

# **Legal Journalism: Objectivity in News Reports Covering Trials**

**By**

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## **Abstract**

The research aims to question the objectivity of Armenian news reports covering the legal field. Some journalists succeed in maintaining objectivity while covering the courts, nonetheless, there are several coverages with bias involved, which are distorting the insight the public has on the legal field. Interviews were conducted with the representatives of the legal, political, and media fields in order to collect the opinions of professionals on the matter. As a result of the interviews, it has become clear that several coverages undoubtedly contain bias, which can have serious consequences. The manifestations of bias can have multiple reasons, such as belonging of the news agency to prominent figures, demographics, and status of the accused and victims, the severity of the crime. In order to identify the bias, five news reports on the trial with the former president of RA Robert Kocharyan were chosen to undergo content analysis. The content analysis, on its turn, revealed nine manifestations of bias in five articles. Both latent and manifest cases of bias have been registered. The identified bias was expressed through different ways; phrasing, word choice, punctuation, and selection of quotes.

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The freedom of the press is one of the premises of a democratic society and guarantees the absence of an abuse of power. The primary function of the journalist is to tell what happens in a place where the reader is not physically present. The mission of a journalist should be

nonetheless not only to inform the public but also to educate. Accurate and professional journalism can even hold power to lead to modifications in significant spheres such as politics and law. One of the core premises of successful news reporting is the transparency and independence of the journalist. (Howards, 2019) By not fulfilling their responsibilities to inform the public about the actions implemented by the executive, judicial and legislative bodies, journalists become a tool in the hands of the people ruling the country. On top of everything, the mission of the journalist should be serving the public itself. By serving the public, a journalist should prioritize the “journalistic truth” (Kovach, Rosenstiel, 2001). The notion should be distinguished from ordinary accuracy and objectivity. What differentiates journalism from any other communication tool is its everlasting chase after the truth in which the journalist should display his/her disinterest. It is a complex process of depicting the initial story as it is based on the facts which are being gathered continuously. The journalist should provide the public with the sources used for the coverage as well in order for the opportunity to make a conclusion not to belong to the journalist but the public. (Howards, 2019)

There is a clear distinction between news reports and opinion pieces. The purpose of the news report is to inform the public about current affairs. The author should refrain from expressing personal opinion and bias. News reports are answering the following questions; who, what, when, where, why, how. (Westerstahl, 1983) Meanwhile, the opinion piece is an article written with the purpose of expressing the own thoughts of the author, which can take the form of an editorial, column, op-ed. (Westin, Ingrid, 2002)

While the public perceives “opinionated” news differently each based on his/her belief systems, news reports are perceived as credible sources of information, which strengthens the impact the news can have on the public. In other words, credibility stimulates the process of

persuasion. (García, Pamela, 2018) Thus being considered as trusted sources of information, news reports should be approached with more responsibility and refrain from any prejudice.

Despite its existence and extensive usage in journalism, the commonly accepted interpretation and definition of legal journalism still do not exist, and the connotations of its use have different contents. Even though the term is not commonly defined the characteristics of legal journalism can still be identified. In a broader sense, legal journalism is the coverage of legislation, reports on court hearings, criminal cases, thus journalism on legal issues. (Berezina, 2010) The objectivity of news reporting, regardless of the field address, should be the top priority of the journalist. Nonetheless, addressing the legal field with bias can have a negative effect on the national scope. The distorted image of the legal field can result in illiteracy in law and a lack of knowledge in the own rights of the public.

In a considerable number of coverages on legal issues involving bias, the central figure is a public persona. The objectivity of the coverage acquires even more importance if that person is a political figure. According to the agenda-setting theory, the media is having a crucial influence on the public by selecting what to cover. (McCombs, Reynolds, 2002) With the ability to create agendas and platforms where the public will have the opportunity to have discussions and express their own opinions, the notion of “citizen journalism,” which stands for the action of writing on the news by not journalists but ordinary people is more highlighted. (Cambridge Dictionary, 2020) The latter is opposing the notion of “objective journalism.” (Miralles, 2006) The news with a particular focus placed on the agenda becomes part of the daily experience of opinion-making by the public. Thus the news selected and presented by the media determines the amount and content of knowledge that the public possesses. As in any other sphere, when it comes to the legal field, primarily when the issue revolves around a political figure, the public

needs an adequate amount of unbiased information in order to form an opinion. When forming an opinion regarding a specific political figure, the opinion is often reflected in the political party the person represents. Especially in a country such as the Republic of Armenia with the parliamentary system of governance, a particular reputation and perception of a political figure can have an impact on the reputation of the whole political party. The influence on the perception of the public of a specific political figure can have drastic impacts such as changes in ideologies, voting choices. (Eberl, Boomgaarden, Wagner, 2017)

