

To Protect or Empower? A Critical Exploration of the Consideration of User Agency in Irish Social Media Policymaking

Christopher Tyler West, BA, MA

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School of Communications
Dublin City University

Principal Supervisor: Dr Tetyana Lokot

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DECLARATION

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Signed: Christopher Tyler West

ID No.: 19213284

Date: 10/08/25

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LIST OF ABBREVIATIONS

ANT	Actor-Network Theory
AVMSD	Audiovisual Media Services Directive
CCT	Critical Theory of Technology
CFA	Critical Frame Analysis
CNM	Coimisiún na Meán
CT	Critical Theory
DOT	Democratisation of Technology
DSA	Digital Services Act
DSC	Digital Services Coordinator
FA	Frame Analysis
FG	Focus Group
GDPR	General Data Protection Regulation
ICM	Individual Complaints Mechanism
OSMR	Online Safety and Media Regulation Bill
PLS	Pre-Legislative Scrutiny
SCOT	Social Construction of Technology
SM	Social Media
SST	Social Shaping of Technology
TCAGSM	Tourism, Culture, Arts, Gaeltacht, Sports & Media
TD	Technological Determinism
YAC	Youth Advisory Committee

ABSTRACT

To Protect or Empower? A Critical Exploration of the Consideration of User Agency in Irish Technology Policymaking

Christopher Tyler West

Governments are increasingly regulating social media (SM) to curb harms such as sexual exploitation, disinformation, and hate speech. However, we cannot assume that such policies are best serving users' agency, which can be defined as users' abilities to shape their online experiences in alignment with their goals. A critical question is whether policymakers see users as only requiring protection, or as also needing agency enhancement (i.e., empowerment). The historical popularity of technological determinist (TD) ideology, which considers humans subordinate to technology, suggests that policymakers may see users as inherently lacking agency and, therefore, may believe efforts to enhance agency are futile.

This dissertation explores the consideration of user agency in SM policy by analysing the formation of Ireland's Online Safety and Media Regulation Act of 2022 (OSMR). OSMR is one of the most far-reaching pieces of SM policy to date and represents a profound break from Ireland's historical self-regulatory approach toward the technology industry. Further, OSMR's key remit—to hold Irish-based companies accountable for SM harms throughout the EU—means that it will potentially influence the agency of millions of users.

This project examines Irish legislators' beliefs using a critical theory of technology (CTT) lens and through critical frame analyses of OSMR policy debates, legislator interviews, and user focus groups. Key findings included that 'strong' TD did not influence legislators but that they nonetheless aimed to protect rather than empower users. Further, legislators' ambiguity concerning OSMR's beneficiaries, as well as their frequent references to personal SM experiences, signalled a limited understanding of users' needs. Focus group data showed that users were less likely to believe in user agency than legislators, unaware of OSMR, and wary of government SM regulation. This dissertation contributes to CTT by exploring how deliberative forums may help connect policymakers and users to achieve 'democratisation of technology'.

CHAPTER 1: INTRODUCTION

1.1 Introduction

Ireland's Online Safety and Media Regulation Act of 2022 (OSMR) is a sweeping piece of legislation aimed at holding social media (SM)¹ companies accountable for combating harm occurring on their platforms (TCAGSM, 2019, pp. 20–24). But although it targets corporations, OSMR will likely also have far-reaching influence on users' online experiences. For example, although OSMR's provision for Online Safety Codes (see p. 113) was designed to force platforms to improve their moderation practices, any change to moderation tactics will naturally impact the nature of user communication and information gathering. Conversely, OSMR's call for an Individual Complaints Mechanism (TCAGSM, 2022), a channel through which users receiving harm can flag their experiences to regulators, provides users with new opportunities for seeking redress in the online sphere.

Given the possible impacts listed above, OSMR presents possibilities for both undermining and enhancing 'user agency', which is defined as a users' ability to meaningfully shape their online experiences to meet their goals. To date, little effort has been made to understand OSMR's effect on user agency, a problematic research gap given that users were and are the ostensible beneficiaries of the legislation. This dissertation argues that a crucial avenue for filling this knowledge gap is analysing how user agency was considered during the OSMR policymaking process itself.

This chapter builds the conceptual and contextual foundation for this dissertation. First, it presents the role of SM in society and makes the case for preserving and enhancing user agency in a world where SM is increasingly part of human life. Second, by outlining the historical popularity of technological determinist ideology, a belief system that views human agency as subordinate to technological agency, it underscores the possibility that policymakers² may be predisposed to overlooking user agency. The chapter concludes with a brief outline of the dissertation's critical theory of technology (CTT) lens, the chosen

¹ I use 'social media' as an umbrella term for all social media platforms (e.g., Facebook, Instagram, WhatsApp). I also sometimes shorten social media platforms to 'platforms'. I employ these terms interchangeably and stylistically to vary vocabulary.

² According to Heidelberg (2020), the term 'policymaker' is a 'floating signifier' but generally includes individuals in the legislative and executive branches of government tasked with forming and implementing state policies. Again, this dissertation primarily focuses on the legislative aspects of the policymaking apparatus.

methodologies of grounded theory (GT) and critical frame analysis (CFA), and an overview of the dissertation's structure, limitations, and contributions.

1.2 Social Media and User Agency

It is critical to outline the unique relationship between SM and human agency, or, more appropriately in this context, 'user agency'. I will explain this dynamic in both concrete and abstract terms, first providing a preliminary definition and description of SM, and then presenting the importance of user agency from a philosophical perspective.

The term 'social media' includes a broad range of digital communication technologies that "enable users to express themselves, build relationships, play and share in a networked environment" (Obar and Wildman, 2015, p. 745). This broad definition includes established services such as Facebook, X (previously known as Twitter), WeChat in China, and VK in Russia, as well as emerging platforms such as Mastodon and Threads. It also extends to mostly text-based platforms such as WhatsApp and Telegram, on which many users rely in daily communication (Matassi et al., 2019). Indeed, more than 5 billion people worldwide use some form of SM (Statista, 2024), and they do so for an expanding array of reasons, including keeping in touch with friends and family (Williams and Merten, 2011), forming support communities (Choudhury and Kiciman, 2017; Miller, 2017), engaging with politicians (Loader and Mercea, 2011; Stromer-Galley, 2014), protesting government actions (Jost et al., 2018; Lokot, 2018, 2017; Margetts et al., 2016; Poell and Dijck, 2018), reading news (Alejandro, 2011; Kleis Nielsen and Ganter, 2018), and even sending and receiving money (Swartz, 2020).

The deep integration of SM with much of human life helps justify this research project, as it is only logical that a change in regulation of the SM sector will impact user agency by influencing how billions of users live, work, and communicate. Agency is defined by Emirbayer and Mische (1998) as "the capacity of human beings to shape the circumstances in which they live" (p. 965), and the concept generally encapsulates the possibility of action, or the potential to enact changes that serve one's needs or goals. In the West, agency has primarily been associated with the primacy of the individual (Heron, 2008). However, it is also exercised collectively through protest movement mobilisations (Lokot, 2017), engagement in democratic processes (Gimmler, 2001), and even efforts to influence the development of technologies (Pinch and Bijker, 1984).

The importance of facilitating agency is underscored by an established school of thought viewing it as requisite for human flourishing. Especially relevant here is Immanuel

Kant's conception of the Categorical Imperative, which Watkins (2017) interprets as meaning that "all persons, in virtue of their rationality, are treated not as things with a price, but as ends in themselves worthy of unconditional respect, precisely because of their capacity for autonomous agency" (p. 2). Similarly, the capacity for agency is often linked with 'dignity'. As Kleinig and Evans (2013) explain, agency and dignity are often co-dependent and lie at the heart of modern human rights doctrine. They write, "What our human dignity does is morally entitle us to treatment by others that acknowledges our status as normatively determining beings" (562). A final point is that agency is also understood as the employment of human creativity to "give shape and direction to *future* possibilities" (*italics original*) (Emirbayer and Mische, 1998, p. 984). Thus, agency is a means of *becoming* in addition to being. Taken together, these philosophical insights make clear why many respected thinkers believe the ability to exercise agency is key to what Aristotle would have called, *eudemonia*, or 'the good life'.

Given the breadth of ways in which humans exercise agency, and the linkage between agency, dignity and well-being, it is important to understand how user agency may be enhanced or constrained by new technological arrangements such as government regulations. As the next section will show, there is ample reason to believe that the shift toward SM regulation may be more likely to threaten rather than enhance user agency, especially given the historical relationship between technological determinist ideology and technology policymaking.

