other measures necessary to assist trafficked persons in their physical, psychological and social recovery. [...] Another main point of difference is that the convention does not limit the delivery of a residence permit to the victims' cooperation with law enforcement officials. This is the case, however, in the EU, where the delivery of a renewable six-month residency permit for non-EU nationals is conditional on the victim's co-operation with the authorities.

Nevertheless, also the images play an important role in the communicative context. Page 5 shows a woman, with a bar code on her shoulder who is sitting in a trolley pushed by another person, probably a man. The message of this pictorial metaphor is quite obvious: the woman has become an object that can be bought and sold. She has been objectified. She is in medium-close distance but turning her back on the viewer, walking away from him/her and according to Kress and van Leeuwen (1996: 144) “to expose one's back to someone is also to make oneself vulnerable”. Referring to the left-right, that is the given-new, structure proposed by Kress and van Leeuwen (1996), here there is a left-right organisation – the woman is on the left, presented as the Given information to the viewer and that he/she would generally be familiar with it already. The verbal text on the right is the New information which is yet not agreed upon by the viewer and requires greater attention.

The quotation ‘A new form of Slavery’ is used to reinforce the message (endorsement). The use of the white text on the black background creates a perfect colour contrast making it easy for the reader to observe the message. Even though the

image is framed and separated from the text, the quote has the function to ‘bridge’ the image to the content of the text – the quote is clarified in the second paragraph – and the slight overlap onto the right box gives the indication that the two elements are connected.

The use of positive adjectives is another way to emphasise the role of the COE as for example, on the first page of the brochure ‘Policy to support positive parenting’ (see Appendix L):

The Council of Europe has always been a forerunner in furthering understanding of childhood and family life experiences. Based on its **wide** experience and **fully** acknowledging that there are many different ways to raise children, it has drawn up a set of general principles that underlie the concept of positive parenting as well as guidelines on how policy makers can support it. The reference document for the Council of Europe’s work in this area is Committee of Ministers Recommendation (2006)19 on policy to support positive parenting.

Moreover, in the following page the reference to the United Nations Convention on the Rights of the Child can be interpreted as a way to underline its authority. Another element of promotional discourse is in the paragraph ‘Learn more’ in which the COE promotes other publications and the last page which is a list of the COE legal instruments.

According to the Cambridge dictionary a handbook is “a book which contains instructions or advice about how to do something or the most important and useful information about a subject”³⁹. So basically a handbook is a type of reference work which has mainly an informative aim and designed to be easily consulted providing quick answers, but the COE’s handbooks are promotional too, giving another example of hybridity. First of all, in both handbooks for parliamentarians there is a preface from the President of the Parliamentary Assembly in which the President

³⁹ This definition is available at <http://dictionary.cambridge.org/>.

promote the Assembly in a very personal tone clearly made evident through the use of the inclusive *we/us/our*:

We, parliamentarians, have the power that victims lack. **We** thus have an important role to play in the fight against this new form of slavery. In the first place, **we** can promote the signature of this convention by **our** governments, and call upon **our** national parliaments to ratify it (if they have not already done so). Furthermore, **our** parliaments can strengthen and review national legislation and law enforcement to end trafficking, as well as allocate sufficient funds for anti-trafficking programmes. (Lluís Maria de Puig from Handbook for parliamentarians The Council of Europe Convention on Action against Trafficking in Human Beings)

Whether **we** are national, regional or local elected representatives or simple citizens, this problem concerns **us** all. It is **our** individual and collective responsibility to break the silence and act on behalf of the values defended by the Council of Europe, the human rights Organisation par excellence. (René van der Linden from Handbook for parliamentarians Parliaments united in combating domestic violence against women)

The occurrences of the personal and possessive pronouns result in a high interactional dimension. Hence, these pronouns tell us that the reader is directly and explicitly addressed, a sign of the speaker's awareness of his/her audience and of a more personal attitude. Another device borrowed from promotional discourse is the imperative used in last sentence by the president van der Linden "Let us break the silence in our parliaments and resolutely combat domestic violence against women" which looks like an advertisement slogan. The advertising style returns in the section entitled 'Questions and answers' which starts with a very promotional tone:

You want to do something about domestic violence, but your associates are hard to convince? The following are some of the most common objections – and a few counter-arguments. (Handbook for parliamentarians Parliaments united in combating domestic violence against women)

The inclusion of promotional/advertising devices in these informative-oriented materials reflects in itself the impact of promotional and entertainment discourse. In all of the above texts, the COE voice is that of a traditional informative-oriented

institution but the presence of promotional tools transmits a message concerned with ‘marketing’ and ‘selling’ the institution to the member states conveying an image of legal achievements, practical goals and efficiency. This blurring of the boundaries between promotion and information in turn leads to the hybridisation of the COE informative popularised discourse on human rights with promotional discourse.

Conclusion

The Conventions, Explanatory Reports and Recommendations are addressed to Member States and are characterised by a language with all the features peculiar to legal discourse. Conversely, the selected texts analysed in this chapter are aimed at popularising legislation. Even if the target audience is different since the brochures are addressed to non- specialist citizens while the handbooks are addressed to more specialists, the parliamentarians, all of them use very similar discourse strategies. A strategy employed to popularise legal texts is the use of more colloquial words instead of legal expressions and a tendency to schematisation seems to characterise these documents. One of the main features of these texts is hybridisation. More specifically, some parts seem to be hybridised as various discourses are employed. In particular, informative and promotional elements characterising brochures, leaflets and booklets seem to be ‘colonised’ by legal discourse through a process of intertextuality and recontextualisation. These texts have been designed to allow users to skim them and be able to find information at easy with a result of a better comprehension of the issue they are interested in. The layout is to help the users find and get the most common questions answered quickly and effectively. The format is realised in a similar way for each text taken into account. Titles, paragraphs, bulleted areas, question and answer sections are all used to help readers to find a brief even if maybe not complete answer to their questions. The interaction and combination of different modes are central in disseminating information on human rights in a

friendly language and this phenomenon leads to the birth of new text-types. It is a persuasive strategy to raise awareness, because common people usually think they are not able to deal with legal documents with a result of reducing their interest in central issues. In fact, Bateman affirms that:

Unfriendly or unusable documents – be they gas bills, video recorder instructions, legal or medical information leaflets or whatever – often have a disturbing effect: their consumers blame themselves for not being able to understand them. This brings with it broader sociological and ethical implications. (Bateman, 2008: 6)

As already said before, a page cannot create meaning through the use of language alone but relies on a combination of linguistic, graphic and spatial meaning-making resources. Moreover, after a period of the dominance of writing as the vehicle of communication, under the influence of technology, there is now what Kress (1998) defines a ‘tectonic shift’ taking place in the semiotic landscape of representation, changing our conception of the page significantly.

The two genres laid out and explored in this chapter should be regarded as instances of informative and promotional genres. However, from the point of view of their communicative purposes, and hence from the point of view of generic structure, they turned out to be very similar. They happen to be closely related and could be termed as sub-genres of the same hybrid genre that we could more generally name *promo-informative genre*. Brochures and handbooks are used by the COE to inform lay people and raise awareness through the popularisation of legal language.

In the following chapter we will focus on the third ‘P’ – pedagogy – as a strategy to educate people, especially children, about human rights issues. Different text-types will be analytically investigated in order to verify how educational aspects are exploited to raise awareness on social issues.

CHAPTER 6

HUMAN RIGHTS DISCOURSE VIA PEDAGOGY

Introduction

This chapter will focus on those data where human rights discourse is recontextualised as pedagogy. The COE has produced a lot of material whose major aim is to educate citizens, especially young people, on their rights contributing to the long-term prevention of human rights abuses. Therefore, in this case it would be more exact to talk about *social pedagogy*. Pedagogy is chiefly related to schooling and formal education, while social pedagogy refers to education in its broadest sense. It is a combination of care and education, in fact it means to nurture children and support their social development considering them as social beings.

[S]ocial pedagogy is about bringing up children, it is ‘education’ in the broadest sense of that word and is concerned with the whole child: a physical, thinking, feeling, creative human being, in relationship with other people and already contributing to our society. (Petrie, 2011: 7-8)

Also the texts analysed in the following sections are based on the combination of two levels of communication, the visual and the verbal. Making use of semiotic terminology we can say that these texts try to educate European citizens by means of two separate and complex levels of communication, the iconic and the conventional signs, whose basic relationship is the same.

The function of pictures, iconic signs, is to describe or represent. The function of words, conventional signs, is primarily to narrate. Conventional signs are often

linear, while iconic signs are nonlinear and do not give us direct instruction about how to read them. The tension between the two functions creates unlimited possibilities for interaction between word and image [...] (Nikolajeva and Scott, 2001: 1-2)

Moreover, we will identify examples of hybridisation which exploits educational resources while also relying on the strategies of informative discourse.

The last section will investigate some interesting samples of training packs designed by the COE to foster the continuous development of the knowledge and skills of those adults who are involved in human rights protection programmes. So human rights discourse becomes a pedagogic instrument in the process of permanent education, also known as *Lifelong learning*.

6.1 A picture book to teach children “the Underwear Rule”

The COE has developed many different materials which belong to the campaign *One in five*. In order to avoid that children fall victim to sexual violence, the COE has designed a picture book *Kiko and the hand*⁴⁰ as a tool to prevent sexual abuse. It is a guide to help parents and carers to teach their children “the Underwear Rule”. Its main objective is to start a discussion with children, teaching them to say “No” to inappropriate physical contact and also explaining them where to seek help.

A picture book is composed of two distinct modes of representation – pictures and words – which are woven together in order to create a composite text. It is “a single fabric woven from two different materials” (Lewis, 2001: 4). It combines two media in a single text which has infinite possibilities.

A picturebook is text, illustrations, total design; an item of manufacture and a commercial product; a social, cultural, historical document; and, foremost, an

⁴⁰ It is available at: <http://www.underwekkarrule.org/> (Last accessed: November 2011).

experience for child. As an art form it hinges on the interdependence of pictures and words, on the simultaneous display of two facing pages, and on the drama of the turning of the page. On its own terms its possibilities are limitless. (Prefatory note to Bader 1976: 1. Quoted in Lewis, 2001: 1).

The brevity is one of the hallmarks of the form and *Kiko and the hand* is a bit shorter than the average picture book (twenty pages rather than the more conventional twenty-four or thirty-two). There is absence of detail in the written text despite the absence of an overarching narrative voice and the pictures are anchored to the words. They visually echo whatever it is the words communicate us. Adults or children read the words and they follow the pictures so both are necessary in the generation of the story.

This book has a traditional title so-called *nominal* because it contains the main character's name.

The practice of having the protagonist's name in the title is, at least in children's literature, a didactic narrative voice, giving the young reader some direct and honest information about the content of the book, its genre (animal story), and its audience [...]. (Nikolajeva and Scott, 2001: 243)

Book titles can be very persuasive given that it is demonstrated that children often choose or reject a book because of its title and it can also have a didactic scope. The cover – as in all picture books – displays a picture which is repeated several times inside the book even though with a slight variation. Also the cover picture anticipates the plot and together with the title gives some information about the book's story.

The book can be used as a pedagogical tool to prevent sexual abuse based on good communication: an open, friendly and non-intimidating interaction between adults and children. The hand is Kiko's friend, a personification of parents or carers, who always asks the child for permission before touching. Kiko grants permission apart

from when the hand wants to touch inside the underwear (figures 6.1, 6.2, 6.3). Thus, this sequence can be used to teach children when they must say “No”.

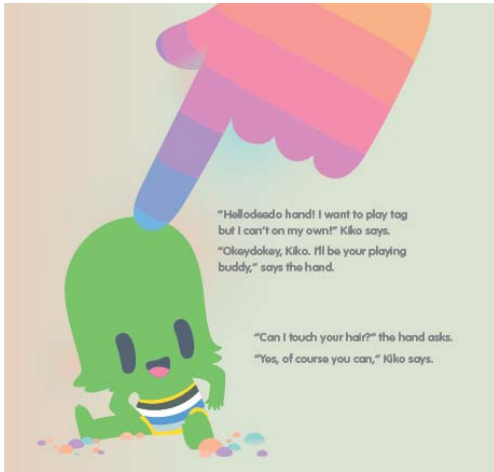


Figure 6.1

"Hellodeedo hand! I want to play tag but I can't on my own!" Kiko says.

"Okeydokey, Kiko. I'll be your playing buddy," says the hand.

"Can I touch your hair?" the hand asks.

"Yes, of course you can," Kiko says.



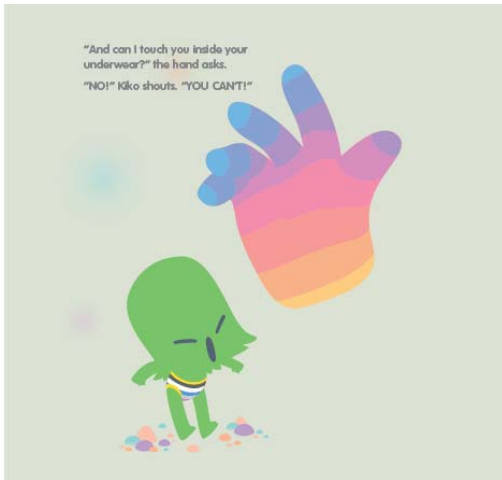
Figure 6.2

"Can I touch your nose?" the hand asks.

"Yes, you can," Kiko says.

"Can I touch your hand?" the hand asks.

"Yes, you can," Kiko says.

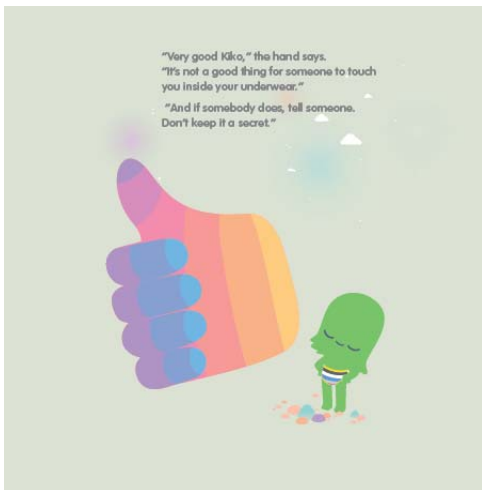


“And can I touch you inside your underwear?” the hand asks.

“NO!” Kiko shouts. “YOU CAN’T!”

Figure 6.3

Moreover, in figure 6.4 the hand encourages Kiko to share bad secrets and speak out if somebody makes him feel uncomfortable and anxious. This sequence could be used to teach the difference between a good secret such as a surprise and a bad secret, for instance if someone wants to touch him in any inappropriate manner.