Taking into consideration the complexity of the issue, this research aims to question the objectivity of the news report covering the topic of law. It aims to discover the bias in legal journalism through interviews and the content analysis of the coverages of the case with the ex-president of RA Robert Kocharyan. Content analysis is a method of analyzing human communication, which has been recorded, for example, books, websites, videos, letters, articles, and so one. (Alan., Bryman, 2011)

The Former president of the Kocharyan has been indicted for the case of March 1. As a result of mass protests, riots, clashes with the police taking place on March 1, 2008, in Yerevan, two police officers and eight civilians were killed while hundreds were injured. The state of emergency was approved for a one month period. The second president Kocharyan is accused of overthrowing the constitutional order and receiving particularly large bribes. The sensational news has been touched upon by nearly all the media outlets, particularly on the digital platform. Mainly, this case has been chosen as an example to be analyzed as it involves the two biggest concerns regarding legal journalism which is the biased representation of the legal field which can lead to public illiteracy in law and biased attitude towards political figures involved in legal issues which is not only a national but also international issue for the country.

## **Literature Review**

### **The Cooperation of Law and Journalism**

Siebert acknowledges law and journalism as two social agencies aiming to maintain the health of society. Cooperation between the two fields, more specifically the guidance provided by the legal field, can be the key to the accurate fulfillment of the responsibilities of journalists. Among the several issues in the cooperation between journalism and law, Siebert mentioned the failure of journalists in court reporting. The appeal for public sympathy or antipathy in journalism is addressed as a lack of ethics and professionalism, especially in the case when the defendant is a public figure. No solution has been given to the problem neither by the representatives of the legal field nor journalists. The lawyers blame the hunger of the journalists to discover new angles and find their restraint the only solution. In order to achieve success in the cooperation, journalists should refrain from publishing information that has not been presented during the court session, assumptions, biographies of the persons involved in the case, including also the witnesses and relatives, investigative actions towards unraveling the case. Another set of issues preventing the fulfillment of the responsibilities of journalists is the lack of ability to limit the story, to present the two sides instead of featuring “human elements” in the trial. Finally, another mistake made by the journalists is deviating from the trial itself and digging into “ghost biographies” of the defendants, seeking now angles in the biographies of the acquaintances of the convicted. Journalists fail to acknowledge the consequences of their actions outweighing part of which have social characteristics. (Siebert, 1946) In the book called

“Covering The Courts: A Handbook for Journalists” the identified issues in legal journalism are the following; inappropriate usage of cameras during the court hearings, the open access by the journalists to the proceedings and the participants of the trials, misuse of the access to the pieces of evidence, attempts to obtain sealed materials, the confidentiality of the sources, inappropriate pre-trial preparation, sensualization of the information on courts. (Alexander, 2003)

Facts and opinions overlap with each other; news reports contain comments. With that said, preserving ethics in journalism has become more difficult. By making intentional or even unintentional mistakes, journalists allow bias, which turns the article into a powerful manipulative tool. The distortion of the facts results in disinformation, which further leads to the formation of an opinion based on untruthful information. According to statistics in Russia, the conflicts based on the unprofessional performance of journalists in covering law cases involve journalists as one side of the conflict and a public figure as another side in 9 cases out of 10. (Smal, 2013).

### **The bias in digital journalism and its consequences**

In order for the public to be able to have a balanced insight into current affairs, access to unbiased and objective information should be provided, as studied by a number of scholars. Objectivity in journalism requires the detachment of the author and maintenance of neutral language and presumes the candid manner of reporting. (Westerstahl, 1983) Nowadays, the most significant source of information is the digital news reports. The latter is a form of journalism, which is also referred to as online journalism. It differs from broadcast and print by its content being distributed online.

Along with the progression of advanced technologies, journalism occupied the digital platform as well. The distributed content can include text, photographs, videos, audio files. (Jones, Salter, 2012) With that being said, digital reporting acquires the ability to shape the readers' viewpoints. Meanwhile, media outlets often reflect the internal bias towards a particular topic via coverages. Factors such as who is the owner of the news agency, its source of revenue, or certain ideological or political viewpoints can be the provocateurs of the bias demonstrated in their coverages. It is possible to express a biased attitude towards the topic by selecting what portion of the total information the public should receive.

Another method to reflect a biased attitude is the word choice of the journalist. The connotation of a particular choice, more specifically, whether it is positive or negative, will have a significant impact on the perception of the subject that certain words referred to.