1.3 The Evolution of Irish Social Media Regulation

1.3.1 The Self-Regulation Model

Until relatively recently, most SM platforms internally managed their content and operations through so-called 'self-regulation', a *laissez-faire* regulatory model in which governments trusted platforms and other internet services to innovate in economically beneficial and socially responsible ways in exchange for limited oversight (McChesney, 2013; Mueller, 1999; Popiel, 2018; Weiser, 2001). It is important to underscore that the self-regulatory model was a byproduct of utopian visions of internet technology. Evangelised through euphemisms like the 'information superhighway' and the 'digital revolution' (Balbi, 2023), this utopian view unquestioningly presented the internet as ushering in a "new era of democracy, equity, plenitude and knowledge" (Howcroft and Fitzgerald, 1998, p. 4). Further underpinning this utopianism was a great deal of 'hype' that

presented near limitless, positive possibilities for the future of the internet (Dedehayir and Steinert, 2016).

Ireland arguably embraced the utopian, self-regulatory model more than any other country besides the United States. As Morash (2010) contends, there was a sense in the late 20th century that Ireland had ‘missed out’ on the Industrial Revolution and should take full advantage of the ‘Information Revolution’ (p. 206). Further, Preston and Silke (2014) argue that Ireland’s embrace of information or ICT technologies constituted a neoliberal drive to ‘financialise’ and ‘mediatise’ all aspects of the Irish economy. By many accounts, Ireland’s attempt to leverage the economic potential of the internet was successful, as the country ultimately became home to the European headquarters of many major internet companies and SM platforms (e.g., Alphabet, Meta, TikTok, and X). Indeed, unbridled technological growth seemed to drive Ireland’s so-called ‘Celtic Tiger’ economy (Kitchin et al., 2012), an era of unparalleled economic growth between roughly 1995 and 2008 that propelled the country to become one of the richest world economies. As Cunningham et al. (2020) point out, Ireland quickly became dependent on multinational technology and pharmaceutical companies for a significant chunk of its tax revenues, thus making further regulation politically unpalatable.

It is important to point out, however, that Ireland was not completely alone amongst European countries in its hands-off stance. Despite its now pro-regulation image, the EU also enthusiastically jumped on the self-regulatory bandwagon (Feeley, 1999). The European Council’s now infamous *Bangemann Report* (1995) advocated the “minimum of regulation needed, at the European level, to ensure the rapid emergence of efficient European information infrastructures and services” (p. 13). Further, the EU’s E-Commerce Directive of 2000 enshrined this approach into official policy by establishing a limited liability regime for intermediary service providers (OJEC, 2000, p. 3). Notably, the Irish government fast-tracked the domestic implementation of the Directive. As the Irish Minister for Enterprise explained at the time, “It is vital to move quickly and to remove any legal uncertainties which are seen as barriers to the growth of e-commerce” (McKenna, 2000). Indeed, as will be explained below, the fact that Ireland is required by EU law to implement EU directives often complicates efforts to identify the source of and motivations behind many of its domestic policies.

1.3.2 *The Regulatory Turn*

Although the self-regulatory model was firmly entrenched in Ireland and much of the world in the 1990s and early 2000s, it has now largely fallen out of favour with governments and even some SM companies (Isaac, 2019). Indeed, a series of high-profile cases of platforms manipulating users and mismanaging user data has shaken the self-regulatory consensus and encouraged government action worldwide (Gillespie et al., 2020; Tambini, 2017). However, just as the utopianism of the early internet era encouraged the self-regulatory model, the recent regulatory shift seems to be partly spurred a dystopian view of SM's negative impacts on society (Yadlin-Segal and Oppenheim, 2021).

One of the first chinks in the self-regulatory amour was Facebook's admission that it had secretly experimented on American voters. An independent study found that an additional 340,000 people had voted in the 2010 American mid-term elections thanks to Facebook's 'I Voted' badges (Talbot, 2012). Then came the Cambridge Analytica scandal of 2018 in which Facebook was discovered to have sold the data of 87 million users to a political strategy firm hired by U.S. presidential candidate Donald Trump's 2016 campaign (Flew et al., 2019; Isaak and Mina, 2018). Further, aside from increasing concerns over data use, there was also a growing public perception that platforms were failing to police and in some cases even causing online harms such as bullying, sexual exploitation, and 'fake news' or disinformation—what Baccarella et al. (2020) call the 'dark side' of social media.

Despite its self-regulatory history, the Irish government began adopting a critical approach toward SM from approximately 2015 onward. The Facebook Analytica Scandal and concerns over Russian meddling in the U.S. Presidential election in 2015, led to the passage of Ireland's Electoral Reform Act of 2022, which banned online political advertising originating from outside of the country (Oireachtas, 2022). At the same time, pressure also came from the EU to reign in internet company practices. For example, the passage of the General Data Protection Regulation (GDPR) (2016) resulted in the formation of Ireland's Data Protection Commission (DPC), which now regulates data breaches occurring throughout the EU that originate from companies based in Ireland.

A similar, dual domestic and EU push emerged for combatting user-to-user harms. Irish policymakers had flagged the need to address user-generated harms, such as bullying and other forms of harassment, as early as the landmark 2016 report from the Law Reform Commission, *Harmful Communications and Digital Safety* (LRC, 2016). Despite several failed domestic legislative attempts (Law Reform Commission, 2014, p. 157), it was the

Audio Visual Media Services Directive (AVMSD) (2018) (European Parliament, 2018) and especially the Digital Services Act (DSA) that spurred Ireland to address non-criminal SM harms—this time as a matter of EU law (European Parliament, 2022). OSMR, the focus of this dissertation, transposed AVMSD into Ireland’s regulatory domestic regime and established Coimisiún na Meán (CNM) as Ireland’s Digital Services Coordinator (DSC) under the DSA. Similar to the DPC’s privacy purview, the CNM became responsible for addressing SM user harm for millions of users throughout the EU.

It is important to highlight that the increasing scrutiny of internet companies in Ireland seemed to coincide with efforts toward ensuring greater government transparency and accountability to citizens. For example, the Pre-Legislative Scrutiny phase of Irish legislation, a legislative step in which the Oireachtas (the Irish parliament) provides input into the general scheme of a proposed Bill, was introduced in 2011 to provide more direct democratic oversight to the Irish legislative process (Martin, 2017). Moreover, the well-known Irish experiments with deliberative democracy, most notably the Convention on the Constitution (2012-2014) and the Irish Citizens’ Assembly (2016-2018), were also conducted during this period (Farrell and Suiter, 2019). These deliberative forums convened representative groups of citizens to discuss contentious policy issues, such as same-sex marriage and abortion access, and then make recommendations to government. Notably, however, no deliberative effort for dealing with SM harms was proposed.

1.3.3 Regulation and Technological Determinism

Although diverging viewpoints, the utopianism of the early years of SM and the more recent dystopian turn represent what Yadlin-Segal and Oppenheim (2021) call “opposite sides of the same ideological coin”—that of technological determinism (Howcroft and Fitzgerald, 1998). Although technological determinism (TD) lacks a concrete definition, it is generally conceptualized as an ideological belief system that ascribes technology unparalleled power to shape society. As Heilbroner (1994) states, TD posits that “machines make history by changing the material conditions of human existence” and that it ascribes machines “powers they do not have” (p. 69-70). Similarly, Winner (1989) defines the ‘doctrine’ of technological determinism as the belief that alterations in technology are the “primary cause of change in our institutions, practices, and ideas” (p. 65).

This dissertation’s primary contention with TD is that it precludes the possibility of human agency by ascribing power (or agency) only to machines and technological systems

that set the “trajectory that human beings must follow” (Ceruzzi, 2005, p. 585). This view aligns well with those of Andrew Feenberg, whose emancipatory critical theory of technology (CTT) serves as this project’s theoretical framework. Feenberg (2011) clearly outlines the negative agentive implications of TD within a sociopolitical context, writing that “technocratic ideology claims that agency is impossible where specialized technical disciplines such as engineering exist” (p. 2). Feenberg’s criticality is on full display in this regard, as he acknowledges the disempowerment of ‘non-experts’ relative to technocrats, including government civil servants and engineers, in a high-tech society. It is in this spirit that this project explores the agentive position of users vis-à-vis policymakers and SM companies.