“Very good Kiko,” the hand says.
 “It’s not a good thing for someone to touch you inside your underwear.”
 “And if somebody does, tell someone. Don’t keep it a secret.”

Figure 6.4

Readers, especially young readers, see pictures all at once first and only then they start to perceive the relationship with words and their combination, but in picture books words can focus the reader’s attention on pictures in order to capture the different meaning he/she could find in their details. This is what Barthes calls

anchorage. In most of these pages we can identify a symmetrical relationship. A word-image interaction is symmetrical when words and images convey the same information (Nikolajeva and Scott, 2001). Words and images influence each other, nevertheless the verbal and pictorial factors sometimes limit each other's meanings communicating different kinds of information. As a result they have a combative approach. On this point, Nodelman writes:

[T]heir complementarity is a matter of opposites completing each other by virtue of their differences. As a result, the relationship between pictures and texts in picture books tend to be ironic: each speaks about matters on which the other is silent. (Nodelman, 1988: 221)

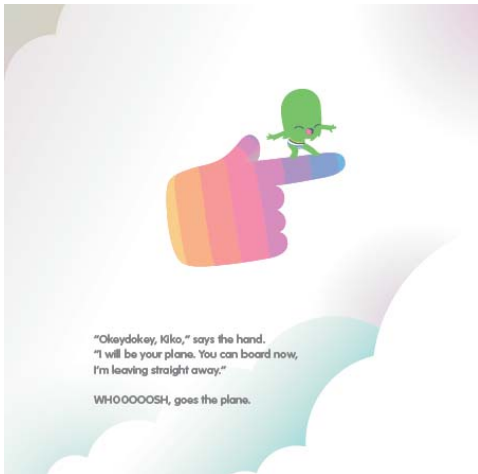
Similarly, Lewis states that this relationship is not completely symmetrical.

What the words do to the pictures is not the same as what the pictures do to the words. Roughly speaking, the words in a picturebook tend to draw attention to the parts of the pictures that we should attend to, whereas the pictures provide the words with a specificity – colour, shape and form – that they would otherwise lack. (Lewis, 2001: 35)

For example, in figure 6.6 the words are similar to a voice-over narration in a film that tells readers how to interpret the images. We find simplified and dreaming images suitable for a child's book. Words are realistic while pictures suggest fantasy even if they illustrate the two protagonists' actions. For Kress and van Leeuwen (1996) these images would be typical of what they call an "action process". In fact, they illustrate something which is happening. The two actors are doing something.

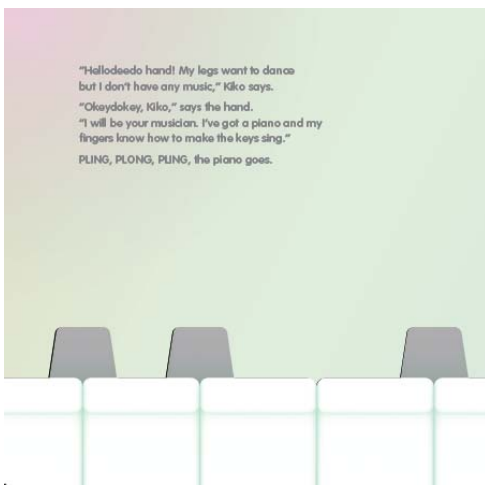
The consideration of this picture book as an educational vehicle includes also elements of language acquisition expressed in the constant use of onomatopoeia (figures 6.5, 6.6, 6.7, 6.8). The use of words which imitate natural sounds becomes a

didactic strategy since a melodic language can contribute to nurturing and developing children's intellect and emotional life.



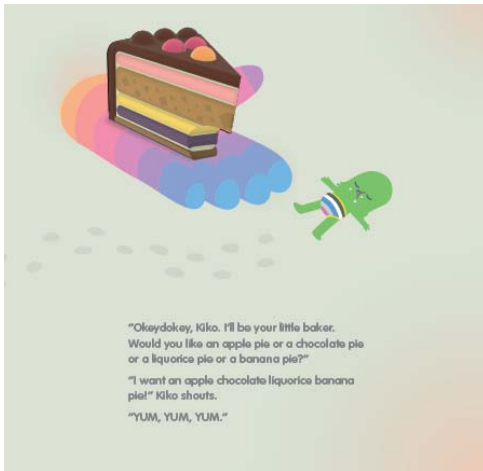
"Okeydokey, Kiko," says the hand.
"I will be your plane. You can board
now, I'm leaving straight away."
WHOOOOOSH, goes the plane.

Figure 6.5



"Hellodeedo hand! My legs want to dance
but I don't have any music," Kiko says.
"Okeydokey, Kiko," says the hand.
"I will be your musician. I've got a piano
and my fingers know how to make the
keys sing."
PLING, PLONG, PLING, the piano goes.

Figure 6.6



"Okeydokey, Kiko. I'll be your little baker. Would you like an apple pie or a chocolate pie or a liquorice pie or a banana pie?"
 "I want an apple chocolate liquorice banana pie!" Kiko shouts.
 "YUM, YUM, YUM."

Figure 6.7



ZZZZZZZZ, goes Kiko.

Figure 6.8

It is important to underline that much of the communication is realised through typography. This mode interacts with all other textual signing modes. If typography is a code, it should be able to fulfil the three Hallidayan meta-functions (Stöckl, 2005; Van Leeuwen, 2006). For example, in excerpt 1 a shift to a different letter case of the same font (from lower-case to upper-case) works on the ideational level since it reinforces the verbal message of the text and it also works inter-personally as it helps to understand the emotional state of the character. Van Leeuwen claims that:

Typography can also enact interactions and express attitudes to what is being represented. A word can be changed into a 'warning' or a 'question' through

typography and typographic signs alone [...] and typography can also be used to express attitudes towards what is being represented. (Van Leeuwen, 2006: 143)

Furthermore, the link between image and text is expressed by means of different graphic letters which produce textual meaning. Typographical signs realise salience through size which make the word “NO” and the phrase “YOU CAN’T!” stand out from others. Typography is not an abstract art but a persuasive means of communication and it is not an isolated mode but it co-occurs with other communicative modes. Type faces carry emotional values reinforcing the persuasive message of the text and facilitating access to its information.

Excerpt 1

“And can I touch you inside your underwear?” the hand asks.

“NO!” Kiko shouts. “YOU CAN’T!”

The last page presents some linguistic features typical of informative language (excerpt 2). This is an example of how picture books frequently merge or hybridise two or more genres or text-types.

Excerpt 2

This bedtime book explains The Underwear Rule to children. You can read it to your children so they can learn the difference between touching that is okay and that is not. If you want to know more on the subject please go to www.underwearrule.org.

The picture book is a form which *exploits* genres. It incorporates and ingests genres, elaborating what it has swallowed.

It is an omnivorous creature, ingesting, absorbing, co-opting pre-existent genres – other ways of speaking, writing, picturing – in order to make its texts, and as these genres change and mutate within society, so does the picturebook. It constantly

renews itself by adapting to whatever languages and images are available to it and this gives the form an open-ended quality. (Lewis, 2001: 74)

6.2 Mixing genres: an info-educational booklet

*Children and young people in care – Discover your rights!*⁴¹ is an informative and educational booklet addressed to children in alternative care. Through comics, stories and informative child-friendly texts, young readers without parental care can learn about their rights, how to exercise them including the way to participate in their own care process and improve it.

This booklet is interesting because it is an example of a new mixed genre not only at level of language (blending of informative, educational and also promotional techniques) but also at level of layout. In fact, each page is divided in two distinct parts: on one side we find a comic story on the other one an informative text (see figures 6.11, 6.12, 6.13). From a point of view of the structure the two genres seem very separated and distinct and the reader might choose to read just one part without losing the meaning but at a certain point the two genres merge together. For example, in figure 6.9 we can see that we do not have the vignettes but the protagonists are illustrated while reading a book and the circle adds another effect of words on pictures and shows us that the protagonists are reading *article 20* of the *United Nations Convention on the Rights of the Child*. The written text above explains in more detail what this document is about and what matters and what does not. Nodelman affirms:

In addition to informing us of the emotional or narrative significance of visible gestures, and specifying cause-and-effect and other grammatical relationships

⁴¹ The entire booklet is available at: http://www.coe.int/t/dg3/children/childrenincare/childrenincare_EN.asp (Last accessed: November 2011).

between parts of pictures and series of pictures, words can tell us what matters and what does not. (Nodelman, 1988: 215)

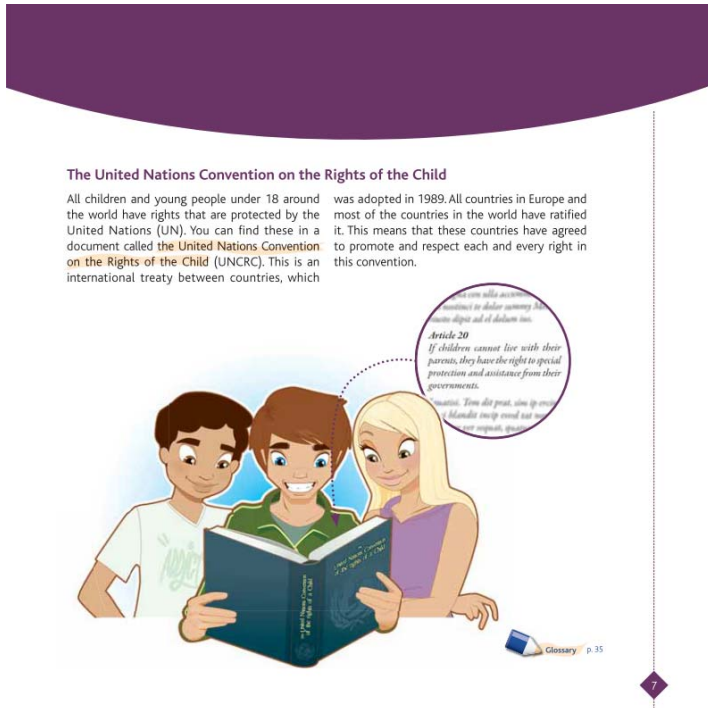


Figure 6.9

We could consider this booklet another example of *mise en abyme*, exactly a “genre-within-a genre”, as the informative booklet contains a comic book. Because of the complexity of this form, we can find the three possible image–text relations identified by Barthes. In the comic section (see figures 6.11, 6.12, 6.13) words and images are equal (relay) and this is what Barthes, in discussing relaying in comics and cartoons, writes of relay:

Here text (most often a snatch of dialogue) and image stand in a complementary relationship; the words, in the same way as the images, are fragments of a more general syntagm and the unity of the message is realized at a higher level. (Barthes, 1977 [1964]: 41)

In other pages (see figure 6.9) text supports image (anchorage) and in others image supports text (illustration) as for example in figure 6.10.



Figure 6.10

Excerpt 3

Listen to **our** stories and to those of **our** friends!

You'll learn a lot about **your** rights and alternative care!

Wherever **you** live, whoever **you** are, **you** all have the same rights. **You** should receive all the support **you** need to exercise these rights to the fullest.

In addition, in excerpt 3 the use of imperative, contract form and the pronoun 'you' reflect a tendency of promotional discourse to create a personal relationship between the addresser and the addressee, giving the reader the idea that the sender is addressing him or her individually (Myers, 1994). This "synthetic personalization" (Fairclough, 1989) is emphasised by the images of the three main characters in the

comic book section contributing to the engagement between the young reader and the represented participants.

Although the utilization of offers and long-shots may imply distance from the viewer, other visual devices related to contact, distance and perspective reveal that the illustrator has made choices which do create affinity with the potential reader. (Guijarro, 2011: 2989)

On the contrary, in other pages (see figure 6.13) images seem to help more than words to the identification of the reader with the protagonists in the story. The visual techniques identified by Kress and Van Leeuwen (1996) – close-ups, frontal and medium angles, focalizations and demand images – are evidence of the commitment and involvement established between the fictional characters and the child-reader in this booklet. So images and words play a central role in the construction of interpersonal meaning. Also the presence of direct interrogative clauses through the entire booklet creates a certain engagement. Interestingly, in the last page there is a shift from ‘you’ to ‘I’ in the use of these questions (see excerpts 4 and 5).

Excerpt 4

Will **you** lose contact with **your** family of origin during care?

What happens if **your** rights are not respected?

Are **you** offered real opportunities to take part in decision-making?

Excerpt 5

Will **I** be able to see my family of origin once **I** am in care?

What if **I** suffer abuse and neglect in alternative care?

Do **I** have a say in my own care process?

Here the pronoun ‘I’ is not in opposition to ‘you’ expressing otherness, but it is more related to subjectivity becoming a complex pronoun.

If, rather than assuming a unified and rational self as the locus of thought and action in the individual, one considers the subject to be a construction of the positions it takes up in different discourses, then the 'I' suddenly becomes a rather complex pronoun that suggests a certain relationship between discourse and subjectivity. It is, furthermore, an 'I' that shifts, as it references different positions within different discourses. When I say 'I' in this sentence, for example, it is a very different 'I' from the one who speaks to a close friend. (Pennycook, 1994: 178).

Excerpts 6 and 7 demonstrate that the popularisation of legal language is employed in order to facilitate young readers' education on their rights, in fact selected articles of the *United Nations Convention on the Rights of the Child* are simplified and informally explained. The booklet re-elaborates and recontextualises the legal articles and moreover it provides footnotes where again the selected articles are easily explained.

Excerpt 6 (the Convention)

Article 2

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

Excerpt 7 (the booklet)

Children and young people living in alternative care have the same rights as children who live with their family of origin. Governments and organisations are responsible for making sure that these rights are respected and protected.

Footnote

Article 2 (UNCRC) states that governments have a responsibility to make sure that all your rights are respected.

Also this booklet becomes an instrument to promote the COE itself. Even if most of it refers to the rights of children in care set forth by the *UN Convention on the Rights of the Child*, figure 6.11 illustrates and exalts the COE's active role. This page mentions the COE recommendation on the rights of children living in residential institutions demonstrating that the specific rights and needs of children without parental care are taken into account by the COE too.



Figure 6.11



SOS Children's Villages, together with the International Foster Care Organisation (IFCO) and the International Federation of the Educational Communities (FICE), developed standards to guide organisations and people who look after children in care. Children and young people with care experience from 32 countries contributed to this project to make sure that it would make sense to both caregivers and other young people. In June 2007, young people presented the Quality4Children Standards (www.quality4children.info) to the European Parliament and requested that governments use them to improve alternative care.