In order to illustrate the importance of framing the experiment conducted by Kahneman and Tversky in 1981 will be taken as an example. The authors of the experiment suggest a scenario where, because of the outburst of a virus, the lives of 600 people are endangered. Two types of surveys are conducted with two possible outcomes, where the same idea is framed in the first survey positively and negatively in the second survey. The first survey with a positive framing is the following;

1. The number of people that will be saved is 200.
2. The probability to save all 600 people is 66%. The probability of no one being saved is 33%.

The answers of the survey were the following; 72% of the respondents chose the answer A, while 26% chose the answer B. The second survey has the same answers yet framed differently.

In the second survey, the emphasis is on the deaths rather than the people saved. The answers of the survey are the following;

1. The number of people that will die is 400.
2. The probability that no one will die is 66%. The probability that all 600 will die is 33%

The outcome of the second survey was the opposite of the first one. In this case, 22% of the respondents chose the answer C, while 72% chose the answer D.

This experiment illustrated how the framing itself can have an influence on which aspect the reader will pay his/her attention to whether negative or positive. (Tversky & Kahneman, 1981)

Another way to influence the public opinion which digital journalism often uses is the placement of the actual article, which is where precisely the article will be placed on the website and its size. It will determine the amount of attention paid to a certain article. An analog to this in print media would be the placement of the article in the newspaper. Bias can also be reflected through the agenda-setting of the news agency, thus what stories the agency decides to cover and what stories are being rejected. With the widespread usage of social networks where the users have the opportunity to follow certain news agencies, the influence of the bias present in the coverages is only increasing. The study conducted by Hamborg, Donnay and Gipp suggests that in the majority of cases, the users are prone to follow news agencies similar to their own viewpoints. Finally, the bias reflected in news reports is able to polarize the opinions the public possesses. The polarized public opinions, in their turn, make the process of finding a middle ground in debatable issues more complicated. (Hamborg, Donnay, Gipp, 2019)

## **Content analysis**

In order to understand the definition of content analysis, it is essential to address textual analysis as well, as the content analysis is one of the four approaches of the latter. Textual analysis is a method of analyzing data, more specifically the content and meaning of the analyzed text or its discourse and structure. Rhetorical criticism, interaction analysis, content analysis, performance studies are the core approaches of textual analysis. (Given, 2008). Textual analysis is a methodology through which language, symbols, pictures used within a text are being analyzed. The analysis helps to understand communication by examining the message which the latter may carry. The messages should examine specific social structures as they are influenced by history, ethics, politics, and culture. Content analysis is applied to a text in order to identify individual messages and their characteristics within the text, list, and analyze them. Content analysis can be conceptual and relational. The first method implies the analysis of the concepts and the frequency of their usage in communication. The relational analysis concentrated on the relations among the concepts in communication. The content itself is divided into two categories; manifest and latent. The manifest content is what can be observable. Meanwhile, latent meaning implies the hidden meaning of the content. In order to apply the method of content analysis to a text, it is necessary to come up with the research question or question the analysis will aim to answer. (Gheyle & Jacobs, 2017)

Content analysis has been implemented by a number of scholars in order to analyze media content. Initially, the method of content analysis has been applied to the media content in order to identify and study propaganda. The most commonly addressed topics have been violence, racism, and gender inequality. While analyzing journalism, the content analysis should

be approached with objectivity and describe an individual subject/person/event in the given context of time and place. Nevertheless, several scholars have had different viewpoints on content analysis in journalism. As of Lasswell, it analyzes who the “speaker” is, what the channel is through which the message is distributed, who receives the message, and what the effect is. While many other scholars define content analysis in journalism as an objective description, others deny the notion of absolute objectivity in the analysis. Such scholars support their argument with the fact that no scientific approach is able to maintain total objectivity. The reason is the numerous interpretations a certain media text can have. In order not to limit the analysis, the definition of content analysis should also enable the analysis of both latent and manifest content. Moreover, the content analysis should not be overly focused on the quantitative aspects assuming that the quantity of the message increases the impact on the public. While for a considerable number of scholars, quantitative content analysis is the primary method of analyzing journalistic material, others argue that the piece should undergo both quantitative and qualitative methods.

It is essential to take into consideration that the relationship between the number of times a certain phrase is being used and its impact on the public is more complicated. Thereby the quantitative aspects are not the primary or the only factors influencing the public opinion. A number of scholars have already rejected the opinion that the meaning and effect of the text can be identified solely due to content analysis. (Newbold., et al, 2002)

Many scholars are applying qualitative analysis in combination with quantitative methods while analyzing media content. For example, one of the most widespread methods of analyzing news articles is to separate words with negative and positive contexts in order to

identify what the tone of the article is. In such cases, qualitative content analysis is used for an in-depth understanding of the text and its meaning.