Though TD has dominated much of technological thought since the Industrial Revolution (Giddens, 1990), social constructivist theories of technology have to some extent challenged this pre-eminence, at least within academic circles. Social constructivist theories of technology are premised on the idea that humans can actively influence the development of technologies and technological systems (Leonardi and Barley, 2010). For example, constructivist scholars have highlighted how 19th century women’s lobbying shaped bicycle design (Hallenbeck, 2012), public resistance to overhead streetcar wires inspired the New York City subway (Schatzberg in Allen and Hecht, 2001, p. 59), and how social factors can help determine the course of scientific discovery (Latour, 1987). Such studies have tended to undermine TD by foregrounding human intervention at various stages of a technology’s development and deployment.³

Given its theoretical nascency, it is unclear whether social constructivism’s nuanced, human agentive focus has taken hold outside of academia, particularly in the policymaking realm. Indeed, there is reason to believe that technology policymakers, including civil servants and elected officials, may still adhere to TD, especially given the aforementioned uptick in dystopian views regarding SM. Further, scholars such as Preston (2007) have directly underscored the existence of determinist ideology in the Irish government’s approach to technology. This dissertation operates from the premise that it is important to understand whether and how TD influences SM regulation regardless of the clear popularity of such views in academic circles. This logic is shared by Wyatt in her

³ It is worth noting some scholars consider a viewpoint constructivist if it offers the ‘possibility’ of human agency, regardless of whether human agency is exercised in practice (Boudreau and Robey, 2005).

aptly-named book chapter, ‘Technological Determinism is Dead; Long Live Technological Determinism’:

[W]e cannot ignore technological determinism in the hope that it will disappear and that the world will embrace the indeterminacy and complexity of other types of accounts of the technology-society relationship. I argue that we in the STS community cannot simply despair of the endurance of techno-logical determinism and carry on with our more subtle analyses. We must take technological determinism more seriously, disentangle the different types, clarify the purposes for which it is used by social actors in specific circumstances. Moreover, I argue that in order to do this we have to recognize the technological determinists within ourselves (Wyatt, 2007, p.169).

1.4 Governments’ Responsibility Toward Citizens’ Agency

This dissertation’s primary normative claim is that Irish policymakers contributing to SM policy should aim to enhance user agency. However, effectively presenting this argument requires establishing a philosophical basis for the idea that governments should aim to proactively improve their citizens’ lives. This is not a difficult task, as the premise has a long history. Philosophers including John Locke, John Stewart Mill, and Jeremy Bentham considered the cultivation of human agency a primary responsibility of political elites (Emirbayer and Mische, 1998). Indeed, the ‘rights’ clauses in constitutions and other laws worldwide show how governments often count the nurturing of citizen agency among their responsibilities. For example, enshrined in Articles 40-44 of the Irish Constitution, are rights including freedom of assembly, association, expression, and personal liberty (eISB, 2020). Indeed, additional agency-enhancing rights were added throughout the 20th Century, including Amendment 9 to the Constitution on ‘non-citizens’ right to vote’ in local elections (1984) and Amendment 15 on the ‘right to divorce’ (1996) (see p. 47 of this dissertation regarding ‘positive liberty’).

Even though Ireland has set a historical precedent for both protecting and enhancing the agency of its citizens, it is unclear how or whether OSMR policymakers considered user agency. Indeed, there is reason to believe that, in the context of the ‘unprecedented’ harms of the so-called ‘social media era’, preserving and enhancing agency may have garnered less attention from policymakers than protecting users from harm, a concern reflected in ‘protection’ vs. ‘empowerment’ dichotomy in the title of this dissertation. Just as governments cannot blindly trust for-profit technology companies to develop technologies with users’ best interests in mind, users (and researchers) cannot assume that policymakers crafting far-reaching legislation such as OSMR are always serving their best

interests. As the next section explains, it is possible that entrenched technological determinist ideology, coupled with the political influence and economic power of the social media industry, may have obscured concern over user agency in the minds of OSMR policymakers.

1.5 OSMR and User Agency

Even amidst this flurry of international regulatory action, Ireland's Online Safety and Media Regulation Act (OSMR) stands out in terms of its scope and reach (Oireachtas, 2022a). Signed into law in December 2022, OSMR serves the dual purpose of transposing the AVMSD into Irish law and providing a regulatory framework for user safety across online services. More specifically, OSMR establishes a binding regulatory framework through which companies must address online harm or face financial penalties of up to EUR20 million or 10% of global revenue, whichever is greater (Oireachtas, 2022a, p. 120). To mitigate online harm, OSMR also established a range of harm 'categories' that companies must consider, including "material which is likely to have the effect of intimidating, threatening, humiliating or persecuting a person, material which is likely to encourage or promote eating disorders and self-harm, and material which is likely to have the effect of intimidating, threatening, humiliating or persecuting a person to which it pertains (cyberbullying)" (Kirk et al., 2021, p. 1). However, the most consequential aspect of OSMR is arguably not the Act itself, but its mandate of a new regulatory body called the Coimisiún na Meán (CNM) (Media Commission in English).

Launched in 2023, CNM replaces the Broadcast Authority of Ireland (BAI) and is tasked with implementing OSMR and the AVMSD. CNM also serves as Ireland's Digital Services Coordinator (DSC) under the EU-wide Digital Services Act (DSA). Importantly, the enforcement measures provided in the DSA operate on the 'principle of origin' model, meaning that DSCs are required to regulate online services operating within their national borders (Fathaigh, 2021). As a result, CNM is by default the most powerful DSC in the EU because Ireland is home to the EU/EMEA headquarters of many of the largest social media platforms, including Meta (Facebook), X (formerly Twitter), TikTok, and Alphabet (YouTube).

Should OSMR achieve its stated aims, SM users should encounter less harmful content when using platforms. Yet even though OSMR is rooted in a noble goal, adverse effects on users cannot be ruled out. Indeed, even in the early stages of the OSMR

legislative debates, Irish civil society organisations voiced concerns about the Bill's impact on user rights. For example, researchers at the University College Dublin's Centre for Digital Policy warned that OSMR's initially overly broad categories of harm would not pass legal scrutiny (Kirk et al., 2021), and the Irish Council for Civil Liberties (ICCL) lodged a related criticism about threats to freedom of expression. As the ICCL Director, Liam Herrick, stated, "we are concerned about the impact to freedom of expression and other rights if non-illegal speech becomes restricted online" (ICCL, 2021). Thus, OSMR's unique regulatory power and reach, especially given its outlaying of CNM and implications for user rights, invites closer scrutiny in terms of user agency.

1.6 Dissertation Aims

This dissertation represents a notable step toward understanding policymakers' beliefs about technology (i.e., determinism vs. constructivism or 'non-determinism')⁴ and user agency by employing OSMR as a case study. A key premise of this research project is that the theoretical differences between technological determinism (TD) and social constructivism are not simply academic pedantry but have real-world effects. This dissertation assumes the following: if policymakers subscribe to TD ideology, they will be less likely to acknowledge social media (SM) user agency and, therefore, unlikely to enhance it through their work. Conversely, if policymakers subscribe to more constructivist (i.e., non-determinist) views, they may be more inclined to elevate user agency over corporate, economic, or other concerns. This dissertation takes the normative stance that addressing SM harms is welcome, but that combatting harms should be both a protective and empowering exercise. It is important to note that the term 'policymakers' includes many actors who contribute to government policy, including advisors, civil servants, and legislators (TASC, 2016). However, given the limited nature of a PhD dissertation, this project only focused on legislators in the Oireachtas.

1.7 Research Questions

The dissertation sets out to answer the following three research questions (RQs):

⁴ Acknowledging the nuanced elements of constructivist theory would be a high theoretical bar for policymakers to meet. Instead, a distinction between determinist and non-determinist beliefs is made throughout this dissertation (see RQ1 below).

1. *To what degree do OSMR legislators hold determinist vs. non-determinist beliefs about SM technology and to what extent do such beliefs constitute ideology?*

RQ1 seeks to discern whether OSMR legislators believe user agency is possible in the context of SM (i.e., whether their beliefs align with determinist or non-determinist theories of technology). In this context, the term ‘non-determinist’ serves an umbrella term acknowledging theoretical variation in how user agency is afforded, such as through social influences on the development of technologies, as seen in the social shaping of technology (SST) (MacKenzie and Wajcman, 1985), but also within a broader sociotechnical context such as in actor network theory (ANT) (Latour, 2007). Throughout this dissertation, a ‘non-determinist’ belief is considered as acknowledging at least some degree of human influence over SM technology. Finally, it is necessary to understand whether legislators’ beliefs constitute ideology, in this case TD, because basing OSMR on uncritically accepted views of technology risks obscuring the true needs of SM users.