10

Figure 6.12

The entire message is neither in the words alone nor in the images, but “emerges out of their mutual interanimation” (Lewis, 2001: 36). “[W]e look at the pictures and we read the words and our eyes go back and forth between the two as we piece together the meaning of the text” (Lewis, 2001: 32). They work actively together to create the booklet’s impact. They often create some tension between the information included in the words and in the pictures of the comic book and the informative language of the booklet, so that they seem to collaborate rather than simply repeat redundantly what is communicated in the other genre. Both in the comics section and in the booklet we have an expansion. Expansion is usually divided in elaboration, extension and enhancement. In the comics we have enhancement. For Nikolajeva and Scott (2001) it is enhancing when the pictures expand upon the words or viceversa the possibilities within this category ranging from minimal enhancement to significant enhancement or complementarity. On the contrary, in the booklet we find elaboration and extension. For example, in figure 6.13 the text on the right elaborates and extends the meaning of the vignettes, in particular in the last one, explaining in

detail what the *UN Guidelines for the alternative care of children* is about and adding further and more detailed information.



Figure 6.13

As far as the interpersonal metafunction is concerned, it can be seen from the comics that the pictures serve to pull the reader in, summarising the topics without including details which can be found in the booklet. The bright and highly saturated colours have mainly the modal function of attracting and establishing a relationship with the child-reader who can interpret each image by tapping into his/her knowledge of popular culture of comics.

The reader by sharing stories and experiences with the three protagonists learns his/her rights as a young person in care and how to defend them. The document also contains some concrete examples of issues which should help the reader gain a better understanding of his/her rights and empower his/her role in the care process. The stories focus on *showing* rather than *telling* since they are characterised by straightforward dialogues, without interpretation or mediation from the narrator. It is

the verbal section composed mainly of direct questions and answers to provide a kind of indirect *description* of the action of the story illustrated. The reader is asked to have an interactive and active role asking him/her to do some didactic exercises, for example, in figure 6.14 he/she is asked to draw a personal eco-map or in figure 6.15 to fill in an informative form. So two modes are combined for didactic scopes.

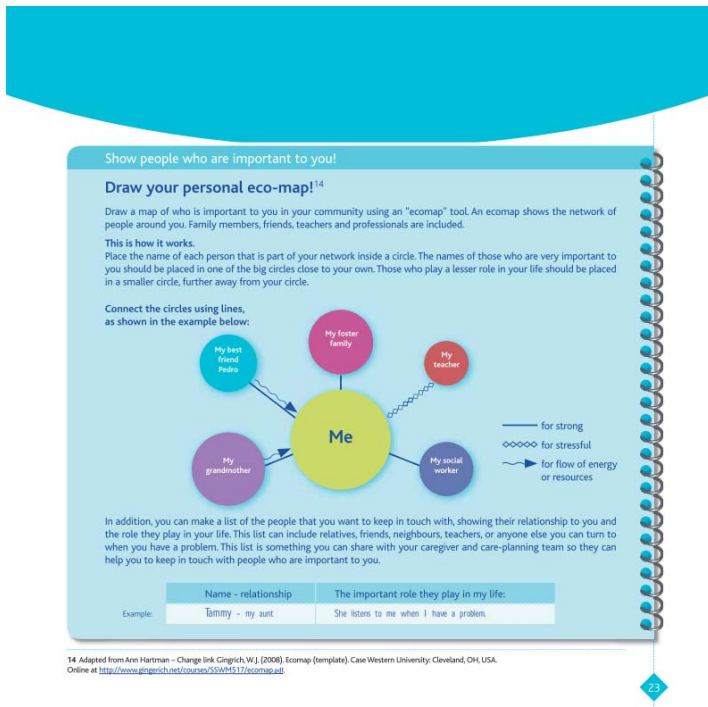


Figure 6.14

Let your caregiver and social worker know how you feel about seeing your parents!¹⁵

1. I would like to visit my parent(s) (check all that apply):

- Often
- Sometimes
- Never
- As soon as possible
- After things settle down
- After they get better
- Only when another adult is present
- Only with one parent: (list who)

2. When planning visits with my parent(s), you should know about the following things that were going on in my home:

.....

.....

.....

Figure 6.15

6.3. Travel metaphors as a pedagogical tool

This section investigates metaphor in educational discourse and aims to find out more about how metaphor is used by the COE to promote human rights and how metaphor can contribute to learning.

As already said before, metaphor is a poetic or rhetorical use of language which helps us understand various areas of our lives, especially abstractions and emotions and some expressions often reflect underlying thought patterns, so called conceptual metaphors which can have a big influence on how we see things and act towards

them. They are based on the relation between concrete experiences and more abstract experiences. “Out of a large number of potential sources, we ‘choose’ the ones that ‘make intuitive sense’ – that is, the ones that emerge from human experience” (Kövecses, 2002: 76). Forceville in describing the essence of metaphor says that:

Two phenomena belonging to different categories are represented in such a way that we are forced or invited to understand and experience one of them in terms of the other. One or more features are projected from the latter (the source) upon the former (the target), which is thereby (temporarily) transformed conceptually. (Forceville, 2007: 25)

Thus, the info-educational booklet *Passport to your rights*⁴² becomes a *passport* necessary to *travel* in order to allow children to acquire the entire knowledge of their rights. Life is like a journey and in order to make it safe and happy, it is important to respect other travellers’ rights. Thanks to this passport children can do a journey and learn more about human rights. The educational aspect is evident since the beginning of this metaphorical journey, in fact in the first page it is clearly said that after each stop children are asked to do a small exercise (see excerpt 8) in order to reach the final destination.

Excerpt 8

This **passport** will take you on a **journey** through some of your rights. The **journey** has **six pit stops** on the way to your **final destination**. At each stop, you will learn more about what your rights are, and you will be asked to do a small exercise. Once this is done, you can collect a **visa** to the rights that you have just **explored**. It means that you can better defend yourself when people do not respect these rights and that you will also be able to help other children do the same.

⁴² It is available at:

http://www.coe.int/t/dg3/children/news/20th%20anniversary%20un%20crc_files/20%20anniversary_EN.asp (Last accessed: November 2011).

As you can see in excerpt 9 there is a didactic exercise to do at each stop.

Excerpt 9

Get your visa:

Talk to your teacher and volunteer to explain these rights to your classmates. You can even propose to make a poster for the school.

A simplified language and the utilisation of bullet points characterise the entire text. These features are often used in other materials created by the COE to explain children their rights (see chapter 5). The novelty is that each explanation is accompanied with an exercise. Each time the reader/traveller gets a visa he/she has to do an exercise and sometimes it is a multimodal exercise since children are asked not only to write but also to draw (see figure 6.16).

The presence of a glossary is typical of many course books and here it is interesting that each word which we can find in the glossary is highlighted in the text through the use of a different font size and colour, so also in this booklet typography is used for a pedagogical scope.



Figure 6.16

The emphasis on the involvement of the reader and in particular the willing to give the idea that children can take on an active role in Europe is expressed in excerpt 10 taken from the last page of the booklet.

Excerpt 10

You certainly have a lot of ideas on the things that could be done to improve the lives of many children. We hope you will feel like doing all you can so that your ideas are put into practice!

Do you feel like sharing your thoughts with the Council of Europe?

You can:

- send us an e-mail to children@coe.int
- send us a letter or a drawing to: “Building a Europe for and with children” Council of Europe F-67075 Strasbourg Cedex , France

Don't forget to add your name, your country and your age!

We'll publish some of the messages and the drawings on our website.

Nowadays the use of the internet as a didactic tool is becoming more and more widespread so in order to reach new generations also the COE tries to stimulate and educate children using new media as internet, for example in one of the exercises readers are required to do some research on the Internet (see excerpt 11).

Excerpt 11

Get your visa:

Search the Internet and check:

1. the concluding observations of the Committee on the Rights of the Child concerning your country:
www2.ohchr.org/english/bodies/crc/.

.....
2. what the Council of Europe is doing for children's rights: www.coe.int/children.

.....
3. the many interesting video and audio resources about children's rights in Unicef's MAGIC website:
www.unicef.org/magic.

.....
4. the website of the Child Rights Information Network, where you can find an amazing amount of information coming from governments, charities and all kinds of international organisations www.crin.org.
.....

But at the same time the COE is conscious of the dangers of the Internet, for example in the following excerpt:

Excerpt 12

Get your visa:

The Internet is a fantastic tool to learn and share. However, it can also hide some dangers. Play the online game Through the Wild Web Woods to learn how to protect yourself on the Internet. It exists in many languages. www.wildwebwoods.org.

The COE exhorts children to be careful and invites them to play an online game to learn how to protect themselves. This is an example of *edutainment* and it also becomes a strategy to promote another material produced by the Institution.

Concerning the pictures, we may find them charming, but they do not add much to the narrative. The style in these illustrations is marked by simplifications which create a sense of immediacy. Moreover, the use of warm tonal modulations of colour produces a surreal silence. Colours play an important role in building up the basic image contributing to the effect of surrealism as of a dream world. But the interaction between narration and images create a believable world. For example in figures 6.17 and 6.18 the location and arrangement of these images and the interplay of tempo, rhythms, and characterizations allow them to interact with words and the characters come to life. Ward and Fox (1984) in fact claim that believability does not necessarily mean realism. Finally the repeated use of pictures serves pedagogical functions, because the repetition of the same visual imagery through the whole booklet is reassuring for children and help them recognise and remember the content of each section easily.

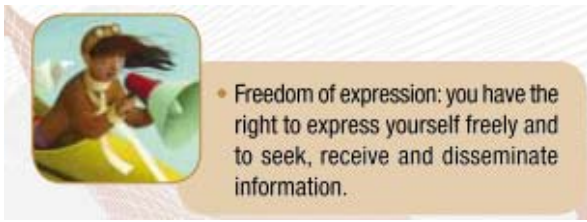


Figure 6.17



Figure 6.18

Journey metaphors have been strongly ‘exploited’ by the literature on conceptual metaphor. Lakoff (1993: 207), for instance, describes the conceptual metaphor ‘love is a journey’. Lovers are travellers on a journey together with a common destination but this journey is not easy “[t]here are impediments, and there are places (crossroads) where a decision has to be made about which direction to go in and whether to keep travelling together” (Ibidem, 1993: 206). According to Cameron, besides, the journey requires the use of mental and/or physical energy and its final aim is not very clear.

The journey is a kind of guided tour of concepts with stretches of intense, effortful activity. The ultimate goal remains unclear and achievement is mainly felt through interim goals. The guide is motivating and challenging, and will ultimately leave the travellers to their own devices. (Cameron, 2003: 251)

In the COE's publication life is like a wonderful and adventurous journey and the organisation itself becomes a 'tour guide' for children providing them assistance to explore their rights. During the trip children have 'six pit stops' where they are asked to do some activities in order to learn their rights. At each stop they have the possibility to achieve a goal – to learn more about what their rights are – allowing them to collect a visa necessary to continue the journey and reach their ultimate destination.

6.4 Training material for professionals who work in the education

The COE has produced some material addressed to all professionals who work in the educational field. Interestingly also the texts analysed in this section result from a process of recontextualisation: human rights discourse is transformed into a pedagogic discourse in order to train adults.

The *Violence reduction in schools training pack*⁴³ (the Pack) has been designed to train and assist staff in schools in awareness raising activities to reduce violence. Addressed to all professionals who work with schools, not only teachers, this Pack can be used in all schools, primary, secondary or special schools. In order to improve facilitators' knowledge of how to reduce violence in schools, they are taught about effective training methodology. The Pack is composed of the handbook on *Violence reduction in schools – how to make a difference* which contains information and practical activities for pupils; the *Facilitator Manual* which contains training sessions which explain school staff how to use the handbook and the *Facilitator Reference Guide* which explains training methodology and techniques to assist facilitators.

These three resources present elements of pedagogical discourse which is the result of interdiscursive recontextualisation. The *Facilitator Manual* covers all chapters of

⁴³ It is available at: http://www.coe.int/t/dg3/children/violence/ViolenceSchool_en.asp (Last accessed: November 2011).

the *Handbook*, with additional sessions on involving participants. It instructs facilitators on how to train participants through fourteen sessions, each of two hours duration. The workshop training includes five stages: *acquisition of knowledge, modelling what has been learned, practice, feedback and implementation*. The sessions are listed on the contents page at the start of this *Facilitator Manual* and are based on chapters in the *Handbook* and sections of the *Facilitator Reference Guide*. Besides, PowerPoint slides are used as support for each session. PowerPoint genre is generally used to inform, motivate and inspire. It requires brevity of expression. Here PowerPoint slides are quite conventional: brief and concise avoiding overwhelming audiences with too much information on the screen. By comparing excerpt 13 to figures 6.19 and 6.20 we can notice that the definitions of ‘violence’ and ‘convivencia’ are subject to a significant process of reduction and simplification.

Excerpt 13 (Handbook)

Definitions of violence

What is “violence”? The English word violence has linguistic cognates in the Latin languages: Spanish *violencia*, Portuguese *violência*, Italian *violenza*, French *violence*, for example; but other terms in European languages have quite different linguistic origins, as in German *gewalt*, Greek *bi’a* or Icelandic *ofbeldi*. And even any one term such as the English “violence” is open to different interpretations. Children themselves define school violence in different ways depending on their age, their language and their culture (Smith et al. 2002). Let us look at three adult definitions.

The *Encarta World English Dictionary* (Encarta 1999) definition of violence is: (1) the use of physical force to injure somebody or damage something; (2) the illegal use of unjustified force, or the effect created by the threat of this.

The definition used by Olweus (Olweus 1999, p.12) is that violence or violent behaviour is: aggressive behaviour where the actor or perpetrator uses his or her own body or an object (including a weapon) to inflict (relatively serious) injury or discomfort upon another individual.

The World Health Organization (WHO) defines violence as: the intentional use of physical and psychological force or power, threatened or actual, against oneself, another person, or against a group or

community that either results in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment, or deprivation (WHO fi-006).

These and other definitions share some features but differ on others. Shared features are normally that violence is:

- harmful or damaging, or at least threatens such harm or damage; and
- is intended (accidental damage or hurt done by someone is not usually thought of as violent).

But let us look at the dimensions of variation or disagreement. There are at least five dimensions.