While analyzing journalistic materials, scholars often address the latent bias and overlook the manifest content. Potter and Levine-Donnerstein believe that maintaining objectivity within analyzing potential bias is more laborious than bias, which is manifest. Moreover, the analysis of latent bias is undeservedly overestimated over manifest in terms of its effect on society. The reason is that the reader may not even notice the meaning underlying between the lines. (Potter, W., & Levine-Donnerstein, D. 1999, p. 265)

One of the most commonly analyzed elements is the adjectives which are meant to characterize a certain subject/person/event. The negative or positive tone of the adjectives will help to understand the viewpoint of the author. Other elements are metaphors or similes, presence of emotional language or sarcasm, whether the author writes from the first, second, or third person. Whether the author writes with a passive or active voice also is considered an important aspect worth an analysis. The supporting visual materials should also be taken into consideration within the analysis. Finally, the credibility of the person being quoted should also be considered as a factor possibly affecting the reader and should be involved in the analysis.

Besides the actual content of the media text, the credibility of the media should also be taken into account. The context of the media text is also a significant factor, especially the time when the text has been written, and external factors influencing the text. The audience, more specifically, its demographics, also are influential factors and should be involved in the analysis. With the help of qualitative analysis, the scholars analyze the relationship between the examined text and its readers, taking into consideration the fact that a text and especially media text is open to a wide variety of interpretations. Among all the possible interpretations, the scholar chooses

the most suitable meaning for the text by taking into account all the variables and maintaining objectivity. (Macnamara, 2005)

## **Research Questions**

The central research question the research aims to answer is the following

- Is the objectivity preserved in news reports regarding the legal field?

The central research question was answered with the help of the conducted analysis. The question was asked within the framework of the selected articles and does intend to generalize all articles on the issue. One of the secondary research questions was what the drawbacks are in the way news reports cover the courts in Armenia. The question was also discussed with the help of interviews in order for the answer not to be limited by the analysis but instead result in an utterly credible conclusion. The conducted interviews also helped not to reflect the results of the analysis on all of the news reports, which were not discussed in the paper and refrain from assumptions. The question was partially answered through the analysis.

The question of what solution should be implemented in order to improve legal journalism was also discussed throughout the paper.

## **Methodology**

Even though the outweighing part of the research is based on the content analysis of articles, interviews were conducted in order to collect the opinion of the professionals in the discussed fields on the mutual relation between law and journalism. Among the interviewed professionals are Lilit Tarjimanyan an attorney at “Tarjimanyan Advocacy” and Hrazdan Public Defender’s Office, Ruzanna Harutyunyan a Senior Expert of the National Assembly of the Republic of Armenia Standing Committee on Protection of Human Rights and Public Affairs, a lawyer, judicial Expert, public manager by profession and Anna Martikyan who is a journalist.

Both qualitative and quantitative content analysis was applied to five news reports on the law case with the former president of the Republic of Armenia Robert Kocharyan involved. The chosen reports are in Armenian. The purpose of the analysis is to identify the amount of latent and also a manifest bias in the news reports, analyze it, and identify the number of people who are or may be exposed to the analyzed reports. In order to identify the number of people being exposed to the mentioned articles, the number of followers of the media outlet on Facebook will be indicated. The number of times that the article has been accessed will be indicated as well, if applicable.

## **Analysis and Findings**

### **Findings from the Interviews**

*Interview with Ruzanna Harutyunyan, a Senior Expert of the Armenian NA Standing Committee on Protection of Human Rights and Public Affairs, a lawyer, judicial expert*

As of Ms. Harutyunyan, the biggest concern in the way the legal field is being portrayed through the media is the ownership of specific media outlets by prominent figures. She considers the way the latter are being illustrated by their media outlets an advertisement due to the extreme bias present in the coverages. Those media outlets usually have their viewpoints on current affairs influenced by the owner and openly illustrate them through their materials. The independence of the courts and judges is guaranteed by the Supreme Judicial Council, which is an independent state body composed of ten members. Five members of the Supreme Judicial Council are elected by the General Assembly of Judges, and five by the National Assembly. Any manifestation of biased attitude by a media outlet owned by a political figure towards any courts related subject is a serious threat to the legal field. From the perspective of ethics, Ms. Harutyunyan considers this phenomenon unacceptable. The outlets also often possess negative opinions regarding certain public figures, and in case of them being involved in legal issues, do not miss the opportunity to throw shade on them. What refers to the coverages of trials with public figures involved she highlights the importance of responsibility the coverages should be approached with. In order not to generalize, she notes that several media outlets approach the topic of the legal field ethically and professionally, without prejudice..