2. *How do OSMR legislators’ beliefs about SM technology influence their attitudes toward user agency?*
 - a. *How did technological beliefs impact consideration of user agency in the legislative debates leading the final Act and the work of Coimisiún na Meán?*

RQ 2 aims to discern whether legislators’ beliefs about SM technology (regardless of whether they constitute ideology) influenced how they considered user agency. It also asks the all-important question of whether such beliefs affected the outcomes of various stages of the policymaking process; for example, whether a high degree of TD belief expressed in the legislative debates precluded consideration of user agency in the Act and work of the CNM.

3. *How can consideration of user agency become more central in future digital technology policymaking processes?*

In keeping with the dissertation’s normative stance, RQ3 explores how enhancing user agency can become a key consideration in the future policymaking processes. Answering

this question will require understanding where OSMR succeeded and/or fell short in terms of preserving and enhancing user agency.

1.8 Theoretical Framework

To best understand the consideration user agency in the context of OSMR, a macro-level critical theoretical framework is used (Adorno and Horkheimer, 1997; Ellul and Wilkinson, 2011; Marcuse and Kellner, 2002) that exposes mechanisms of domination and power in modern society. This lens is further operationalised using Andrew Feenberg's critical theory of technology (CCT) (Feenberg, 2004), which accounts for power differentials specific to complex technological systems. More specifically, Feenberg's work is employed to highlight imbalanced relationships between technology producers, users, and policymakers. Such a critical theoretical grounding helps support this dissertation's normative stance that emerging technology policy should be predominately informed by a non-determinist understanding of technology that accounts for user agency.

In addition to adopting a primary critical theoretical framework, this project is informed by theories of ideology (Althusser et al., 2014; Barbrook and Cameron, 1996; Campbell and Kay, 2014; Eagleton, 1979), agency (Bandura, 2006; Emirbayer and Mische, 1998; Hallenbeck, 2012), the social construction of reality (Berger and Luckmann, 1991), the role of discourse in shaping reality (Fairclough, 1989; Foucault, 2000), and finally, the social-psychological premise that beliefs influence action (Campbell, 2002; Feldman and Chandrashekar, 2018; Feldman, 1988). These frameworks are complementary in the sense that theories of ideology help situate policymaker beliefs within a broader power and cultural context; theories such as the social construction of reality, discursive shaping, and socio-cognitive approaches justify focusing on beliefs and perceptions; and theories of agency support this dissertation's normative position on the need to enhance user agency through technology policy.

1.9 Methodology

This dissertation employs a mixed-method, four-phase research programme consisting of the grounded theoretical construction of an OSMR debate frame coding scheme, critical frame analyses (CFA) of 12 Pre-Legislative Scrutiny (PLS) debates and 15 Core Legislative Debates, 3 focus groups with social media users of different ages and socioeconomic backgrounds, and 4 semi-structured interviews with Members of the Oireachtas (legislators). I also conduct 1 interview with a mid-level civil servant in the in

the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media (TCGASM), the government department responsible for drafting the Bill. This interview serves as background on the Irish policymaking process and is not included in the CFA. I triangulate the findings from all research phases to address the above research questions, and, ultimately, to also inform a white paper with policy recommendations that will be published after the dissertation is finalised.

1.9.1 Research Phase I: PLS Pilot Study

The first research phase is a grounded theory pilot study (Corbin and Strauss, 1990) that builds an *a priori* coding scheme from the Pre-Legislative Scrutiny (PLS) phase of the OSMR debates. This pilot study helps familiarise me with the nature of OSMR debates and allows for systematic analysis of technology and user frames in subsequent debates, focus groups, and semi-structured interviews.

1.9.2 Research Phase II: OSMR Debates

In Research Phase II, I apply the coding scheme generated in Research Phase I to the remainder of the OSMR debates using critical frame analysis (CFA) (Dekker, 2017; Fairclough, 1995). While this and later research phases are primarily deductive, I identify new frames as needed.

1.9.3 Research Phase III: User Focus Groups

In Research Phase III, I hold focus groups with three SM user cohorts: Dublin City University undergraduate students aged 18-19, Dublin Adult Learning Centre (DALC) students aged 24-67, and Dublin City University Age Friendly University (AFU) participants aged 62-80. Using CFA, I analyse the resulting transcripts for insights into users' beliefs about SM technology and their own agency. Although these focus groups do not directly address the dissertation's research questions, they are crucial from an inclusion and empowerment standpoint. In keeping with the spirit of the project, they provide some degree of agency to users, at least within the context of the dissertation. Moreover, being intimately familiar with the focus group data will help ensure that the resulting policy recommendations are informed by users' own experiences and attitudes.

1.9.4 Research Phase IV: Legislator Interviews

In research Phase IV, I conduct four semi-structured interviews with Members of the Oireachtas and one interview with a civil servant in the Department of TCGASM. As in the other phases, I analyse the interview transcripts using CFA and the existing frame coding scheme. I primarily use this phase to test whether framing patterns identified in the debates also hold at the level of the individual.

1.10 Chapter Summaries

Chapter 2 ‘Theoretical Foundations’ contextualises the dissertation within the tradition of critical theory, providing a solid theoretical grounding for examining the place of user agency in policy debates through critical frame analysis. It also evaluates other key theories, including theories of human agency, technology, and ideology.

Chapter 3 ‘Policy Context’ situates OSMR within a broader regulatory history. It first outlines the shift from self-regulation to binding regulation of SM companies at the global, EU, and Irish level. Next, it explains the origins and evolution of OSMR in Ireland and provides a general overview of the Irish policymaking process.

Chapter 4 ‘Literature Review’ presents previous studies examining policymakers’, users’, and others’ beliefs about technology and user agency. It also critically reviews relevant scholarship on technology policy analysis and the relationship between policymakers and citizens. Particular attention is paid to assessing scholars’ methodological approaches and identifying gaps in the literature.

Chapter 5 ‘Methodology’ outlines the specifics of the chosen methodological approach. It details the research design, including data collection methods (selection of transcripts, focus groups, and semi-structured interviews), and the data analysis methods (grounded theory and critical frame analysis). This chapter also outlines, in granular detail, how the methodology is applied via grounded theory coding rounds and the subsequent frame detection and frame building processes.

Chapter 6 ‘Pre-Legislative Scrutiny Debates’ presents the foundational grounded theory study and CFA of the first set of 12 Pre-Legislative Scrutiny debates on

OSMR. This chapter's primary contribution is an *a priori* frame list on which to base the subsequent deductive CFAs.

Chapter 7 'Core Debates' presents the findings from the application of the frame list generated in Chapter 7 to the core set of 15 Oireachtas debates, including Second Stage through Report Stage debates in both chambers.

Chapter 8 'Social Media User Focus Groups' outlines the findings of the CFA of the three user focus groups with undergraduate, DALC, and AFU students.

Chapter 9 'Legislator Interviews' presents the findings of the CFA of four interviews with Members of the Oireachtas (legislators).

Chapter 10 'Conclusions & Recommendations' ends the dissertation with a comprehensive, macro-level synthesis of all CFA analyses. It also discusses the findings in light of the RQs and explores the possibility of empowering users via deliberative democratic engagement in the technology policymaking process. The chapter concludes by reflecting on the limitations of the project and suggesting potential future research directions.

1.11 Contribution to the State of the Art

This dissertation expands scholarly understanding of SM policymakers' beliefs about technology and users, including whether such beliefs constitute ideologies and how they influence policy outcomes. Limited research has been conducted in this field even though policymakers are increasingly regulating both the operation of SM platforms and the user-generated content appearing on them. In light of these objectives, this project reveals an absence of a 'strong' TD ideology in legislator speech, but also that the lack of TD thought did not translate into efforts to enhance user agency or 'empower' users. Further, a significant level of user frame ambiguity (Dekker, 2017) is detected in the debates regarding who OSMR was meant to serve, a phenomenon that further complicated user empowerment. Finally, comparison of debate and user focus group frames shows a significant mismatch between user and legislator views on user agency, as well as on SM harms and how to address them. Focus group participants activated a much lower ratio of

POSITIVE AGENTIVE to NON-AGENTIVE frames than legislators, and younger user cohorts were especially wary of (and in some cases actively against) government intervention to combat SM harm.