1. Is violence necessarily physical? It is, according to the first Encarta definition and Olweus, but not according to the second Encarta definition or WHO. This is probably the most crucial issue. Restricting violence to physical acts gives it a clear focus, and perhaps makes it easier to measure, in that physical acts of violence are probably easier to monitor than verbal or relational violence. It

makes violence different from aggression. However, while some researchers and writers are happy with this restricted focus, others are not. It clearly excludes other intentional harmful behaviours, such as verbal abuse, social exclusion, nasty rumour spreading (Underwood 2002).

2. Is violence necessarily against a person? Not according to Encarta, but it is so according to Olweus, and possibly WHO. In other words, is vandalism (“the malicious or deliberate defacement or destruction of somebody else’s property”: Encarta 1999) included as violence? Does graffiti on the school walls, or intentional damage to school books or equipment, count as violence?

3. Does violence actually have to be manifested as behaviour that damages someone or something, or is just the threat of this sufficient, as stated in the second Encarta definition and that of WHO? An emphasis on threatened as well as actual violence can justify the inclusion of measures such as feelings of insecurity.

4. Is violence still violence if it is legal (see Encarta (2))? If so, a parent smacking a child is certainly violent. Perhaps staff disciplining a pupil, a policeman restraining a criminal, a judge sentencing an offender, is violent as well. But if not, then are we assuming an acceptance of societal-defined “legality”? Might this be challenged?

5. Does violence have to be done by somebody (Olweus), or can it be done more impersonally by a social group or an institution? The term “institutional violence” suggests the latter; and allows us to consider the possibility of a school inflicting violence on its pupils because of certain actions or policies. Finally, when actually using a definition, whether for recording purposes, or instituting a responsive process, we need to decide at what level something becomes violence. How serious does the harm have to be? Every day most of

us experience minor hurts. So, should violence be limited to quite serious blows, or insults or social provocations? Or can it include what French researchers have called “micro-violence” or “incivilities”, relatively minor impolitenesses and infringements of rules (Debarbieux et al. 2003)? These might not count as violence by most definitions, but they may still be vital in understanding the origins of more serious school violence, and tackling it.

Convivencia⁴⁴

These differences cannot be resolved in any large, international professional group. There are too many personal, disciplinary, cultural and linguistic differences. However, we can each be clear about what we mean in any particular school, or if we are carrying out some piece of research, and that is important for clarity. It is feasible within a school, or a local area, to reach an agreed definition. When seeking to agree a definition in school, a solution may be to use a concept opposite to violence – the Spanish term *convivencia*, or “living together in harmony”. Let us therefore try to improve *convivencia* in schools and discuss what kinds of violence act against *convivencia*. *Convivencia* defined as “living together in harmony” is the word to describe non-violence used throughout this handbook.

Power Point slides



Figure 6.19 Power Point slide

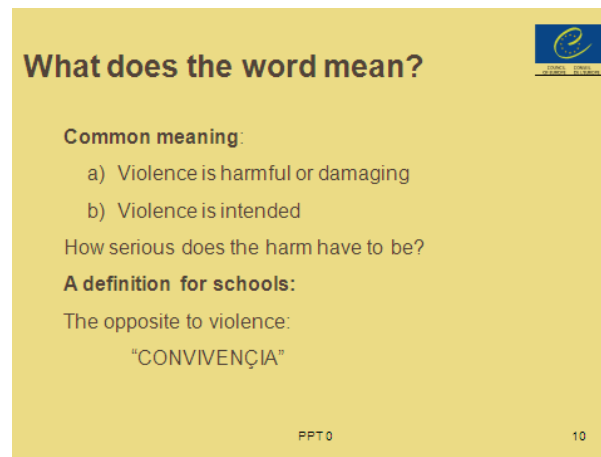


Figure 6.20 Power Point slide

Through classroom discourse, the *Handbook* contributes to students’ active engagement with human rights issues. In Chapter 5 titled as *Involving pupils*, Helen

⁴⁴ This is another example of intertextuality as *Convivencia* is a Spanish term used to refer to the coexistence of Catholics, Muslims, and Jews in medieval Spain.

Cowie⁴⁵ illustrates European examples of good practice which involve pupils and discusses the research findings about their effectiveness in any school strategy for reducing violence. The description of case studies can be seen as a pedagogical technique to involve pupils in violence reduction. It might be an effective way to invite them to “develop explanations, make predictions, debate alternatives approaches to problems [and] clarify or justify their assertions” (Brophy, 2001: 13). Moreover, each example of good practice is followed by an activity whose main purpose is to open and stimulate a discussion on the issues arising from the case studies. For example, all the activities start with the heading ‘You might find it interesting to consider and discuss the case study above and its relevance to the situation in your school [...]’. They are based on the interactions between students and the teacher. Engagement in classroom discourse is “a complex process that combines doing, talking, thinking, feeling, and belonging” (Wenger, 1998: 56). Walshaw and Anthony, by studying the role of pedagogy in Mathematics classroom discourse, underline the importance of discussion and interaction between students and teachers.

Through students’ purposeful involvement in discourse, through listening respectfully to other students’ ideas, through arguing and defending their own position, and through receiving and providing a critique of ideas, students enhance their own knowledge and develop their mathematical identities. Teachers who are able to provide such contexts simultaneously increase students’ sense of control, and develop valuable student mathematical dispositions. (Walshaw and Anthony, 2007: 772).

*The Dosta! campaign toolkit*⁴⁶ devotes an entire section (Chapter III) to train on a campaign in which there is a wide employ of games and role plays (excerpt 14) and

⁴⁵ Helen Cowie is professor of mental health and youth, and director of the United Kingdom Observatory for the Promotion of Non-Violence in the European Institute of Health and Medical Sciences at the University of Surrey.

⁴⁶ It is available at: <http://dosta-coe.org/content-32> (Last accessed: November 2011).

examples (excerpt 15) useful to teach professionals how to build an effective campaign. For instance, in excerpt 15 in order to make people understand the difference between a bad and a good SMART firstly we find two examples taken from personal life, then the same concept is strengthened by two more examples of bad and good SMART but this time applied to the Roma campaign.

Excerpt 14

Exercise One – Planning creativity

1. You are a television company launching a new “reality” TV show – a bit like Fame Academy, it invites normal people to sing before experts, to find the next big pop star. You will be travelling around the main towns listening to “talents”, and the broadcast will show the story as it unfolds. How will you publicise your new show?

Excerpt 15

Developing your Objective

The best objectives to follow in life are SMART.

That means they are:

- Specific
- Measured
- Achievable
- Realistic
- Timed

In personal life a bad SMART objective would be:

“I think I’ll give up smoking”

A good one would be:

“I will cut my cigarettes down to one a day by 28 June 2008 and stop smoking completely by 1 October”

For the Roma campaign a poor objective would be:

“We want to stop people here insulting the Roma and give them better chances”

A better one would be:

For governments: *“By December 2008 we want to pass new laws through our parliament to stop discrimination in the workplace against Roma. By mid July 2009 we want employers to have these in place, and be using them in a positive way”*

For NGOs : *“By December 2008 we want to reduce hate speeches against Roma by systematically denouncing them. By mid July 2008 we want people in our environment and local community to take conscience of the fact that stereotypes are wrong and create opportunities for them to know who the Roma really are”*

In order to persuade people and to emphasise the COE’s active involvement the toolkit is full of verbs such as *to fight, to combat* and nouns such as, *tactics, strategies, weapon*. They connote action and have a persuasive promotional effect. The constant repetition of these elements through the text type serves both educational and promotional discourse. A number of discourse analysts claim that repetition is omnipresent in every type of discourse and it is necessary to create understanding in discourse (Norrick, 1987; Tannen, 1989). For Tannen (1989: 37) repetition “is at the heart not only of how a particular discourse is created, but how discourse itself is created”. Pedagogical discourse is mixed to the persuasive and promotional one. For example, in order to explain the tools to use when planning a campaign we can note the sentence ‘The first and most powerful weapon in your armoury is your message’. Finally, this genre is characterised by a very colloquial style expressed by the use of direct questions and of the pronouns ‘you’ and ‘we’ (see excerpt 16).

Excerpt 16

The Dosta! campaign toolkit is conceived for helping **you** understanding what is the Dosta! campaign and how **you** can use it for fighting anti-Gypsyism by taking concrete actions at the local level.

How to plan a campaign.

Five Big Questions to ask at the Beginning of a Campaign

- Where are we now? (the snapshot)
- Where do we want to be? (our aim)

- How do we get there? (our objective)
- Which way is best? (our strategy)
- How can we make sure we arrive? (our tactical plan)

*All these steps will mean that **our** campaign is more likely to be successful, and **our** resources well used.*

Conclusion

This chapter has investigated those materials created by the COE where pedagogic practice takes place. The focus has been on the different levels of recontextualisation where discourses on human rights issues are selected and repositioned to become educational discourse. We have chains of genres closely connected to interdiscursive recontextualisation. The various text types have employed discursive pedagogical tools but most of them have preserved or appropriated elements of informative and promotional discourses giving birth to hybridised forms.

Concerning the interplay between the verbal and non-verbal codes, the analysis demonstrates that in the material addressed to children the message comes out from the *interamination* between various modes while in the genres for professionals the emphasis is more on the textual content and the very few images present have a simple decorative function.

CONCLUDING REMARKS AND FUTURE RESEARCH

Starting from the notion of discourse as any form of language in use, “as a process which is socially situated” (Candlin, 1997: ix), this study has focused on discourses as practices which are not only linguistic but they often acquire a non-linguistic nature. Fairclough claims that visuals are often interwoven with words:

It would be quite artificial to conceive of discourse in exclusively verbal terms. Even when texts are essentially verbal [...] talk is interwoven with gesture, facial expression, movement, posture to such an extent that it cannot be properly understood without reference to these ‘extras’. Let’s call them collectively visuals, on the grounds that they are also visually perceived by interpreters. Visuals can be an accompaniment to talk which helps determine its meaning [...] Or visual can substitute for talk as a perfectly acceptable alternative (Fairclough, 1989: 27).

Human rights discourse in the context of public campaigns has been explored referring both to linguistic and visual forms of persuasive communication. Therefore, following Fairclough and Chouliaraki, it is possible to affirm the existence of *visual discourses* in the data examined.

We shall use the term ‘discourse’ to refer to semiotic elements of social practices. Discourse therefore includes language (written and spoken and in combination with other semiotics, for example, with music in singing), nonverbal communication (facial expressions, body movements, gestures, etc.) *and visual images (for instance, photographs, film)*. (Fairclough and Chouliaraki, 1999: 38. Italics added)

Given the multimodal nature of the corpus, the analytical framework has been based upon a combination of two theoretical approaches of investigation: social semiotics and CDA. As stated by Fairclough and Wodak (1997), social semiotics may be situated within the critical discourse analysis tradition. Because of the multi-semiotic character of most collected data, in addition to Fairclough (1989, 1992, 1995a, 1995b), scholars such as Hodge and Kress (1988), Kress and van Leeuwen (1996) or Baldry and Thibault (2006) have been taken into consideration for the exploration of visuals – from photos, cartoons to TV images – and their relationship with language.

Starting from the postulate that persuasion pervades every aspect of human communication, this research project has tried to identify, through an analysis of the ‘3Ps’, the verbal and visual persuasive techniques used by the COE to promote human rights, but because of time and space constraints, only some samples have been selected for in-depth investigation.

The study has devoted special attention to the relationship between words and images and the analysis of different genres has highlighted the tight interaction between the two modes in most text types confirming Nodelman’s idea that:

[W]ords without pictures can be vague and incomplete, incommunicative about important visual information, and second, that pictures without words can be vague and incomplete, lacking the focus, the temporal relationships, and the internal significance so easily communicated by words. (Nodelman, 1988: 216)

Moreover, the attention on the whole composition of texts, including layout and typography, has also confirmed Van Leeuwen’s (2006: 139) claim that “[m]uch of the cohesive work that used to be done by language is now realized, not through linguistic resources, but through layout, colour and typography.” The results from the analysis suggest that the interface between visual and verbal elements is more genre-dependent than topic-dependent. The interaction between words and images is less evident in genres addressed to specialists showing a tension between the COE’s

traditional, institutional role and a new, open-minded approach when the institution wants to shorten the distance and reach a more diversified audience. The results, obtained from a comparison between the verbal and non-verbal semiotic modes, show that these materials have been created for a ‘scanning and skimming generation’ because even if when the images are purely decorative the structure of the layout, the use of typography allow the reader to scan the text and find easily the information required. These texts seem to reflect the rhythms of a society which has no time to read texts carefully so the texts are build in a way that readers are ‘invited’ to select at a first glance what he/she thinks necessary to know.

It has emerged that the identification of the discursive strategies of promotion, popularisation and pedagogy (3Ps) contribute to the hybridisation of genres and discourses. In order to facilitate the analysis the data have been divided in these three macro categories, but it can be argued that there are several examples of overlapping. The focus on recontextualisation and its levels of intertextuality and interdiscursivity have revealed phenomena of hybridity. This analysis has also showed that some genres such as posters and TV spots are more stable presenting a wider use of promotional devices while other genres such as leaflets, brochures are more subject to phenomena of hybridisation, in which the ‘3Ps’ often mix and merge together.

In addition, the analysis has revealed that verbal and visual modalities inter-relate in these texts to emphasise the presence of stereotypes. According to Barthes (1977: 199) a stereotype is “constituted by a necrosis of language, a prosthesis brought in to fill a hole in writing”. Our culture is full of stereotypes which help people understand concepts which they are distant from. They are often used by advertisers to communicate and persuade, similarly the COE uses readers’ short-hand notions of what human rights violations are to draw attention and raise awareness.

[T]he stereotype is at bottom a form of opportunism: one conforms to the reigning language, or rather to that in language which seems to *govern* (a situation, a right,

a struggle, an institution, a movement, a science, a theory, etc.); to speak in stereotypes is to side with the power of language [...]. (Barthes, 1977:199)

For example, in the *Dosta!* campaign verbal and visual devices contribute designing a romantic vision of Roma. The main objective of this campaign is to narrow the so-called knowledge gap, the gap between the different communities trying to break-down deep-rooted stereotypes and prejudices. Indeed it does not encourage people to think differently but it reinforces the romanticisation of Roma culture. The campaigns against death penalty and domestic violence reinforce the stereotype of men as perpetrators and women as victims. Why do not choose a female being as perpetrator?. Women are always represented as victims, passive subjects never survivors, and men as perpetrators.