Ms. Harutyunyan notes a considerable number of news reports where the absence of the journalists' ethics is evident. Depending on the severity of the committed crime, past, status, or popularity of the defendant, gender, and age of the victim, the news outlets approach the

coverages differently. She considers this an issue of a national character as the public forms an opinion on a crime based on the distorted image of the legal field. Moreover, the biased coverages make the society believe that some criminals sentenced to prison deserve amnesty due to personal sympathy caused by the way those are being portrayed in reports. Illiteracy or incomplete knowledge of the law can only lead to an increase in crime rates. She also believes that this is an issue not only concerning the Armenian public when the defendant is a public figure. Because of the unethical coverages, foreigners can have a wrong and biased perception of the Armenian public figures who are undergoing trials. Besides pointing to the mistakes made by the journalists, Ms. Harutyunyan suggests a solution. Taking into consideration the seriousness of the issue and its consequences in her point of view, The Union of Journalists should implement actions on training competent journalists who will be able to approach the issue with responsibility.

*Lilit Tarjimanyan, an attorney at “Tarjimanyan Advocacy” and Hrazdan Public Defender’s Office*

Ms. Tarjimanyan emphasizes the role of the media in the legal field, which, in her opinion, is the bridge that makes the field accessible to the public. For a considerable portion of the public, which is not getting their education in the field of law, the primary source of information about the legal field is the media. She believes that while covering a certain case, the journalist should not only provide objective information on the trials but also educate the public by explaining what law the sentenced person broke and why the person is getting certain punishment. As she states, the yellow press is creating barriers and is distorting the real image by disseminating information based on comments that are in the interests of a specific circle of sub-individuals. She also notes that due to the vast usage of social networks, the news published

on digital platforms plays a crucial role as people become more exposed to the publications of news reports. Ms. Tarjimanyan emphasizes the importance of accurate legal journalism regardless of the status of the accused person, nevertheless taking into consideration the factor of publicity, the coverages of the trials with public figures are more unique. Ms. Targimanyan also repeats the concern Ms. Harutyunyan previously expressed, which is the phenomenon of a particular media outlet satisfying the needs of its owner, who is a prominent figure. She believes the phenomenon results in the manifestations of subjectivism. Ms. Tarjimanyan believes the bias in news reports is conditioned by the fact that journalists ensure the interests of a political force. Nevertheless, while she also notes the influence of the biased news reports on the public, she excludes any influence on the process of the trial. As she states judiciary is an independent system which aims to carry out a legal, judicial act as a result of an objective examination.

What refers to the coverages of the trial with Robert Kocharyan involved journalists not only often expressing biased attitudes but also failing in providing the public with an adequate amount of information on the law itself, which is necessary for the public to form an unbiased opinion. Many coverages on Kocharyan being released should have included information on the right of the defendant to make bail as the public was confused and believed that the accused was acquitted. The latter resulted in the negative reaction of the public and distorted perception of the law case itself.

*Anna Martikyan, a journalist*

State power is exercised in accordance with the Constitution and laws, based on the principle of separation of legislative, executive, and judicial powers, as Ms. Martikyan states. The court is an independent body, which makes decisions on behalf of the state to resolve

specific disputes, necessarily governed by law. By addressing the legal field, the journalist should realize that he/she is shaping the public opinion on a body on which the state is exercising its power.

As Armenia entered a new, post-revolutionary phase of it, Ms. Martikyan said that she would dare to say that the mass media popularized the integrity of the overall legal system. In fact, in her opinion, this is a coin that has two sides: everyone involved in decision making has an apparently higher probability of comprehending the importance of his/her consequent actions. An instance can be taken trials, such as the ex-president of Armenia Kocharyan's case that are omnipresent on everyone's news feeds, totally observed by the media. Ms. Martikyan considers this as a positive phenomenon. On the other hand, an Armenian citizen could never be sure whether courts are operating reasonably and prudently, and continuous claims by the government or opposition representatives about the vulnerability of the courts exacerbate the situation. This is the field in which the credibility and influence of the media could not be underestimated, as stated by Ms. Martikyan. Like anywhere else, nowadays, Armenian perception of the legal system is mostly shaped by the media. Nevertheless, as it is equally "inhabited" by both oppositional as well as governmental propaganda, there is still no consensus reached amongst the population about the current form of it. One major fallacy that Ms. Martikyan could address to the Armenian government is that at some point, the legal system had itself strived to be under the spotlight, simultaneously as if ignoring its professional limitations. Manvel Grigoryan's case, who, because of the media transformed from a "brave, yet peculiar general" into this demonized identity in the eyes of the general public, proves the mentioned point.