This project's primary theoretical contributions include revealing a possible symbiosis between neoliberalism and 'soft' TD, expanding Andrew Feenberg's concept of 'democratisation of technology' to include user engagement in policymaking via deliberative democratic mechanisms, and providing a normative, rights-based argument that users' needs and experiences should be heard by policymakers. In terms of methodological contributions, the dissertation assumes the unique epistemic position that understanding the fundamental beliefs of policymakers regarding technology and user agency is the first step toward protecting and enhancing agency in practice. This aligns with Rowlands et al.'s (2002) call for 'humanist' policy analyses that recognise the "personal nature of knowledge" (p. 34), and also addresses Anderson's (2014) criticism that policy analyses often overlook the policymaking 'process' in favour of policy outcomes. To this end, this dissertation employs critical frame analysis (CFA) to understand OSMR legislators' beliefs, a methodology that has so far been rarely used for analysing policymaking speech acts.

CHAPTER 2: THEORETICAL FOUNDATIONS

2.1 Introduction

The interdisciplinary nature of this dissertation naturally requires a strong theoretical grounding. This chapter outlines that framework, providing an overview of the key theories that underly the research questions and methodological approach, including the critical theory of technology (CCT) and theories of ideology and agency. Importantly, this overview helps support the case for exploring the policy and user agentic impacts of technological ideology and the decision to employ critical frame analysis (CFA). A final note is that this chapter does not discuss more ‘applied theories’ (i.e., social constructivism and frame theory), as those are outlined in the Methodology Chapter.

2.2 Theoretical Framework

2.2.1 *Critical Theory*

Critical theory (CT) is best understood as a critique of the ideological foundations of power relations and is a so-called ‘grand theory’. Grand theories provide a macro-level view of social relations or, as Turner and Boyns (2001) write, an understanding of the “full range of social forces operating at all levels of social reality” (pp. 353–354).

CT is a relevant grand theoretical lens because this dissertation aims to challenge the predominate instrumental-rationalist view of policymaking (see Schön and Rein, 1994). Instead, this project argues that beliefs, especially those constituting ideologies, often influence policymaking. CT, with its focus on exposing how ideologies shape power relations (Held, 2004), is a useful framework for achieving this goal. The section below briefly introduces the tenets of CT and then focuses on key elements of Andrew Feenberg’s critical theory of technology (CCT) (Feenberg, 2013, 2004, 1999).

It is impossible to fully explain CT without briefly discussing the influence of 19th century philosopher Karl Marx. As Antonio (1983) explains, there are two perceived ‘strands’ of Marxism; ‘Scientific Marxism’, which focuses on how material means of production determine social class (See also Edwards, 2010, pp. 281-283); and ‘Critical Marxism’, which focuses on the ‘alienation’ of the worker in a capitalist economy. This dissertation aligns with the ‘critical’ strand of Marxist thought by locating user agency within the emerging technology paradigm. Indeed, Marx’s concern with the ‘alienation’ of

industrial workers from the value of their labour (Marx, [1844] 1959) is an apt metaphor for the distancing of social media (SM) users from their data and the functioning and regulation of platforms on which they rely.

Although CT can be traced to Marxist thought, it is now most associated with the work of the Frankfurt School (FS) of the early 20th century. The FS was a Marxist German research institute founded in 1924 and largely active until the 1960s. Its members largely eschewed Marx's materialist interpretation of power in favour of an emancipatory cultural critique or what Held (2004) calls a 'sociology of mass culture'. According to Antonio (1983), the shift from an economic to cultural focus was strategic and helped to explain why the proletarian revolution—Marx's predicted uprising of the working class and subsequent collapse of capitalism—had not yet occurred. It was in this spirit that FS intellectuals, including Theodor Adorno, Max Horkheimer and Herbert Marcuse, set about exploring the non-material causes of domination (i.e., ideology). Indeed, the contemporaneous rise of Naziism, fascism, and Bolshevik-style socialism helped precipitated this shift by exposing the power of *ideas* rather than material realities to influence large-scale social change (Antonio, 1983, p. 330).

CT's focus on ideological critique makes it an opportune framework for a project exploring policymaker beliefs about technology. Although a comprehensive overview of the nature of ideology is provided in the 'Ideology Theory' section below, a general tenet of critical theory is that the power of an ideology lies in its ability to simultaneously obscure truth while maintaining entrenched power relations. As Antonio (1983) writes, "Critical theory is concerned with contradictions between ideology and reality" (p. 331). Similarly, Held (2004) explains that CT focuses on 'negating' ideology because ideologies "mask social contradictions on behalf of a dominant class or group" (p. 185). Importantly, Held also extends the critique of technology itself, writing that "Critical reason and autonomous thinking are being eroded as a result of both the 'bracketing of human beings with commodity production' and the fall of the technological veil" (p. 67).

The writings of the early FS often overlooked the role of technology in facilitating domination. However, starting in the 1940s, FS members began to shift their attention to the assimilation and domination achieved through radio and television. Theorists increasingly trained their attention on the growth of 'instrumental' or 'technical reason' as a guiding ideology, which is defined as "the exact calculation of exchange value and the technological domination of nature" (Antonio, 1983, p. 333; see also Weber, [1930] 2014). Marcuse was perhaps most vocal about the relationship between emerging media and

domination. In the first line of his seminal book, *One-Dimensional Man*, he wrote: "a comfortable, smooth, reasonable democracy unfreedom prevails in industrial civilization, a token of technological progress" (Marcuse and Kellner, [1964] 2002, p. 3). Further, Adorno and Horkheimer ([1947] 1997) famously lamented the triviality of mass communication content, disparaging it as 'candy-floss entertainment' that "instructs and stultifies mankind" (p. XV). Finally, there was a growing sense that the purveyors of technology were themselves becoming a dominating 'technocratic' class. As FS members Adorno and Horkheimer wrote in *The Dialectic of Enlightenment* (1947), "the technical apparatus and the social groups which administer it" hold a "disproportionate superiority to the rest of the population" (Adorno and Horkheimer, [1947] 1997, p. xiv). Combined, these views represent a mid-20th century CT consensus (albeit pessimistic) that humans have little ability to exercise agency in a technologically-mediated and -rationalised society.

While the influence of the Frankfurt School waned from the 1960s onward (Antonio, 1983), its legacy continued through the communicative research of Jürgen Habermas (Habermas, 1999, 1991), and to a certain extent, critiques of power made by philosophers such as Michel Foucault (Foucault, 2000), Judith Butler (Butler, 2002), and Pierre Bourdieu (Bourdieu, 1998). Further, CT's preoccupation with exposing ideology also inspired practical offshoots, including this dissertation's primary methodology: Critical Discourse Analysis (CDA) (Fairclough, 1989). However, it was not until the more recent work of Andrew Feenberg, a former student of Marcuse, that CT resumed its technological focus. The following section provides an in-depth exploration of Feenberg's Critical Theory of Technology as this project's primary theoretical lens.

2.2.2 Critical Theory of Technology

Andrew Feenberg, who Hickman (2006) calls the 'third generation' of the Frankfurt School, drew from his predecessors' critiques of technology to build a cohesive critical theory of technology (CTT). However, Feenberg diverged from the early Frankfurt School in significant ways, most notably for his non-essentialist view that technology exists within a social and historical context rather than as a 'thing apart', as well as for his foregrounding of the possibility to challenge techno-capitalist domination (Veak, 2006), and his effort to devise interventions against such domination. Indeed, Feenberg presents CTT as an antidote to the essentialist and deterministic tendencies of modernity theory, arguing that

while concepts like ‘modernisation’ and ‘rationalisation’ (see Weber, [1930] 2014) may help explain technology’s effects on society, they are incorrectly assumed to be totalising forces (Feenberg, 2000). To build CTT and counter determinism, Feenberg draws from constructivist theories to account for agency and, most importantly, outlines possibilities for enhancing agency.

To adequately outline CTT, it is first necessary to explore how Feenberg conceptualises technology. Most accounts of technology centre on humans’ attempts to subdue the natural world for their own ends (Kranzberg and Pursell, 1967; Mumford, 1934). As McNeil explains, technology seeks to transform “scientific knowledge into utilitarian processes and devices” (p. 2). Feenberg expands this definition beyond the artefact to incorporate human experience, writing, “We call an action ‘technical’ when the impact on the object is out of all proportion to the return feedback affecting the actor.” He then explains that in driving a car, “We hurtle two tons of metal down the freeway while sitting in comfort listening to Mozart or the Beatles” (Feenberg, 2004, n.p.). To grasp technology in Feenberg’s critical sense, then, is to understand it not only artefactual sense but also as applied science that influences humans’ interaction with their world and, thus, their agency.