The findings have also confirmed that through the campaigns the COE promotes itself trying to give an image of an authoritative but modern organisation. The three Ps work not just to raise awareness on human rights issues but also to promote the COE itself. Promotional discursive strategies become instruments of self promotion especially in the use of some rhetorical features. It is not secret that the COE lives in the shadow of the EU, confirmed by the zero increase of its budget for years and a lack of knowledge of its activities (Schwimmer, 2010). So it is evident that these campaigns are used to shed more light on the COE's actions by presenting itself as the main European organisation to protect human rights.

A huge quantity of material in a time span of 5 years (2005-2010) has been examined, but since some campaigns are ongoing some new documents have been produced in a successive phase of my research, thus these are not included in the analysis.

This study does not want to be the end, but it could be considered just as an initial step for further studies. As the COE is considered like the , 'older sister' of the EU, the same methodology could be applied to the material produced by the EU for the promotion of human rights. For example, these findings could be integrated with a

comparative study on an European Union's corpus. Secondly, it would be interesting to do a diachronic investigation, taking into account the communicative campaigns launched by the Council of Europe in the past (before 2005) examining the evolution and possible transformations. This would imply a collection of new samples. So, it could be interesting for future research to observe these phenomena.

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APPENDIX A



It starts
with screams
**and must never
end in silence**

12% to 15% of European women over 16 suffer domestic abuse in a relationship - too many have died. Many more continue to suffer physical and sexual violence from former partners even after the break-up. **It's time to find a way out!**

**Stop domestic
violence
against women**

Violence against women is the result of an imbalance of power between women and men, leading to serious discrimination against women, both within society and the family. Violence in the family or domestic unit occurs in every Council of Europe member state despite positive developments in law, policies and practices. Violence against women is a violation of human rights, the very nature of which deprives women of their ability to enjoy fundamental freedoms. It often leaves women vulnerable to further abuse and is a major obstacle to overcoming inequality between women and men in society. **Violence against women damages peace, security and democracy in Europe.**

www.coe.int/stopviolence

Les Explorateurs / Getty Images + Alfred Geisler



COUNCIL OF EUROPE CONSEIL DE L'EUROPE

APPENDIX B

Working towards a convention on preventing and combating violence against women and domestic violence

Combating violence against women concerns each and every one of us. Let's act. Together. Now.

Violence against women is a violation of human rights. It is a major obstacle to overcoming inequality between women and men in society. It occurs in every Council of Europe member state despite positive developments in law, policies and practices.

One-fifth to one-quarter of all women have experienced physical violence at least once during their adult lives, and more than one-tenth have suffered sexual violence involving the use of force. About 12% to 15% of all women have been in a relationship of domestic abuse after the age of 16. Many more continue to suffer physical and sexual violence from former partners even after the relationship ends.

Background

As Europe's leading human rights Organisation, the Council of Europe ran, from 2006-2008, a campaign to combat violence against women, including domestic violence. During this campaign, governments, parliaments and local and regional authorities worked hand in hand to improve the lives of women across Europe.

The campaign revealed the magnitude of the problem in Europe, but it also brought to light a wide range of good practices and initiatives in many different member states. It increased awareness among key actors and helped place the various forms of violence against women on the political agenda.

The Council of Europe *Task Force to Combat Violence against Women, including Domestic Violence* carried out an assessment of national measures to address violence against women taken before and during the Campaign. In its *Final Activity Report* it concluded that serious gaps remained in the areas of prevention, protection and prosecution.

Furthermore, its assessment showed the need for harmonised legal standards to ensure that victims across Europe benefit from the same level of protection and support. The *Task Force* therefore recommended that the Council of Europe develop a human rights convention to prevent and combat violence against women.

At around the same time, the Ministers of Justice of Council of Europe member states began discussing the need to step up protection from domestic violence, in particular intimate partner violence. A study on this subject stressed the importance of setting legally binding standards to ensure adequate protection for all victims and recognise it as a crime.

Ad hoc Committee on Preventing and Combating Violence against Women and Domestic Violence (CAHVIO)

In response to these calls for action, the Committee of Ministers of the Council of Europe created, in December 2008, the *Ad Hoc Committee on Preventing and Combating Violence against Women and Domestic Violence (CAHVIO)* and instructed it to prepare one or more legally binding instrument[s] "to prevent and combat domestic violence including specific forms of violence against women, other forms of violence against women, and to protect and support the victims of such violence as well as prosecute the perpetrators". It endorsed the CAHVIO decision that "the focus of the future convention should be on the elimination of violence against women;" and that it "should deal with domestic violence which affects women disproportionately".

Taking up its work soon thereafter, the Committee has embarked on the difficult path towards setting legally binding standards for all forms of violence against women and domestic violence. In a field that touches upon many sensitive issues such as gender

roles, the right to protection of individual family members but also the protection of the family as such, the role and limits of state intervention as well as the need to ensure real gender equality, many divergent views exist.

Since early 2009, CAHVIO has held four meetings and has finished its first reading of the draft convention. It is now entering the final phase of the negotiations.

Between one and four government representatives per member state take part in the meetings of CAHVIO. In addition, the Committee includes many observers: representatives of the five observer states of the Council of Europe, but also NGO representatives as well as representatives of international organisations, in particular the European Union. Furthermore, various steering committees and bodies of the Council of Europe, such as the Commissioner for Human Rights, the Parliamentary Assembly and the Congress of Local and Regional Authorities are represented in the Committee.

The Parliamentary Assembly has long taken a firm political stance against all forms of violence against women. It has adopted a number of resolutions and recommendations calling for legally-binding standards on preventing, protecting against and prosecuting the most severe and widespread forms of gender-based violence. It closely monitors the drafting process, actively contributes to the negotiations on the text of the convention and has prepared to incorporate a parliamentary monitoring mechanism in the future convention.

The future convention

Building on Council of Europe *Recommendation Rec(2002)5 on the protection of women against violence*, the convention will set new legally-binding standards to prevent violence against women and domestic violence, protect its victims and punish the

perpetrators. The future convention will fill a significant gap in human rights protection for women and will also extend its protection to male victims of domestic violence.

It will contain comprehensive obligations to improve the criminal law response to violence against women and domestic violence and to expand protective measures such as restraining and barring orders. Moreover, it will help to enhance the role of law enforcement agencies in responding to calls for assistance. In this regard, the drafting process is inspired by case-law from the European Court of Human Rights and jurisprudence of the United Nations Committee on the Elimination of Discrimination against Women (CEDAW) on violence against women.

In addition to measures in criminal and civil law, the convention will comprise important obligations to offer adequate support and protection to all victims of violence against women and domestic violence. Hotlines, shelters, counselling, medical and forensic services as well as legal aid are crucial for victims to find help and recover, but also to stay safe and seek justice.

Finally, the convention will address the need to step up activities in the areas of education, training of professionals and general awareness-raising to change attitudes, gender roles and stereotypes which tolerate or legitimise violence against women. The future convention will be based on the premise that eradicating violence against women and domestic violence requires a comprehensive and multi-faceted strategy which needs to be carried out jointly by a wide range of actors.

The work on the future convention demonstrates that international consensus on the importance of preventing and combating violence against women is growing the world over. It ties in with efforts in Europe and other regions of the world to remove inequalities between women and men and enhance the protection of the human rights of women.

Adoption and entry into force

The Committee will be holding a few more meetings to conclude its work. Once it has adopted the final draft text of the convention and the accompanying explanatory memorandum, the convention will be submitted to the Parliamentary Assembly for opinion. The step thereafter will be the adoption of the convention by the Committee of Ministers of the Council of Europe. Subsequently, the convention will open for signature and ratification by member states of the Council of Europe. Non-member states will be invited to accede to the convention. It will enter into force following the ratification or accession of five parties.

The information above reflects the situation in May 2010. To find out more about the work of CAHVIO, please visit the Committee's website at www.coe.int/violence or contact its Secretariat:

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The Council of Europe

Working towards a convention on preventing and combating violence against women and domestic violence



APPENDIX D

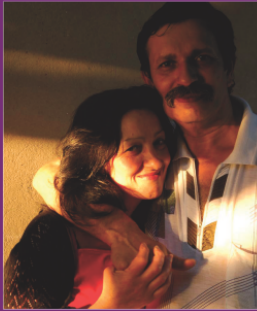
How to join the campaign

Dostal campaign is not conceived as an exclusively joint Council of Europe/European Commission action. We warmly welcome the citizens of Ukraine and Moldova, as well as any other Europeans, Roma and non-Roma, who share the objectives of the Campaign to join and contribute to it.

If you want to participate, there are plenty of ways for supporting the campaign, starting from spreading its messages and fighting stereotypes!

If you are interested in launching the campaign in your country you can establish a partnership with us. You can support both by contributing in kind or financially. Official requests must be addressed by your authorities to Mrs Maria Ochoa-Llido, Head of the Migration and Roma Department of the Council of Europe, c/o the Dostal campaign Secretariat.

The future? Let's build it together!



More information

www.dosta.org

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Council of Europe
Conseil de l'Europe

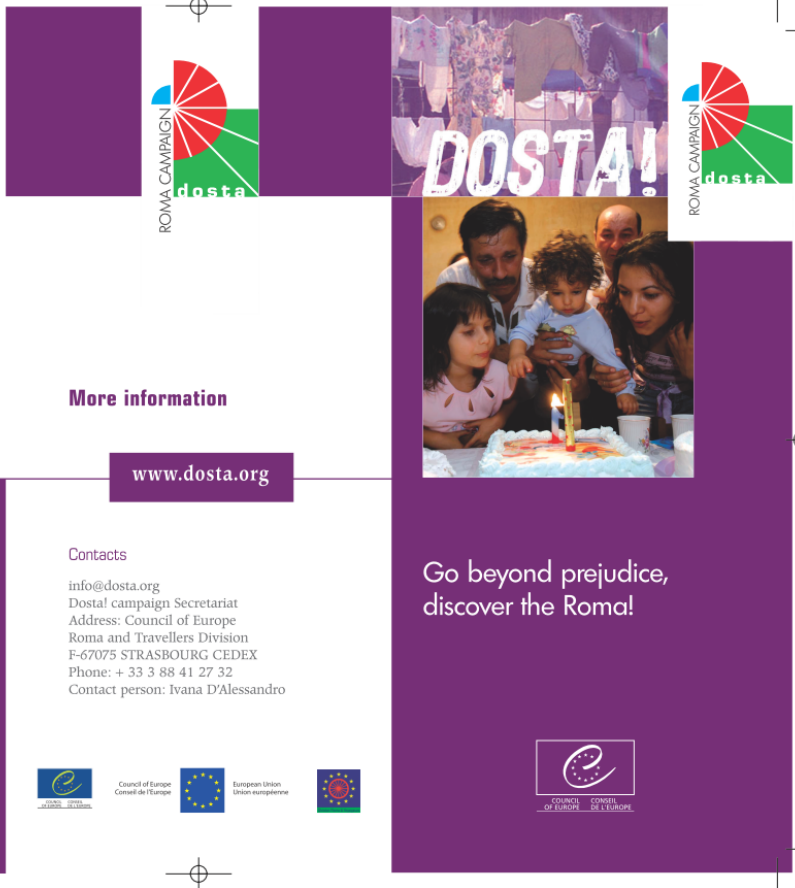


European Union
Union européenne



COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Go beyond prejudice,
discover the Roma!





Awareness-raising campaign on Roma

*What do they have in common
Django Reinhardt, Esma Redzepova,
Sabina Bajramovic, Tony Gatlif,
Serge Poliakoff, Camarón...? They are Roma !*

Why an awareness raising campaign on Roma?

Dosta a Romani word meaning "enough", is a Council of Europe/European Commission awareness raising campaign which aims to bring non-Roma closer to Roma citizens by breaking down the barriers caused by prejudices and stereotypes.

Although Roma have been in Europe since the 14th century, they are not always recognised by the majority society as a fully-fledged European people. Many Roma communities today live in very difficult conditions, and their participation in public life is extremely limited.

Over recent years some progress has been made for improving the economic and social development of Roma in Europe.

However, these efforts are often facing severe obstacles caused by deeply-rooted beliefs and prejudices.

"Dosta!" means that we want to stop prejudices and stereotypes not by denouncing them but by breaking them, showing who the Roma are. They are not perfect, of course, but "who is perfect?".

What is sure is that Roma are European citizens: they form a group of about 12 million people and can be found in almost all Council of Europe member states; in some Central and Eastern European countries, they represent over 5% of the population.

Being European citizens means that Roma have not only duties but also rights and aspirations like everybody else, and therefore their citizenship and human rights must be recognized. In addition, Roma culture is fully part of Europe's cultural heritage: it has always contributed to the enrichment of European societies. It is now time to recognize this contribution.

A better life is everyone's right!



When and where ?

The Dosta campaign started as part of a wider Council of Europe/European Commission Joint Programme "Equal Rights and Treatment for Roma in South Eastern Europe" and has been implemented in Albania, Bosnia and Herzegovina, Montenegro, the Republic of Serbia, and "the former Yugoslav Republic of Macedonia", during 2006 and 2007. Launched as a regional campaign, "Dosta!" raised the interest of other Council of Europe Member States. Consequently, in 2008, the Council of Europe/European Commission anti-gypsyism campaign is adapted and launched in Ukraine and Moldova, as well as opened to partnerships in other Council of Europe member States. Although European countries have different policies towards the Roma, different cultural patterns and social standards, the messages "Dosta!" wants to convey are the same for all European countries.

We are all different, but it doesn't make a difference!

Dosta! main activities

- Interactive and multi-language Internet site
- Radio and TV spots
- Poster and Photo Competition for combating anti-Roma stereotypes
- School competition
- Training for media professionals on Roma culture and ethical reporting
- Training for Roma school assistants and teachers
- Training of Roma socio-sanitary and anti-trafficking mediators
- Festival Art and Youth against discrimination

APPENDIX E

Europe against the death penalty

For the past 30 years the Council of Europe has worked to outlaw the death penalty in Europe. In the last ten years no executions have taken place in any of our 47 member countries*. The death penalty has been legally abolished in most of these countries but we still need to consolidate abolition in Europe and achieve abolition worldwide.

The right to life and the prohibition of torture, degrading and inhuman treatment lies at the heart of the European Convention of Human Rights. This Convention, drawn up by the Council of Europe and adopted in 1950, lays out the fundamental principles that guarantee human rights for the 800 million inhabitants of our 47 member states. A ban on the death penalty in peacetime is provided by Protocol N° 6 of the Convention – and so far all countries but one have signed and ratified it. Protocol N° 13 extends that ban to all circumstances – including times of war. This protocol still needs to be ratified by eight member states.