## **Content analysis of the articles about the law case with Robert Kocharyan**

### **News Report 1**

The first article to be analyzed was published by the Armenian branch of the media company named Sputnik on May 18, 2019. As the title “Ոորերս Քոչարյանն ազատվեց կալամքից” *Robert Kocharyan is released from custody* indicates the article is about the change of the measure of restraint applied on the former President. The Court of General Jurisdiction of Avan and Nor Nork Administrative Districts of Yerevan decided to release the second President of the Republic of Armenia Robert Kocharyan on personal bail. The article includes the description of the reaction of the public, opinions expressed by the defender, and the defendant's two sons. The article also sums up the details of the case already covered previously. From first glance, the objectivity is preserved by the author.

Nevertheless, the nuances of the language and word choice imply the presence of bias. Նշենք, որ այդ ընթացքում դատարանի բակում հավաքվել էին Քոչարյանի աջակիցներն ու նրանք, ովքեր պահանջում էին ոչ մի դեպքում ազատ չարձակել Քոչարյանին *Should be noted that at that time Kocharyan's supporters and those demanding for not releasing Kocharyan, in any case, gathered in the yard.* As those on Kocharyan's side are directly referred to as his supporters, logically, the opposite should have been “people against or opposing Kocharyan.” Nevertheless, the word choice of the author is slightly negative than neutral. The author supports the description of the particular group of people with the negative phrase “in any case” as well by stressing the second group of people more. Later on, at the end of the article, in order to present general information about the case thus the event of March 1 for which the former President has been indicted, the author briefly describes the incident. Մարտի 1-ի գիշերը

Ազատության իրապարակում ոստիկանական ուժերը օպերատիվ-հետախուզական գործողություններ էին իրականացրել «տեղանքը ստուգելու» համար և հազարավոր ցուցարարների հեռացրել էին իրապարակից *On the night of March 1 the police forces carried out long-range surveillance to “check the location” in the Liberty Square and removed thousands of demonstrators from the square.* The phrase “Check the location” is written with quotations marks. By putting the quotation marks, the author expresses his/her opinion without directly referring to it. More specifically, the author expressed his/her disbelief towards the trueness of the explanation of the action taken by the police forces considering another reason for the long-range surveillance to be accurate. The author presented an assumption in a way to be perceived as a fact.

Table for the news report

Negative bias towards the defendant	<ol style="list-style-type: none"> <li>1. those demanding for not releasing Kocharyan in any case</li> <li>2. “check the location”</li> </ol>
Number of the followers of the media outlet on Facebook	55,102
Number of views on the particular article	1432

## News Report 2

The title of the next article to be analyzed published by Azatutyun on June 19, 2019 states the following; [Որերս Քոչարյանին առաջարկված մեղադրանքում հանցավոր](#)

սիւնայի դրսերում կա. մեղադրող դատախազ “The charges brought against Robert Kocharyan include a criminal scheme,” says the prosecutor. The article highlights the details regarding the case. Thus the transition of the case to the pretrial stage comprises different perspectives on the case and Kocharyan himself. The opinions quoted in the article are of a negative character, such as the statement of the prosecutor Artur Davtyan that he does not see any other measure of restraint for Kocharyan.

The author has succeeded in portraying the opinions included in the article as they are without giving a hint on his/her point of view and adhering to neutrality. Nevertheless in the very first sentence of the article where the author presents the actual news he/she uses one word as of him/her characterizing the event; 2008-ի արյունալի իրադարձությունների գործով առանցքային մեղադրյալ, Յայաստանի երկրորդ նախագահ Ռոբերտ Քոչարյանի գործով վերաքննիչ դատարանն այսօր անցավ դատական ստուգման փուլ... *The Court of Appeal of the principal defendant in the bloody events of 2008, the second president of Armenia Robert Kocharyan, has now entered the pretrial stage....* The word bloody is used in order to indicate the casualties of the incident. Nevertheless, the phenomenon of the event the former President is being accused of being characterized as bloody can subconsciously affect the reader and shape a negative opinion from the first lines of the article.

Table for news report 2

Negative bias towards the defendant	3. bloody
Number of the followers of the media outlet on Facebook	660,703

### News Report 3

The next article was published by The Armenian Times on May 13, 2019. The title is [«Ոորիկ սրիկա, Ոորիկ մարդասպան»](#) Թոչարյանի աշակիցները հարվածեցին ակտիվիստ Վարդգես Գասպարիին “Robik scam, Robik murderer:” Kocharyan’s supporters hit the activist Vardges Gaspari. The article presents an incident of a clash between an activist Gaspari and the supporters of Kocharyan in the court. Kocharyan’s supporters applied a physical force on the activist.