Like his forebearers, Feenberg acknowledges capitalism’s role in guiding the instrumental rationality of technology and agrees with Heidegger and Marcuse that the primary ‘illusion’ of modernism is the tendency to see every object as "potential raw material for technical action" (Feenberg, 2004, n.p.). He also aligns with the Frankfurt School’s preoccupation with exposing societal domination, explaining that “consequences of persisting divisions between classes and between rulers and ruled in technically mediated institutions of all types” (Feenberg, 2004, p. 2). However, Feenberg seems to go farther than previous philosophers in his contention that instrumentalisation is more ideological than material. Invoking Habermas, he states, “There must be something happening in the social lifeworld that explains the effectiveness of technocratic ideology” (Feenberg, 1999, p. 102; See also Habermas, 1999). Here again, Feenberg challenges the essentialist view of technology by showing that it is often culture rather than technology that imposes instrumentalisation and rationalisation on society.

Feenberg’s own theory of instrumentalisation, which he defines as “a kind of compromise between the philosophical and the social scientific perspective,” is central to

CTT (Feenberg, 2000, p. 304). He presents instrumentalisation as a two-tier framework consisting of ‘primary instrumentalisation’ of technology, which he argues happens at ‘four reifying moments’: ‘decontextualisation’, or the removal of a technology from its life-world context; ‘reductionism’, the simplification of technology to component parts; ‘autonomisation’, the distancing of technology from its effects; and ‘positioning’, the placing of technology in places and situations in which it can be of most value (pp. 305-308). A cursory glance at this ‘primary instrumentalisation’ framework suggests a close alignment with classic technological determinism because it considers technology in ‘essence’ rather than context.

In closer alignment with constructivist theories, Feenberg defines ‘secondary instrumentalisation’ as the ‘integration’ of a technology into “the natural, technical, and social environments that support its functioning” (p. 308). Importantly, Feenberg partially grounds the ‘secondary instrumentalisation’ in Habermas’ conception of the informal communicative environment or ‘lifeworld’ (see Habermas, 1999). He writes, “[I]nstrumentalization theory offers a framework within which to analyze the imbrication of the technological system and lifeworld” (Feenberg, 1998). Feenberg outlines secondary instrumentalisation as occurring in four moments: ‘systemisation’, or the linkage of technical devices; ‘mediation’, or the arranging of technologies to align with human beliefs or values; ‘vocation’, the use of technology as a tool of trade; and ‘initiative’, or the motivation of users to employ technologies in certain ways (Feenberg, 2000, 308-310). Thus, the core relevance of the theory of instrumentalisation (and CTT as whole) is that it affords the possibility human agency even in a highly technical society.

Feenberg consistently foregrounds consideration of human agency throughout his critical work. In his seminal book, *Questioning Technology* (1999), he writes: “the fundamental problem of democracy today is quite simply the survival of agency in this increasingly technocratic universe” (p. 101). Similarly, during a lecture on CTT in 2004, Feenberg invoked agency in his opening statement: “the central issue today is the prevalence of technocratic administration and the threat it poses to the exercise of human agency” (Feenberg, 2004, n.p.). It is this sustained focus on agency that most differentiates CTT from early critical theory’s “gloomy accounts of modern life” that “left little or no room for change” (Feenberg, 1999, p. 104). The subsection below explores Feenberg’s answer to realising human agency through secondary instrumentalisation: the concept of ‘democratisation of technology’.

2.2.3 Democratisation of Technology

Although Feenberg is optimistic about the potential for humans to exercise agency, he laments the lack of possibilities for doing so. He calls for a ‘democratic rationalisation’ or ‘democratisation of technology’ (DOT) that will “include the experience of users and victims as well as the knowledge of experts” (Feenberg, 2013, p. 19). To achieve such ‘democratisation’ Feenberg advocates enlarging technological stakeholderhood to ensure that technological effects are felt across society and reflect what he calls ‘participant interests’, explaining that “if masses of individuals are enrolled into technical systems, resistances will inevitably arise and can weigh on the future design and configuration of the systems and their products” (Feenberg, 2004, n.p.). Similarly, Feenberg argues that that ‘opening up’ technology “to a wider range of interests and concerns could lead to its redesign for greater compatibility with the human and natural limits on technical action. A democratic transformation from below can shorten the feedback loops from damaged human lives and nature and guide a radical reform of the technical sphere” (Feenberg, 2004, n.p.).

It is important to highlight whom Feenberg believes is excluded from technical systems and, thus, who should lead the ‘democratic transformation from below’. On this point, Feenberg seems to focus on non-technical users, at one point invoking “...patients, users of a domestic computer system, participants in a division of labor, neighbors of a polluting plant...” (Feenberg, 1999, p. 105) and adding that ‘democratic rationalisation’ emphasises “the public implications of user agency” (p. 108). Feenberg, at one point, also speaks of ‘latent groups’, or those who “lack the power to influence design decisions” and are ‘missing’ in constructivist case studies (Feenberg, 2004, np). Indeed, Feenberg further laments that disempowered groups are ironically overlooked by STS scholars even though they were a core focus of Marxist Theory (Feenberg, 2013, p. 15).

While the normative aims of DOT are relatively clear, Feenberg fails to systematically outline practical ways of realising such a democratic transformation. As Doppelt (2006) argues, “Feenberg’s conception of democratization of technology is simply too abstract to serve as a standard of emancipation” (p. 87). A prime example of Feenberg’s lack of pragmatism comes from a lecture he gave in 2011 titled, ‘Agency and Citizenship in a Technological Society,’ during which he argued that achieving technological democratisation through traditional representative democratic means was insufficient; however, he only briefly mentioned ‘micro-political’ alternatives such as ‘boycotts and lawsuits’ and experiments in ‘participatory design’ (Feenberg, 2011, pp. 12–13).

Interestingly, Feenberg at one point mentioned deliberative democracy as a possible avenue for achieving DOT. However, he quickly discredited the idea, explaining that “No one wants the decisions about the bridges we drive over to be made by referendum” (Feenberg, 2011, p. 2).

Feenberg’s failure to marry his idealised view of technological democratisation with strategies for emancipation is unsatisfactory, especially given the increasing technologisation of society and the perennial importance of agency to human flourishing. Thus, a key contribution of this dissertation is taking the concept of ‘democratisation of technology’ and exploring how it might be applied to SM regulation through deliberative democratic means (see RQ 3).

2.3 Technological Determinism

Winner’s (1989) contention that determinism sees technology as a “primary cause of change in our institutions, practices, and ideas” (p. 65) generally encompasses the concept as understood in this dissertation. Karl Marx is often considered the first ‘determinist’,⁵ a claim often supported by oft-quoted phrase “the hand mill gives you the feudal lord and the water mill the industrial capitalist” (Marx, [1847] 1999, n.p.). However, the 1920s and 1930s marked a high point of determinist thought amongst scholars, including the famous technology historian Lewis Mumford (Misa, 1988a; Mumford, 1934) and, as Feenberg laments, members of the Frankfurt School (Feenberg, 2000). Determinist theory was also the lens through which scholars viewed radio and television, as encapsulated in Howard Laswell’s Hypodermic Needle Theory (also called the Magic Bullet Theory) of media (Lasswell, 1927), as well as Marshall McLuhan’s infamous analogising of humans as “sex organs of the machine world” (McLuhan, 1967, p. 56). Such conceptions posed problems for human agency, as they considered technological agency the most powerful force acting on society.

Technological determinism (TD) is often a cumbersome and ill-defined theory; however, several scholars have sought to elucidate its nuances. For example, Smith and Marx (1994) argue that TD beliefs exist along a continuum between ‘hard determinism’, in which technology is afforded ultimate agency, to ‘soft determinism’, in which technological agency is mediated by economic, social, and other non-technical, agentive forces (pp. ix-xiii). Further, Wyatt identifies four types of technological determinism:

⁵ Some scholarly disagreement exists over whether Marx was truly determinist (see MacKenzie, 1984).

justificatory, descriptive, methodological, and normative. Among these types, ‘justificatory’ and ‘normative’ appear most relevant to policymaking. As Wyatt explains, justificatory determinism is often employed to support technology policy decisions, while normative determinism ‘decouples’ political accountability from technology (p. 167). Such theoretical work is important because it invites scholars to acknowledge the complexity of determinism as an ideology (i.e., shades of determinism) rather than use a broad-brush analytical approach.