The death penalty is a very emotive issue. It touches some of our deepest instincts, including ideas of revenge, honour, hatred, and fear. When we hear of a particularly vicious crime or are close to the victim of a brutal act, we naturally have intense reactions, which could include wanting to see the perpetrator put to death. Many people across the continent still feel that the death penalty would be an acceptable response to particularly barbarous acts, and there are of course some countries in the world where the death penalty still exists.

Such legally sanctioned killing is as inhumane as the acts it seeks to redress. Victims of crime need support and justice, but there are many reasons why the death penalty is not consistent with justice and other key values of our societies. We should work to keep Europe a death penalty free zone.

*List of member states:
Albania, Andorra, Armenia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Monaco, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, "The former Yugoslav Republic of Macedonia", Turkey, Ukraine, United Kingdom.



Further information
www.coe.int/death_penalty

Council of Europe
F-67075 Strasbourg Cedex

Europe against the death penalty



Death is not justice



www.coe.int



The death penalty is not a deterrent against crime

Death is not justice

Information from countries that have abolished the death penalty continually proves that there is no link between the death penalty and crime rates. A major UN study, updated in 1996, concluded that there is no proof that executions have a greater deterrent effect than life imprisonment. Findings from the USA, where the use of the death penalty differs from state to state reveal that this punishment does not prevent crime. According to the American Civil Liberties Union, states that have death penalty laws do not have lower crime or murder rates than states without such laws.

The justice system can and does make mistakes

The risk of making an irreparable mistake and executing an innocent person is very real – and this occurs more often than people may realise. In the USA, since 1976, more than 113 people have been released from death row after having been found to be innocent. As well as miscarriages of justice, innocent people can be executed on purpose – the death penalty is a notorious means of silencing political opponents in some countries. Such victims are commonly sentenced to death after unfair trials.

Murderers should not be transformed into martyrs

The death penalty can also bestow martyrdom on some individuals, and can give credence to political or pseudo-religious causes that uphold violence and death as part of their methods. Despite the need to appropriately punish one of the world's worst criminals, the hanging of Saddam Hussein has not brought justice or reconciliation to Iraq. Rather it put the inhumanity and brutality of his punishment at the top of the international media agenda.

Human rights apply to everyone

It might seem paradoxical that someone who has raped and murdered has the right to live when their victims have suffered so cruelly. Yet killing by the State – which is in effect what the death penalty is – does not defend the victim's rights either. Killing the criminal is simply another crime – and it cannot right a past wrong or ease any of the pain the victim experienced. It does not restore a victim to life – but rather extends a cycle of violence and brutality. Human rights abuses should not be met with another human rights abuse.

Abolishing the death penalty does not mean being soft on crime – people who commit terrible crimes should be punished severely and learn that their behaviour is unacceptable.

What can I do to support the continuing abolition of the death penalty?

Unfortunately, the abolition of the death penalty is still unfinished business. Many Europeans are still in favour of the death penalty, and there is a continuing need to explain why it is wrong, why it has been abolished, and why it should remain abolished. Your support is essential for this. You can also support policies and measures to persuade other countries beyond Europe such as the USA and Japan to abolish the death penalty. We have to encourage them again and again to follow the example of European and many other countries by saying yes to justice and no to cruelty, torture and death.


APPENDIX F

Photo Exhibition¹



F.1

¹ It is available at:
<http://www.coe.int/t/DC/CAMPAIGN/STOPVIOLENCE/EXPO/> (Last accessed: November 2011).

Stop à la violence domestique faite aux femmes  **Stop domestic violence against women**

Nous avons tous un rôle à jouer pour arrêter la violence et aider les victimes, en tant que membres de la société civile ou enseignants, travailleurs sociaux et professionnels de la santé. Mais le fait reste que la violence contre les femmes est une violation des droits de la personne humaine. Les États membres du Conseil de l'Europe n'ont pas d'alternative – ils doivent agir efficacement et ils doivent agir maintenant.

We all have a role to play in stopping the violence and helping the victims, from civil society to teachers, and from social workers to medical staff, but the fact remains that violence against women is a violation of human rights. The Member States of the Council of Europe do not have an option - they must act effectively and they must act now.

Terry Davis
Secrétaire Général du Conseil de l'Europe
Secretary General of the Council of Europe

Panel 1

Stop à la violence domestique faite aux femmes  **Stop domestic violence against women**

Accepter qu'on brutalise les femmes et les filles, que ce soit explicitement ou tacitement, crée une culture de l'impunité qui ne fait que perpétuer la violence. Si nous ne nous opposons pas à de tels actes, nous contribuons à cette culture de l'impunité où justice n'est pas rendue et où l'inégalité entre les sexes s'enracine de plus en plus profondément. La violence domestique n'est pas une « affaire de femmes » : elle est l'affaire de nous tous. Il faut briser le mur de silence. Faisons-le ensemble.

To accept, either explicitly or implicitly, that women and young girls will be beaten up is to create a culture of impunity which does nothing but propagate violence. If we do not object to such acts, we contribute to this culture of impunity, in which justice is never done and inequality between the sexes becomes ever deeply rooted. Domestic violence is not a 'women's affair', it is everyone's affair. The wall of silence has to be broken. Let's do it together!

Maud de Boer-Buquicchio
Secrétaire Générale Adjointe du Conseil de l'Europe
Deputy Secretary General of the Council of Europe

Panel 2



Sous le slogan « Les parlements unis pour combattre la violence domestique contre les femmes », l'Assemblée parlementaire organise la dimension parlementaire de la campagne du Conseil de l'Europe. Les parlements nationaux participent activement à la lutte contre la violence domestique, notamment en prenant une position politique ferme contre la violence domestique faite aux femmes, en adoptant des mesures législatives et budgétaires appropriées et en travaillant au sein d'un réseau parlementaire européen.

Under the slogan « Parliaments united in combating domestic violence against women », the Parliamentary Assembly is organising the parliamentary dimension of the Council of Europe campaign. National parliaments are actively contributing to the fight against domestic violence, in particular by taking a firm political stance on domestic violence against women, adopting relevant legislative and budgetary measures and working within a European parliamentary network.

Les coordonnateurs régionaux du volet parlementaire de la Campagne, désignés par les parlementaires de référence le 19 octobre 2006, expriment dans cette exposition l'engagement des parlementaires européens pour lutter contre cette violation des droits de la personne humaine.


In this exhibition, regional co-ordinators working on the parliamentary dimension of the Campaign, appointed by the contact parliamentarians on 19 October 2006, express the commitment of European parliamentarians to combat this violation of human rights.

« Que nous soyons élus au niveau national, régional ou local, ou simples citoyens, nous sommes tous et toutes concernés par ce problème. Il relève de notre responsabilité individuelle et collective de briser le silence et d'agir, au nom des valeurs défendues par le Conseil de l'Europe ».

"Whether we are nationally, regionally or locally elected representatives or ordinary citizens, this problem concerns us all. It is our individual and collective responsibility to break the silence and act on behalf of the values defended by the Council of Europe."

René van der Linden
Président de l'Assemblée parlementaire
President of the Parliamentary Assembly

Panel 3



Le Congrès des pouvoirs locaux et régionaux organise la dimension territoriale de la campagne du Conseil de l'Europe « Stop à la violence domestique faite aux femmes » par la mobilisation des élus et des administrations territoriales, la sensibilisation des municipalités afin qu'elles fournissent des services adaptés aux besoins des victimes, l'organisation de campagnes d'affichages dans les villes et régions d'Europe, et le partage d'expériences entre les collectivités.

The Congress of local and regional authorities is responsible for the local and regional dimension of the Council of Europe Campaign "Stop domestic violence against women" aimed at mobilising local and regional elected representatives and administrations, raising awareness of municipalities so that they provide services adapted to the needs of victims, organising poster campaigns in European cities and regions and sharing experiences between authorities.

« Nous devons briser le silence autour de la violence domestique car ce silence est en lui-même une autre forme de violence. »

"We must break the silence that surrounds domestic violence for this silence is, in itself, another form of violence"

Halvdan Skard
Président du Congrès
Congress President

Panel 4

**Stop à la violence
domestique
faite aux femmes**



COUNCIL OF EUROPE

**Stop domestic
violence
against women**

**Briser le silence autour
de la violence domestique**

Des milliers de femmes sont quotidiennement confrontées à des actes de violence physique, sexuelle ou psychologique, à tous les niveaux de la société, dans les 46 Etats membres du Conseil de l'Europe.

Protéger les droits de la personne humaine est la raison d'être du Conseil de l'Europe. La violence domestique faite aux femmes sape les valeurs fondamentales sur lesquelles repose l'Organisation.

« Tout commence par des cris et ne doit jamais finir dans un grand silence ». Combattre la violence domestique à l'égard des femmes nous concerne tous et toutes, et il nous appartient de briser ce silence.

Dans cette exposition, Sandro Weltin, photographe, met en lumière différents regards : celui de parlementaires, d'élus locaux et régionaux, de représentants d'organisations non gouvernementales, d'acteurs de terrain, et surtout de victimes elles-mêmes, qui restent au cœur de cette démarche citoyenne.

La photographie rend visible l'invisible : violence cachée dans l'intimité des foyers et douleur intériorisée. A travers ces témoignages bouleversants, les victimes, par leur courage, nous font prendre conscience de la banalité de cette violence qui s'exerce presque sous nos yeux.

**Break the silence
on domestic violence**

Thousands of women suffer acts of physical, sexual or psychological violence on a daily basis and at all levels of society throughout the 46 member states of the Council of Europe.

The Council of Europe exists to protect the rights of human beings. Domestic violence against women undermines the fundamental values on which the Organisation is built.

« It starts with screams and must never end in silence ». Preventing domestic violence against women concerns us all, and we must break the silence.

In this exhibition, the photographer Sandro Weltin sheds light on the different faces: the parliamentarians, the local and regional deputies, representatives of non-governmental organisations, those active in the field, and above all the victims themselves, who are the heart of this citizens' initiative.

These photographs expose that which is normally invisible: violence hidden away in the privacy of homes and internalised suffering. Through the trauma of their testimonies and by their courage, the victims show us that this violence is commonplace and happening almost before our very eyes.

www.coe.int/stopviolence

Panel 5



Chris Green

*Manager de la Campagne des Rubans blancs (Royaume-Uni)
Manager of the White Ribbon Campaign (United Kingdom)*

"Le ruban blanc est le symbole des hommes qui s'engagent contre la violence faite aux femmes. Nous travaillons à créer un monde d'égalité des sexes, un monde libéré de la violence à l'égard des femmes."

"The white ribbon is the symbol of men involved in combating violence against women. We are working to create a world of gender equality and freedom from all violence against women."

Panel 32



Dr Annie Géraut

Médecin, consultation de médecine légale des Hôpitaux Universitaires de Strasbourg Doctor, forensic
Doctor, forensic consultant at the University Hospitals of Strasbourg

"L'accueil personnalisé et attentif d'une victime d'agression est primordial. Il s'agit avant tout d'un être humain et non « d'une agression ». Il est fondamental que ces femmes consultent au plus vite, sans honte."

"It is vital that a victim of violence receives personalised, close attention. The focus must be on the human being and not on «the attack». It is essential that these women speak to someone as quickly as possible, without feeling ashamed."

Panel 34



Marie-Claude Jolly

Responsable du Centre de traitement des violences intrafamiliales, Strasbourg
Head of Domestic Violence Treatment Centre, Strasbourg

"Beaucoup de femmes qui viennent nous voir culpabilisent pensant être responsables de leurs malheurs. Nous leur expliquons que c'est faux et que ce sont bien elles les victimes. Elles doivent savoir que nous ne sommes pas là pour les juger mais pour les aider."

"A lot of women who come to us feel guilty. They think they are to blame for their misfortunes. We explain that they are wrong: they are victims. They must understand that we are not there to judge them but to help them."

Panel 35

APPENDIX G

Council of Europe
Action against Trafficking
in Human Beings



*not for sale
pas à vendre*



*not for sale
pas à vendre*

www.coe.int/trafficking



“Trafficking in Human Beings constitutes a violation of human rights and an offence to the dignity and the integrity of the human being and may result in slavery for victims.”

Extract: Preamble to the Council of Europe Convention on Action against Trafficking in Human Beings



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pas à vendre*
Council of Europe
Action against Trafficking
in Human Beings

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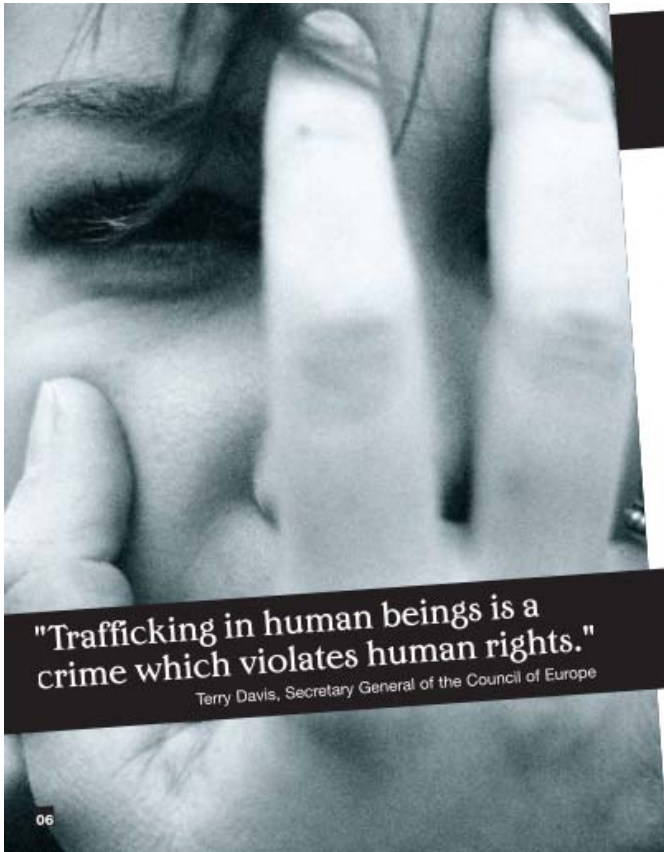
"A new form
of Slavery"

The scope of the problem

Trafficking in human beings is a major problem in Europe. Every year an increasing number of people fall victim to trafficking, mainly for sexual exploitation (43%), but many as underpaid or illegal labour in farms, sweatshops and private households (32%). The International Labour Organization (ILO) estimates the numbers at over 2.45 million, most of them women and children.