While describing the details of the article, the author expressed his perspective on the supporters by using an absolute adjective. As the author states, “Ոստիկանները փորձում էին միջամտել, բայց թոչարյանականներն ազրեսիվ էին,” *The police tried to intervene, but the Kocharyanakans (his supporters) were aggressive.* After using the adjective aggressive in this sentence, the author continues by saying, “Ոստիկանները ազրեսիվ զանգվածին հեռացրեցին դատարանի շենքից,” *The police removed the aggressive crowd from the courthouse.* The author used the adjective aggressive twice in order to describe the group of people supporting Kocharyan. By using the word with a negative meaning as a description of the group of people supporting the defendant, the author expressed a biased opinion and failed to preserve objectivity. As opposed to the two articles analyzed above, the author of this article expresses his/her point of view frankly without trying to mask it under a more neutral language.

Table for news report 3

Negative bias towards the defendant	4. ... but the Kocharyanakans were aggressive.
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	5. ... removed the aggressive crowd...
Number of the followers of the media outlet on Facebook	42,233
Number of views on the particular article	4021

#### News Report 4

The fourth article is published by Azatutyun on January 29, 2020. The title of the article is [‘Քոչարյան. Հավանաբար ինձ վիճակված է շատ կարևոր դեր խաղալ երկիրը արատավոր իշխանությունից ազատելու գործում’](#) Kocharyan says, “I am probably destined to play a vital role in freeing the country from the vicious power. The article covers the interview with Kocharyan himself, where he addressed his concerns about the current government and deterioration socio-economic situation in Armenia. The article also features quotes by the member of the “My Step” fraction Sisak Gabrielyan who blamed Kocharyan for the death of 10 people.

The article starts with the following sentence; Սահմանադրական կարգի տապալման մեղադրանքով անազատության մեջ գտնվող Երևորդ նախագահ Ռոբերտ Քոչարյանն իր անվան հետ կապվող Yerevan.Today-ին տված հարցազրույցում գումար է՝ այս տարի Հայաստանի սոցիալ-տնտեսական իրավիճակը վատթարակալու Է... In an interview with Yerevan.Today, Robert Kocharyan, the second president imprisoned on charges of violating the constitutional order, gave sad news that Armenia’s socio-economic situation will worsen this year. The Armenian word “գումար” Է” the meaning of which is to give sad news does not have a literal translation. While

the translation has a neutral tone, the Armenian word and its usage have negative characteristics. Later on, while introducing another quotation by Kocharyan, the author presents Kocharyan in the following manner; Քոչարյանը, ում նախազահության ավարտին Երևանի կենտրոնում 10 մարդ գլուխահարվեց, հայտարարում է.

*...Kocharyan, at the end of whose presidency 10 people were shot dead in the center of Yerevan, states...* The author characterized Kocharyan, not as a president but a person during whose presidency 10 people were killed. The description has a negative character and makes the reader associate the name of the second president with the death of 10 people. The author did not straightly condemn Kocharyan in the death of the latter; the latent condemnation is understandable through the negative formulation. After summing up the interview with Kocharyan the author of the article quotes the statement Sisak Gabrielyan made among which there were the following words;

...պարուն Քոչարյանին խորհուրդ կտամ շարունակել իր հեռուստաընկերությունների, իր մեջիաներկայացուցիչների հետ հարցազրուցներ տալ, որովհետև, ըստ Էռլթյան, կարծում եմ, ուր երկար տարիներ թերևս միակ բանը, որ նա կարող է անել, այդ հարցազրուցները տալ ...*I would advise Mr. Kocharyan to continue giving interviews to his TV channels and his media representatives, because, in fact, I think that for many years the only thing he can do is to give those interviews.*

By choosing this quote correctly on the only ability of the ex-president to give interviews while covering the actual interview with Kocharyan, the author exposes his bias.

Table for news report 4

Negative bias towards the defendant	<p>6. “to give bad news”</p> <p>7. Kocharyan, at the end of whose presidency 10 people were shot dead in the center of Yerevan</p> <p>8. “...in fact, I think that for many years the only thing he can do is to give those interviews”</p>
Number of the followers of the media outlet on Facebook	660,703

## News Report 5

The following report differs from the above-analyzed ones. It is in the form of a video and has been posted by 1in.am on August 14 2018. The report is on the protest action against the decision to eliminate the detention of the second President of the Republic of Armenia Robert Kocharyan. The demonstrators broke into the press conference hall of the Erebuni Plaza Hotel, where Robert Kocharyan's press conference was to take place. In the afternoon, people managed to enter and climb into the press conference hall. The protesters announced that the press conference had failed and that they had no other action to take.