As will be explained in the next section, constructivist accounts of technology that foreground human agency have largely replaced determinist ones in the scholarly literature. At the same time, however, some scholars contend that a total rejection of determinism risks oversimplifying the dynamic between technology and society. As Peters (2017) facetiously writes, “Whatever *technological determinism* is, it is one of a family of pejoratives by which academics reprove their fellows for single-minded devotion (or monomaniacal fanaticism) to their pet cause” (pp. 10–11, author's italics). More direct in their criticism are Leonardi and Barley (2010): “the swing away from technological determinism toward social constructivism, which began in the 1980s, has gone too far” (p. 3). Indeed, such scholars often argue that the material power of technology cannot be ignored and, therefore, argue for a ‘soft’ version of TD that accounts for macro-level effects of technology on society rather than a reliance on constructivist case studies (Smith & Marx, 1994; Dafoe, 2015; Heilbroner, 1994).

Finally, a scholarly argument that clearly aligns with this dissertation is that ‘belief’ in determinism alone begets determinist outcomes. This view holds that although technology is not in essence the most powerful actor in society, the fact that humans believe it is leads them to capitulate to technological forces and discount their own agency. As Dotson (2015) argues, “acquiescence to technocracy is reflected and reinforced by entrenched ideas, assumptions, and belief systems” (p. 100). As Wyatt (2007) similarly contends:

It [determinism] remains in the justifications of actors who are keen to promote a particular direction of change, it remains as a heuristic for organizing accounts of technological change, and it remains as part of a broader public discourse which seeks to render technology opaque and beyond political intervention and control (175-177).

2.3.1 Key Determinist Beliefs

As technological determinism is a broad ideology, it would be impossible to cover its every element in this chapter. However, outlining key markers of determinist thought is important, as such markers may help inform the critical frame analyses in subsequent chapters and address RQ1 concerning technological ideology. The following are determinist beliefs (or perhaps more appropriately ‘fallacies’) commonly referenced in STS and policymaking scholarship:

1. *Dystopianism/Utopianism*: As noted in the Introduction Chapter, a common determinist tendency is to judge technologies as either ‘good’ or ‘bad’. On the dystopian end of this continuum, lies the belief that technology is to blame for the ills of modern society (e.g., Marcuse and Kellner, 2002). In contrast, the utopian standpoint sees technology liberating force with near limitless positive implications, a view most commonly espoused by the technology industry itself (See Das and Lam, 2016; West, 1996). Such polarised evaluations are problematic because they overlook the nuanced ways in which technologies develop, evolve, and impact different user groups (Fisher and Wright, 2006). Even more concerning is that the dystopian/utopian dichotomy ascribes agency to technology, thus leaving “little room for human agency in the technical sphere” (Feenberg, 2013, p. 2).
2. *Instrumentalism*: Instrumentalism is closely tied to the concept of rationalisation and presents technology as ‘tool’. This view sees technology as ‘value-free’ or ‘neutral’, meaning that values are not embedded in technology itself but are determined by the users (Feenberg, 1999; Garrison, 2010). As Wyatt (2007) points out, this view was famously challenged by Winner’s (1980) exploration of New York City planner Robert Moses’s use of transportation infrastructure to disenfranchise black residents. A popular, contemporary example of this instrumentalism is the argument that “Guns don’t kill people, people kill people.”
3. *Solutionism*: Rather than viewing technology as the cause of society’s ills, ‘solutionism’ considers it a panacea. Solutionism employs ‘technofixes’ (Jarvis and Savage, 2022) to solve non-technical problems, and it is especially prevalent in policymaking arena. Politicians wishing to be seen as ‘doing something’ often

suggest that technology will solve complex issues such as climate change, fake news, and health emergencies (Maschewski and Nosthoff, 2022; Sætra, 2023).

4. *Cultural Lag*: The concept of cultural lag presents society as being slow to adapt to or as ‘lagging behind’ technological change. It presupposes both that human adaptation is required and that technology evolves faster than cultural and social norms (Marshall, 1999). Cultural lag is often reflected in policy discourse as the ‘failure’ of government policy to ‘keep up’ with technology (Livingstone and Brake, 2010; Pawlak and Wendling, 2013).
5. *Linear Progress*: Closely related to cultural lag is the idea of the ‘linear progress’ of technology, or the belief that technologies will continue to advance both in terms of their complexity and beneficence. Summarising Feenberg (1982) Misa (1988) writes, “We measure technological progress by references to the criteria it fulfils in the present, and it is the shifting of the criteria that supports the illusion of unilinear and determining technological development” (p. 312). A popular example of the ‘linear progress’ in contemporary culture is Moore’s Law, which holds that the number of transistors on a silicon chip will double roughly every 12 months (Ceruzzi, 2005; Moore, 1965).
6. *Internal Logic*: The belief in an ‘internal logic’ of technology stems from a view of technology as an inherently self-generating, autonomous force governed by “an internal, technical logic that has nothing to do with social relationships” (Wyatt, 2007, p. 168). Misa’s (1988b) concept of ‘momentum’ is as helpful proxy for this belief. Similarly, as Hughes ([1987] 2012) writes, technological systems “have a mass of technical and organizational components; they possess direction, or goals; and they display a rate of growth suggesting velocity. A high level of momentum often causes observers to assume that a technological system has become autonomous” (p. 76).
7. *Obligatory Tech*: A final notable deterministic belief is that certain technologies are seen as ‘obligatory’ or as requisite for modern life. Such a view is often seen in users inability to ‘live without’ certain technologies on which they rely (Hadlington et al., 2019; Ling et al., 2023), but is also to some extent evident in policy concerns

over ‘digital divides’ and the worry that individuals without digital access will be ‘left behind’ (Compaine, 2001). While technologies often bring societal advantages, the ‘obligatory’ view is problematic because it encourages an uncritical view of certain technologies as *essential*. Chandler (2012) presents the unquestioned centrality of the automobile to American life as fitting this pattern.

2.4 Constructivism

Constructivism⁶ arose as the mid-20th century acknowledgement of the power of *social* as opposed to material forces in shaping society and perceived ‘reality’ (Lynch, 2016). The seminal work in this field, Berger and Luckmanns’ *Social Construction of Reality*, first published in 1966, posited that reality “originates in thoughts and actions, and is maintained by these” (p. 33). Importantly for this project, the constructivist view influenced many STS scholars (Bijker et al., [1987] 2012; MacKenzie and Wajcman, 1985; Pinch and Bijker, 1984). Thus, constructivism marked a move away from the reductionist tendencies of technological determinism toward an understanding of technology “as a social process” (Misa, 1988a, p. 322). Indeed, rather than taking a ‘macro’ or top-down view of technology and society, as is the case with determinism, constructivists in the STS tradition often used empirical case studies to highlight non-technical influences on the technical sphere. Indeed, Andrew Feenberg himself used a case study analysis of social forces to explore user-led changes to the use of Minitel in France (Feenberg, 1992b). As Misa (1988a) explains, such case studies help foreground the social and “dissolve the Machine” (p. 319).

It was only in the 1980s that constructivist studies of technology began to seriously challenge the determinist consensus of years prior (Lynch, 2016; Woodhouse, 2005). In contrast to determinism, constructivists developed distinct yet cogent theories of technological development. The first such framework was the technological systems approach, conceptualised by Hughes (1983), which used the emergence of a national electricity grid show how modern technical artefacts often evolve into large-scale technological systems that then become embedded in social reality (see also Allen and Hecht, 2001). However, more-developed theories soon eclipsed this, the most notable being the Social Construction of Technology (SCOT), which was outlined by Pinch and Bijker

⁶ As Lynch (2016) explains, the terms ‘constructivism’ and ‘constructionism’ are used interchangeably in STS, though they hold slightly different meanings in other fields. That said, I use ‘constructivism’ throughout this dissertation.

(1984) and the Social Shaping of Science and Technology (SST), which was presented in a collection of essays edited by MacKenzie and Wajcman (1985).

SST examines how social factors helped ‘shape’ technological trajectories. According to Williams and Edge (1996), SST developed into a ‘broad church’ but one “united by an insistence that the 'black-box' of technology must be opened, to allow the socio-economic patterns embedded in both the content of technologies and the processes of innovation to be exposed and analysed” (p. 866). A well-known SST study conducted in this spirit was ‘How the Refrigerator Got its Hum’ (Schwartz Cowan, 1985), which explored how the electric refrigerator became standard over gas due to General Electric’s effort to curry favour with electric utility companies. Such studies show how technical outcomes do not result from the ‘internal logic’ of technology but human decision-making at the concept and design stages.