Such trafficking, with the entrapment of its victims, is the modern form of the old slave trade. It treats human beings as a commodity to be bought and sold, to be put to forced labour, usually in the sex industry, but also, for example, in agriculture and declared or undeclared sweatshops, to be paid a pittance or nothing at all. Most of the identified victims of trafficking are women, but sometimes men are also victims of trafficking in human beings. Furthermore, many of the victims are young, sometimes children. All are desperate to make a meagre living, only to have their lives ruined by exploitation and extortion.

The Council of Europe's primary concern is to safeguard and protect human rights and extend them to all its 800 million citizens, regardless of gender, race, origin, colour or creed. Trafficking in human beings undermines these fundamental values and the Council is committed to fight it. Furthermore, as a pan-European organisation it is ideally placed to combat all aspects of human trafficking and to protect its victims - many of its 46 member states are among victims' countries of origin, transit and destination.



"Trafficking in human beings is a crime which violates human rights."

Terry Davis, Secretary General of the Council of Europe

06

Action undertaken by the Council of Europe in the fight against trafficking

Since the late 1980s, the Council of Europe has been active in the fight against trafficking in human beings. Trafficking impinges on a number of questions with which the Council of Europe is concerned, such as sexual exploitation of women and children, protection of women against violence, organised crime and migration. The Council of Europe has taken various initiatives in this field: among other things, it has produced legal instruments, devised strategies, conducted research, engaged in legal and technical co-operation and carried out monitoring.

The main texts adopted by the Council of Europe concerning trafficking in human beings are:

- Recommendation (2000) 11 of the Committee of Ministers to Member States on action against trafficking in human beings for the purpose of sexual exploitation;
- Recommendation (2001) 16 of the Committee of Ministers to Member States on the protection of children against sexual exploitation.

The Council of Europe considered it necessary to draft a legally binding instrument which goes beyond recommendations and specific actions. On 3 May 2005, the Committee of Ministers adopted the *Council of Europe Convention on Action against Trafficking in Human Beings*. The Convention was opened for signature in Warsaw on 16 May 2005, on the occasion of the 3rd Summit of Heads of State and Government of the Council of Europe member states. They underlined that this new Convention is a major step forward in the fight against trafficking.

07



International initiatives

A worldwide phenomenon, trafficking in human beings can be national or transnational. Often linked to organised crime, for which it now represents one of the most lucrative activities, trafficking has to be fought in Europe just as vigorously as drug and money laundering. Indeed, according to some estimates, trafficking in human beings is the third largest illicit money-making venture in the world after trafficking of weapons and drugs.

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol) supplementing the United Nations Convention against transnational organised crime laid the foundation for international action on trafficking. The Council of Europe Convention, while taking the Palermo Protocol as a starting point and taking into account other international legal instruments relevant to combating trafficking in human beings, seeks to strengthen the protection afforded by those instruments and to raise the standards which they lay down.

Rising concern about trafficking in human beings has also prompted international agencies such as Interpol, the International Labour Organization (ILO), the International Organization for Migration and the Organization for Security and Co-operation in Europe (OSCE) to take action, and many non-governmental organisations are working to help victims.

The European Union Council Framework Decision of 19 July 2002 on combating trafficking in human beings and the EU Directive of 29 April 2004 on the residence permit issued to third-country nationals who are victims of trafficking in human beings or to third-country nationals who have been the subject of an action to facilitate illegal migration who co-operate with the competent authorities regulate some of the questions concerning trafficking in human beings.

08

Why a new Convention?

The Council of Europe is ideally placed to combat all aspects of human trafficking enabling countries of origin, transit and destination to agree on a common, binding policy. Existing international texts are either not sufficiently binding or take into account just 'one aspect' of the problem.

The added value provided by the Council of Europe Convention lies firstly in the affirmation that trafficking in human beings is a violation of human rights and integrity, and that greater protection is therefore needed for all of its victims. Secondly, the Convention's scope takes in all forms of trafficking. Thirdly, the Convention sets up monitoring machinery to ensure that States implement its provisions effectively.

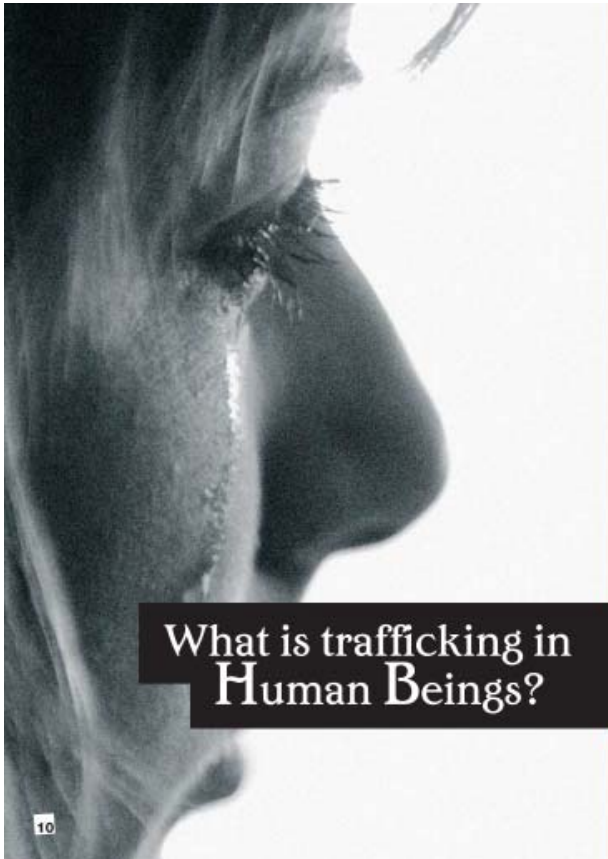
The Convention is a comprehensive treaty which aims to:

- Prevent trafficking
- Protect the human rights of victims of trafficking
- Prosecute traffickers

The Convention applies to:

- All forms of trafficking: whether national or transnational, whether or not related to organised crime
- All victims: women, men or children
- All forms of exploitation: sexual exploitation, forced labour or services, slavery or similar practices, servitude and the removal of organs

09



What is trafficking in Human Beings?

Definition of trafficking in Human Beings

The Council of Europe Convention defines trafficking in human beings as:

- **The action of:** "the recruitment, transportation, harbouring or receipt of persons".
- **By means of:** "the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person".
- **For the purpose of exploitation:** "Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs".
- **A victim is defined as any person who is subject to trafficking by any of the means specified in the Convention. The consent of a victim to the exploitation is irrelevant where any of the means set forth by the definition (coercion, fraud, deception...) have been used.**



Prevention of trafficking in human beings

Trafficking in human beings takes many forms, cuts across various fields and has implications for many branches of society. To be effective, and given the nature of the phenomenon, preventive action against trafficking must be co-ordinated. Measures should therefore be taken to establish or strengthen co-ordination nationally between the different bodies responsible for preventing and combating trafficking in human beings.

Information, awareness-raising and education campaigns for persons vulnerable to trafficking and actions aimed at discouraging "consumers" are among the main measures to prevent trafficking in human beings. Border control and measures to ensure the validity of travel or identity documents are also among the measures necessary to prevent trafficking in human beings.

Civil society has an important role to play as regards prevention of trafficking and protection of the victims. Consequently, the Council of Europe Convention encourages the co-operation between public authorities, non-governmental organisations and members of civil society.



Protection of the human rights of victims of trafficking in human beings

Identification
The Council of Europe Convention emphasises that victims of trafficking must be recognised as such to avoid police and public authorities treating them as illegal migrants or criminals. Failure to identify a trafficking victim correctly could mean that a victim is denied his or her fundamental rights. During the identification process the person cannot be removed from the territory.

There are special provisions for child victims (minors under 18) who are particularly vulnerable. They need special representation and the necessary steps should be taken to establish the child's identity and nationality. Every effort should be made to locate the child's family when that is in the child's best interest.

Protection of private life
The protection of victims' private life and identity is essential both for victims' physical safety, given the danger from their traffickers, but also to preserve their chances of social reintegration.

Assistance to victims

Victims of trafficking will be granted physical and psychological assistance and support for their reintegration into society. Medical treatment, counselling and information as well as appropriate accommodation and information are all among the measures provided. Victims should also receive compensation for damage suffered.

Recovery and reflection period and residence permit

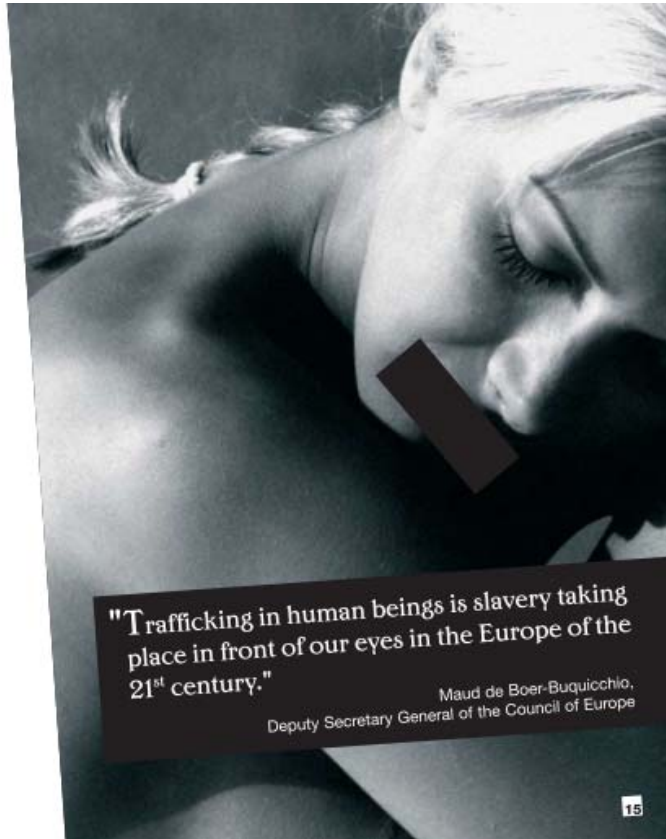
Victims are entitled to a minimum of 30 days to recover and escape from the influence of the traffickers and to consider co-operating with the authorities. A renewable residence permit may be granted if their personal situation so requires or if they need to stay in order to co-operate in a criminal investigation.

Repatriation

A State from where a victim of trafficking is a national or where he/she had the right to permanent residence has to accept the return of such a person, with due regard to his/her rights, safety and dignity. When a State returns a person to another State, it will have to do so with due regard for the rights, safety and dignity of the person.

Repatriation programmes should be established in co-operation with NGOs aimed at avoiding re-victimisation.

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"Trafficking in human beings is slavery taking place in front of our eyes in the Europe of the 21st century."

Maud de Boer-Buquicchio,
Deputy Secretary General of the Council of Europe

15



Prosecuting the traffickers and their accomplices

According to the Council of Europe Convention trafficking will be considered as a criminal offence. Therefore traffickers and their accomplices will be prosecuted. The Convention also provides for the possibility to criminalise those who use the services of victims of trafficking in human beings.

The Convention makes it a criminal offence to produce, procure or provide a fraudulent travel or ID document or to damage, retain, remove, conceal or destroy another person's ID document – usually the trafficker's first move and strongest hold over the victim.

Under the terms of the Convention, commercial companies, associations and similar legal entities are liable for criminal actions performed on their behalf by anyone in a leading position in them. Establishments used for trafficking must be closed, the proceeds confiscated and the perpetrators, corporate or individual, must compensate the victim.

The Convention enables authorities to prosecute traffickers and their accomplices without the necessity of a complaint from the victim. The aim is to avoid traffickers subjecting victims to pressure and threats in attempts to deter them from complaining to the authorities.

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The following circumstances are regarded as aggravating circumstances in the determination of the penalty for the offence of trafficking: the offence deliberately or by gross negligence endangered the life of the victim; the offence was committed against a child; the offence was committed by a public official in the performance of her/his duties; the offence was committed within the framework of a criminal organisation.

The Convention contains a non-punishment provision which enables States not to impose penalties on victims for their involvement in unlawful activities, to the extent that they have been compelled to do so.

Monitoring mechanism

The effectiveness of all treaties is measured by the effectiveness of its monitoring mechanism. The monitoring system established by the Council of Europe Convention, which is undoubtedly one of its main strengths, has two pillars:

- **GRETA**, a group of independent experts on action against trafficking in human beings, which will monitor implementation of the Convention. Their task is to draw up reports evaluating the measures taken by the States. Those States which do not fully respect the measures contained in the Convention will be required to step up their action.
- **The Committee of the Parties**, composed of representatives of the States in which the Convention has entered into force, which may, on the basis of the reports and conclusions of GRETA, adopt recommendations addressed to a State.

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Council of Europe Convention on Action against Trafficking in Human Beings

Aims to:

- > Prevent trafficking
- > Protect the human rights of victims
- > Prosecute the traffickers

It applies to:

- > All forms of trafficking, national or transnational, and whether or not related to organised crime
- > All victims - men, women or children
- > All types of exploitation - sexual, forced labour or services, slavery or similar practices, servitude or the removal of organs

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The Council of Europe's 47 member states





Albania, Andorra, Armenia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Monaco, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, "the former Yugoslav Republic of Macedonia", Turkey, Ukraine, United Kingdom.

Edited by the Directorate of Communication - Public Relations Service, in co-operation with the Directorate General of Human Rights - Equality Division.

Graphic design: The Big Family - Photo Credits: Council of Europe p.10, p.12, p.13 and Photo Alto p.4, p.5, p.8, p.12, p.15, p.16
June 2007

APPENDIX H

BUILDING A EUROPE FOR AND WITH CHILDREN



About the Council of Europe


The Council of Europe has 47 member states, covering virtually the entire continent of Europe. It seeks to develop common democratic and legal principles based on the European Convention on Human Rights and other reference texts on the protection of individuals, including children. Through the launching of its programme "Building a Europe for and with children", the Council of Europe seeks to ensure respect for children's rights and the eradication of all forms of violence against children.

Building a Europe for and with children
Council of Europe
F-67075 Strasbourg Cedex
www.coe.int/children
children@coe.int

Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse

Sexual exploitation and sexual abuse are amongst the worst forms of violence against children. According to Unicef, approximately 2 million children are used in the "sex industry" each year. There are more than 1 million images of 10-20 000 sexually abused children posted on the Internet. Few of these children have been identified. Most are anonymous, abandoned and probably still being abused.

There are no statistics on the extent of child sexual abuse in Europe, but it is well known that there is a large discrepancy between the number of reported cases and actual cases. The data we do have show that in Europe most sexual abuse against children is committed in the family, by persons close to the child or in the child's social environment. Protecting children from violence, especially sexual violence, has been a long-standing priority at the Council of Europe.