The actual video does not involve any comments of the journalists and simply portrays the actions of the demonstrators. The video is followed by a sentence describing the affair. Despite the small number of actual words of the journalist, the report still involves bias. The title of the report is Որբերս մարդասպան. ինչպես

ակտիվիստները տապալեցին Քոչարյանի ասուլիսը *Robert a murderer: how activists thwarted Kocharyan's press conference*. The reporter decided to include the call of the activists, which was “Robert, a murderer in the title. Nevertheless, he/she did not put the phrase in blankets in order to show that the activists pronounced the words. The reporter did not cite the activists either. The phrase does not look like a quote but instead can be perceived as a statement made by the reporter. The overall framing of the title has a negative characteristic that can have an influence on the public, which simply reads the title.

Table for news report 5

Negative bias towards the defendant	9. Robert a murderer
Number of the followers of the media outlet on Facebook	454,720

The overall number of the manifestations of bias is nine. Two out of the overall nine registered cases of bias, more specifically the first and sixth identified biases, are expressed through the wording. Three cases, more specifically the third, fourth, and fifth, are expressed through the specific word choice of the journalist. Two cases, more specifically, the eighth and ninth, are expressed through the journalists' attempt to use a quote out of context. Furthermore, one case, which is the second, is expressed through a specific usage of punctuation marks.

## Conclusion

Writing news reports on the courts is a significant task that should be addressed with a high level of responsibility for multiple reasons. The journalist should keep in mind that while covering the courts, he/she is addressing one of the three government branches, which is the judiciary. Thereby, by addressing the judiciary, the journalist acts as a watchdog. Secondly, due to the vast interest of the public in the court activities, the journalist becomes responsible for the insight the public has on the legal field and knowledge of the law. Accurate legal journalism can not only serve the public as an informative and educative tool but also throw light on the unfairness in the courts by the unjust actions of the representatives of the legal field.

Nevertheless, the interviewed professionals confirm the presence of bias in Armenian legal journalism. One of the biggest issues of Armenian legal journalism pointed by the interviewed professionals, which further results in bias is the ownership of news agencies by prominent political figures. The court is an independent body, which makes decisions on behalf of the state to resolve specific disputes, necessarily governed by law. The judiciary is not taking part in defining the law, which is the direct duty of the legislature according to the principle of separation of powers. In Armenia, the National Assembly is the representative body of the people, which carries out the legislative power. Thereby the phenomenon mentioned above is unacceptable.

The second issue is the instability of the journalist's attitude towards the case based on variables such as the severity of the committed crime, status, gender, and age of the defendant or the victim, which is often reflected through the reports. This phenomenon can have a serious impact on the public, such as misinterpretation of the law and its applications.

The next issue is the lack of legal knowledge, which prevents the journalist from adequately elaborating the information with legal context.

The analysis of the five news reports also support the conclusion made based on the results of the conducted interviews. With the help of content analysis the presence of both latent and manifest bias was identified. Nine usages of biased language have been recorded in the reports which are expressed in different ways. Taking into consideration that the chosen case does not only represent an ordinary trial but involves a prominent political figure such as Robert Kocharyan. Thereby, the bias manifested in the coverages of the trials will not only affect the perception of the public of the law and Kocharyan himself, but also can have a negative effect on the insight the international arenas have on Armenian political and legal systems.

The research does not intend to reflect the results of the analysis to other reports on the issue. Nonetheless, it acknowledges the presence of biased language towards the ex-president in 5 news reports published by media outlets with a large audience.

A solution to the discussed issue of bias, according to the interviewees, is to conduct specialized training for journalists who aim to cover the courts in order for them to possess necessary knowledge in the legal field. Due to the acquired notion of ethics, while addressing the legal field by journalists, the public will have access to non-distorted information.

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## Appendix

The questions asked to the interviewees were the following;

- How do you define the connection between media and legal systems?
- What role does the media play in portraying the legal field in your opinion?
- What are the barriers preventing the successful cooperation between law and media in Armenia?
- Does internet journalism fulfill its responsibility to keep the public informed about the current affairs in the legal field with the help of news reports?
- Should the coverages of law cases with public figures involved be approached with more responsibility than covering other law cases?
- Is the objectivity preserved in news reports while covering law cases with public figures involved?
- Are the opinion pieces regarding law cases disturbing the process of the trials itself?
- Are journalists prone to address defendants who are not accepted by the public more negatively and the opposite?
- What is your comment on the performance of online journalism in covering the lawsuit with Robert Kocharyan as the defendant?