What is the purpose of the convention?

The new Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse is a major step forward in the prevention of sexual offences against children, the prosecution of perpetrators and the protection of child victims. Protecting children is at the heart of this convention. It focuses throughout on respect for children's rights, ensuring their well-being, responding to their views, needs and concerns, and acting at all times in their best interests.



What does the convention require states to do?

Preventive measures

- ▶ screen, recruit and train persons working in contact with children;
- ▶ ensure that children are made aware of the risks of sexual exploitation and sexual abuse and of how to protect themselves;
- ▶ ensure regularly monitored intervention measures for both offenders and potential offenders, aimed at preventing sexual offences against children.

Protective measures

- ▶ establish programmes to support victims and their families. Set up therapeutic assistance and emergency psychological care;
- ▶ encourage the reporting of suspicion of sexual exploitation or sexual abuse;
- ▶ set up telephone and internet helplines to provide advice.

Criminal law measures

- ▶ ensure that certain types of conduct are criminal offences, such as engaging in sexual activities with a child below the legal age for such activities;
- ▶ criminalise conduct which makes use of new technologies, in particular the Internet, to sexually harm children, for example grooming (soliciting children for sexual purposes);
- ▶ establish common clear criteria to ensure that an effective, proportionate and dissuasive punitive system is put in place;
- ▶ collect and store data on convicted offenders of sexual offences against children.

Child-friendly investigative and judicial procedures

- ▶ ensure that child victims are well protected during proceedings, and that the trauma experienced is not aggravated;
- ▶ protect the privacy, identity and image of child victims;
- ▶ establish measures adapted to the needs of child victims, respecting the rights of children and their families;
- ▶ limit the number of interviews with child victims; ensure they take place in reassuring surroundings, with professionals trained for the purpose.

Monitoring

- ▶ set up a specific monitoring mechanism to ensure the implementation of the convention. This ensures states' compliance with the convention and is a guarantee of its long-term effectiveness.

Which offences are covered?

The convention describes behaviour constituting sexual exploitation and sexual abuse in Articles 18 to 23.

This is the first time that an international treaty has identified and criminalised the offence of sexual abuse. Research has shown that sexual abuse of children from those that they know and associate with is one of the most psychologically damaging forms of child sexual violence, with long-lasting consequences for the victim. The convention criminalises cases where an adult has sexual relations with a child, particularly when use is made of force or threats.

The convention also criminalises:

▶ offences concerning child prostitution:

The demand for child prostitutes has increased markedly, and is often linked to organized crime and trafficking. The convention establishes links between demand and supply of child prostitutes by requiring criminal sanctions for both the "recruiters" and the "users".

▶ offences concerning child pornography:

The production, offering, distribution, possession and online viewing of child pornography are criminalised in the convention.

▶ the solicitation of children for sexual purposes (grooming):

Grooming has been included in an international treaty for the first time, reflecting the increasingly worrying phenomenon of children being sexually harmed when meeting up with adults initially encountered on cyberspace, specifically in Internet chat rooms or game sites. The term "grooming" refers to the preparation of a child for sexual abuse, motivated by the desire to use the child for sexual gratification.



Who can be punished?

Anyone who commits any of the offences established in the convention can be prosecuted. In relation to the most serious offences, even where the act is committed abroad in a state where the same conduct is not criminalised, the perpetrator can be prosecuted on return to his/her country of nationality. This is intended to combat the phenomenon of child sex tourism.



APPENDIX I

What if these rights are not respected?

The exercise of certain rights may be restricted for valid reasons, for example to protect you from significant danger or to take account of your maturity or age. Some rights, such as those to life, education, health and protection against violence or exploitation, may never be restricted, even by parents or teachers. If you think your rights have been violated, you may:

- speak to trusted persons, such as your parents, teachers, doctors, friends, social workers or the persons who look after you;
- call a special telephone number for child victims of violence to speak to a person who will be able to advise you;
- go to the police, make a complaint and ask the state for protection;
- contact a children's ombudsman or a voluntary association that defends children's rights;
- in certain circumstances you can even take your case to the European Court of Human Rights.





BUILDING A EUROPE FOR AND WITH CHILDREN






The Council of Europe

The Council of Europe is an international organisation founded in 1949 which now has 47 member states. Its task is to promote human rights, democracy and the rule of law. It establishes common democratic principles based on the European Convention on Human Rights and other conventions and recommendations on the protection of persons, which of course includes Europe's 150 million children.

The programme "Building a Europe for and with children" is governed with promoting children's rights and protecting them from violence. The team in charge of the programme deals with such matters as violence in the home and at school, human rights education, children and the internet and children and the justice system. You can visit our site for more information on our seminars, meetings and publications, and our online game "Wild Web Woods".

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I have rights, you have rights, he/she has rights ...

An introduction to children's rights

Everyone has rights. Moreover, as a boy or girl aged under 18 you have certain specific rights. A list of these rights, as well as steps governments must take to help you exercise them, is set out in the 1989 United Nations Convention on the Rights of the Child.



Your survival, your protection and your development

- You are entitled to have your interests protected in all decisions that concern you and not to be discriminated against, for example because of your religion, opinions, beliefs or sex.
- You have the right to life and to a balanced and healthy physical, mental, spiritual, moral and social development.
- You are entitled to have basic needs such as food, clothing, housing and health looked after.
- You have the right to protection against all forms of exploitation, abuse and physical and psychological violence, including what happens in the family and at establishments that look after children.
- You are entitled to a high standard of education to ensure the fullest possible development of your personality, talents and abilities. Your education must teach you to respect the rights and freedoms of others and prepare you for a responsible life in a free society in the spirit of understanding, peace, tolerance, equality and friendship among all peoples.
- You are entitled to a wide range of objective information.
- If you have a mental or physical disability, you have a right to lead a life of dignity, so that you can integrate into society, develop your personality and enjoy maximum autonomy.
- You have a right to rest, leisure, play and recreational, artistic and cultural activities in an environment which is age appropriate and respects your rights.



Your identity, your private life and your family

- You have the right to a name, a nationality and the protection of your identity. If you belong to an ethnic, religious or linguistic minority, you may not be deprived of your right to lead your own cultural life, to practice your religion or to use the language of your group.
- You are entitled to protection of your privacy. No one may interfere unlawfully in your private life or that of your family. Your home, your correspondence, your honour and your reputation are protected by law.
- Your parents have joint responsibility for your upbringing and development. They have the right and the duty to offer you guidance in how you should exercise your rights and respect your obligations.
- You have a right to know who your parents are and to be brought up by them, unless this is not in your interests.
- You have a right to know where your parents are and to enter another country to join them. Your parents have the same right towards you.
- In the event of separation, you are entitled to be consulted on all decisions concerning your relations with your parents. If you are separated from your parents, or two or all of them, you have the right to see them regularly, unless this is not in your interests.
- Adoption may only be authorized if it is in your interests.



You and the state

- The state must do whatever is necessary to enable you to exercise your established rights and freedoms.
- The state must protect you and ensure your well-being. It must help your parents or the persons who care for you by establishing institutions and services to look after your interests and your well-being.
- If you cannot live with your family, the state must protect and help you. It must find a solution that takes account of your past and your culture, and you will be entitled to have your situation regularly reviewed.
- The state must take measures to protect you from the dangers connected to child labour.
- If you have suffered violence, the state must help you and assist your return to a normal way of life.
- You are entitled to justice. The state must ensure that the justice system is adapted to your specific rights and needs.
- You may not be subjected to torture or cruel or degrading punishment.
- You may not be executed or imprisoned for life.
- You may not be arrested unlawfully. Detention must be the last possible option. It must be as short as possible and take account of your needs and your age. In detention, you must be separated from adult detainees, be prisoners and other detainees in exceptional circumstances in your own interests, you will have the right to remain in contact with your family.
- In wartime, the state must protect and care for you. If you are under 15 you may not be recruited into any armed forces.

International conventions are contracts between states. These contracts lay down rules that must be obeyed, but they also encourage states to take measures that are still more favourable to children. If the law of your country is more favourable to you than a convention, it is the national law that must be applied.

International organisations and you

States have established numerous international organisations. Some, like the United Nations and the Council of Europe, were set up to protect human rights, prevent conflicts and develop faster and more prosperous and democratic societies. Many of these organisations are protected by international conventions, which then take steps to ensure that states respect the rights that they lay down.

The Committee on the Rights of the Child monitors the application of the United Nations Convention on the Rights of the Child. You can consult the committee's recommendations concerning your country. Children can also bring cases before the European Court of Human Rights. For instance, the Court has found that a country violated the Convention because it did not protect children against corporal punishment in prison, school and the home. Another country was found not to have looked after a girl who was travelling alone.





Policy to support positive parenting

All parents want to be a good mother or a good father to their children. Yet parenting, besides being a joyous and rewarding experience, can also be a stressful one. Most parents have found themselves in situations where they would have welcomed help, not only in overcoming stress and controlling anger, but also in making everyday decisions. Other parents need specific attention because they are raising their children in difficult social, economic or personal circumstances. It is a challenging responsibility to raise children and create the conditions necessary for them to develop their potential to the fullest.

While parenting is in many respects private, it is also a legitimate domain of public policy. Public authorities should create structures and services that enable parents to learn and practise good parenting skills. This would be a major step towards laying the groundwork for genuinely positive parenting.

The Council of Europe has always been a forerunner in furthering understanding of childhood and family life experiences. Based on its wide experience and fully acknowledging that there are many different ways to raise children, it has drawn up a set of general principles that underlie the concept of positive parenting as well as guidelines on how policy makers can support it. The reference document for the Council of Europe's work in this area is Committee of Ministers Recommendation (2006) 19 on policy to support positive parenting.

What does positive parenting actually mean?



Children's rights make families grow.

Positive parenting refers to parental behaviour that respects children's best interests and their rights, as set forth in the United Nations Convention on the Rights of the Child – a convention which also takes into account parents' needs and resources. The positive parent nurtures, empowers, guides and recognises children as individuals in their own right. Positive parenting is not permissive parenting; it sets the boundaries that children need to help them develop their potential to the fullest. Positive parenting respects children's rights and raises children in a non-violent environment.

The concept of positive parenting is based on the following basic principles.

Parents should provide their children with:

- *Nurture* – responding to a child's need for love, warmth and security;
- *Structure and guidance* – providing a child with a sense of security, a predictable routine and necessary boundaries;
- *Recognition* – listening to children and valuing them as persons in their own right;
- *Empowerment* – enhancing a child's sense of competence and personal control;
- *A non-violent upbringing* – excluding all corporal or psychologically demeaning punishment. Corporal punishment is a violation of children's right to respect for physical integrity and human dignity.

In short, children do best when their parents:

- are warm and supportive;
- spend quality time with them;
- try to understand their life experiences and behaviour;
- explain the rules they are expected to follow;
- praise good behaviour;
- react to misbehaviour with explanation and, if needed, non-violent punishment such as "time-out", repairing damage, less pocket money and so forth, rather than with harsh punishment.

Learn more:

- Parenting in contemporary Europe: a positive approach, Council of Europe Publishing, 2007;
- Eliminating corporal punishment – A human rights imperative for Europe's children, Council of Europe Publishing, 2008;
- Views on positive parenting and non-violent upbringing, Council of Europe Publishing, 2007.

How can states support positive parenting?

Through family policy measures which:

- secure appropriate living standards for families with children;
- prevent child poverty and social exclusion of families with children;
- enable parents to reconcile family and professional life;
- provide high quality care services for all children.



Parents need help in overcoming stress.



Positive parenting means balancing family and professional life.

Through services to support parents such as:

- local centres and services dispensing information, counselling and training on parenting;
- spaces where parents can go to exchange experiences and learn from one another, and play with their children;
- educational programmes for parents, during pregnancy and other stages of the child's development;
- help lines for both parents and children in a crisis situation;
- programmes to support children's education, prevent school drop outs and promote co-operation between schools and parents;
- services targeting populations at risk such as migrant families, parents and children with disabilities, teenage parents or parents in difficult social and economic circumstances.

Through mainstreaming children's rights in policymaking:

- incorporating children's rights into all policies that will affect their lives;
- creating possibilities for children to make their opinions heard and participate in political decision making on matters concerning them;
- establishing and supporting institutions to safeguard children's rights, such as children's ombudspersons.



Children's rights concern us all.



Children need guidance to develop their potential to the fullest.

Through awareness raising:

- ensuring comprehensive awareness of positive parenting among parents;
- encouraging, in particular, fathers to assume their share of responsibilities in caring for and rearing their children;
- ensuring that all professionals working with children (teachers, caregivers, educators, childminders, etc.) are provided with guidelines and training on how to practise and support positive parenting.



Positive parenting can be learned.

Council of Europe legal instruments related to family policy and children's rights

The importance that the Council of Europe attaches to families and children is reflected in its wide range of legal instruments.

Council of Europe conventions

- The *European Convention on Human Rights* and the respective case law of the European Court of Human Rights guarantee to everyone the right to respect for private and family life.
- The *European Social Charter* and the revised *European Social Charter*, while fully respecting the autonomy of the private sphere, describe the family as a fundamental unit of society, with the right to appropriate social, legal and economic protection.
- The *European Convention on the Exercise of Children's Rights* allows children to exercise their rights in family proceedings before a judicial authority.
- The *European Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse* is the first international treaty that identifies and criminalises sexual abuse of children.
- The revised *European Convention on Adoption of Children* is guided by the principle of the best interests of the child and aims to make national adoption procedures more transparent, efficient and resistant to abuse.



Children need more protection not less.

Committee of Ministers recommendations

- Recommendation (2006)19 on policy to support positive parenting encourages states to recognise the importance of parental responsibilities and the need to provide parents with sufficient support in bringing up their children. Member states are recommended to take all appropriate legislative, administrative and financial measures to create the best possible conditions for positive parenting.
- Other recommendations set legal standards on coherent and integrated family policies, family mediation, child day care, and children's participation in family and social life.

For a complete list of Council of Europe legal instruments and publications on positive parenting and children's rights see: www.coe.int/children and www.coe.int/familypolicy

BUILDING A EUROPE FOR AND WITH CHILDREN



About the Council of Europe

Founded in 1949, the Council of Europe is an international organisation bringing together 47 member states to promote human rights, democracy and the rule of law. It seeks to develop common and democratic principles based on the European Convention on Human Rights and other reference texts on the protection of individuals, including children.

A key priority of the Council of Europe is to promote social cohesion and social rights as a precondition for the genuine enjoyment of fundamental human rights and the respect for human dignity.

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