SCOT focuses less on preliminary design choices than on how launched technologies are interpreted by various users or ‘relevant social groups’ through what Pinch and Bijker (1984) call ‘interpretive flexibility’. As Bijker (2010) argues, the approach of seeing technologies through the experiences of users leads to “not one artefact, but many” (p. 68). SCOT also focuses on how such contestations between interpretations ultimately converge or ‘stabilise’ on commonly-accepted technological design and usage (also see Bijker, 1993). Pinch and Bijker (1984) famously outlined this process by explaining how the bicycle evolved from an originally popular design with a large front wheel (the penny-farthing bicycle) to the now taken-for-granted or ‘stabilised’ configuration of two smaller wheels of similar size (the safety bicycle) (pp. 411-418). They show that this stabilisation resulted from collective pressure by women who saw the penny-farthing’s high rider orientation as too revealing for dress-wearers.

Unique among constructivist accounts is actor-network theory (ANT) (Latour, 2007, 1987; Latour and Woolgar, 1979), which argues that both ‘technical’ and ‘social’ artefacts have agency. This view is perhaps most famously espoused in Latour and Woolgar’s (1979) seminal work, *Laboratory Life: the Social Construction of Scientific Facts*, in which they view laboratory discoveries through an anthropologist’s lens of social negotiation. A clearer example of Latour highlighting technologies as actors is his contention that ‘mundane artefacts’, including seatbelt alarms, automatic door openers, and speed bumps (also known as ‘sleeping policemen’), are the ‘missing masses’ of sociology (Latour, 1992). For Latour, the traditional division between technology and humans is insufficient to account for how they act together as a ‘network’ and form a “complete chain

along which competences and actions are distributed” (p. 243). Given ANT’s focus on non-human elements, it is less socially constructivist than SCOT and SST. Indeed, Lynch (2016) contends that ANT helps bridge materialist and constructivist accounts of technological development.

Though the above theories differ in how they integrate humans into the technological process, all are connected by the idea that technology and society are fundamentally linked. Bijker (1993) succinctly explains this relationship: “Society is not determined by technology, nor is technology determined by society. Both emerge as two sides of the same sociotechnical coin...” (p. 125). Yet, like determinism, constructivism also has its detractors. Many scholars argue that theoretical pendulum has swung too far in the constructivist direction, obscuring what they argue are technology’s structural and material effects on society (Leonardi and Barley, 2010; Wyatt, 2007). Another common critique is that constructivist theories undermine the objectivity of scientific fact, a criticism most often directed toward constructivist accounts of scientific discovery (e.g., Latour, 1987; Latour and Woolgar, 1979).

2.4.1 Key Constructivist (i.e., Non-Determinist) Beliefs

As with determinism, several common ‘non-determinist’ themes guide this analysis:

1. *Design Choices*: This theme aligns with SST’s focus on the human decisions made at the initial stages of a technology’s development. As Schwartz Cowan (1985) points out in her analysis of electric refrigeration, such decisions stem from considerations such as aesthetics, production cost, and demand. This view counters determinist ‘instrumentalism’ by acknowledging that technologies are, from inception, embedded with human values from inception.
2. *User Choices*: The idea of ‘user choice’ aligns with SCOT’s acknowledgement of ‘interpretive flexibility’ or the idea that what a technology means and how it is used varies by user group. An example of the acknowledgement of ‘user choice’ is the recognition that the popularity of SM platforms varies by user group.
3. *Instrumentalism*: Though also named as a ‘determinist’ theme in the sense of viewing technology as value neutral, instrumentalism in the ‘non-determinist’ sense acknowledges technology as a mechanism through which to achieve user ends.

Thus, a non-determinist instrumentalist view would see SM affordances as ‘useful’ for achieving user goals such as keeping up with friends or expressing one’s opinion (see boyd, 2011).

4. *User Resistance*: ‘Technological resistance’ acknowledges when humans effectively push back against the technological status quo. This theme is prevalent in environmental advocacy (Adenle, 2014) and worker rights literature (Tassinari and Maccarrone, 2020). It is also central to Feenberg’s concept of ‘democratic rationalisation’ in which users are participants in meaningful technological change (Feenberg, 2004). In the SM context, resistance is often shown through actions such as gaming algorithms (Bhargava et al., 2019) and even non-use (Baumer et al., 2018).
5. *Regulatory Control*: The concept of ‘regulatory control’, or the idea that technology can be effectively regulated, counters the view that technology is too complex or ‘black-boxed’ to be governed (Winner, 1993). This view holds that technological advance should be questioned and to some degree controlled by institutions outside of the tech industry, thus also undermining the self-regulatory model. Examples of regulatory control of digital communications technologies include the multi-stakeholder model of internet governance (Malcolm, 2008) and emerging command-and-control regulation of SM platforms (Baccarella et al., 2020).

2.5 Ideology

This dissertation employs ideology theory to explore whether ideologies shape policymakers’ views of technology and user agency. Scholars have theorised ideology in various ways, including “the expression of the relation between men [sic] and their world” (Louis Althusser cited in (Eagleton, 1979, 62.)); ‘action-orienting worldviews’ (Habermas, 1991); and “the power to project one’s practices as universal and ‘common sense’” (Fairclough, 1989, p. 33). However, Verschueren's (2012) broad definition, which incorporates framing, seems most appropriate for this project: “ideology is associated with underlying patterns of meaning, frames of interpretation, world views, or forms of everyday thinking and explanation” (p. 7). Following Verschueren, this dissertation adopts a view of ideology that extends beyond the term’s popular political usage (Jost et al., 2008)

to include a general set of beliefs about broad phenomena. This application of ideology also aligns with Weninger's (2020) call for a “more nuanced understanding of power” that “takes account of ideology as the various cultural, institutional and situational influences on the constitution of the interaction order” (p. 113).

Providing a theory of ideology requires clearly outlining how ideologies operate. First, it is important to differentiate ideology from mere ‘belief’. According to Verschueren (2012) beliefs are ‘contents of thinking’ whereas ideologies are constructed from a set of beliefs that constitute a certain worldview (p. 7). In other words, beliefs (which can also include opinions and ideas) must hang together in a ‘coherent’ and ‘stable’ manner to constitute an ideology (Knight, 2006, p. 619). Second, as scholars such as Fairclough (1995, 1989) and van Dijk (1995) show, ideologies have a teleological function in that they can be used to justify and maintain some form of power relations. Third, the fact that ideologies are taken-for-granted belief systems, results in adherents often being unaware of their existence or influence (Eagleton, 1979). As Žižek (2012) explains, this lack of consciousness contributes to domination, as “the very logic of legitimizing the relation of domination must remain concealed if it is to be effective” (p. 8).

In addition to meeting the above internal criteria, ideologies must also have shared import. As Harris (1971) explains, an ideology is not an ‘eccentric philosophy’ of one or a few people, but occurs when a group “discovers a common purpose in seeking to overcome a common problem” and “creates appropriate theoretical formulations of what it is seeking to do, why it is doing this, and what differentiates it from other groups” (p. 44). Indeed, many scholars elevate ideology to the level of cultural construction. For example, Fairclough (1995) claims that ideologies often shape institutional cultures such as “the family, the school, the workplace, church, the courts” or “some department of government” (p. 37). A more recent example is Neubauer's (2011) argument that civil society and government reinforce neoliberalist ideology. Further compounding the link between institutions and ideologies is the idea that ideologies are often elite constructions. Indeed, there is some evidence to suggest that politicians are more likely to be influenced by ideology than are members of the general public (Abercrombie and Turner, 1978; Plutzer et al., 1998a). Importantly, such arguments help justify this project’s exploration of ideological influences on policymakers.

Another key consideration is how ideologies are communicated and perpetuated. The bulk of ideology scholarship holds that ideologies are constructed and maintained through language (Fairclough, 1989; Verschueren, 2012), including through news reports

(Reynolds, 2019) and political speech (Jost et al., 2008). In terms of style, ideological language often leans more persuasive than informative, relying on highly emotive terminologies: “wishing, cursing, fearing, denigrating, celebrating...” (Eagleton, 1979, p. 65). Further, certain linguistic structures, including legitimation and justification (Van Leeuwen, 2007), often help build frames. A clear explanation of the relationship between frames and ideology comes from Reese (2009): “frames are embedded in a ‘web of culture’” with a “historically rooted but dynamic cultural context” (p. 2).

A final consideration, and one that outlines the importance of this project, are ideological effects, especially on policymaking. While it may at first appear that cognitive phenomena such as ‘belief’ and ‘ideology’ lack real-world impact, scholars have long highlighted their material outcomes by drawing a connection between belief and action: “a theory that is false can become true simply by people believing it is true” (Schwartz, 2021, p. 6); “Imaginary relation is itself endowed with material existence...” (Althusser, 2008, p. 41); “propositions may be true or false, but practices cannot be” (Eagleton, 1979, p. 63). In addition to such sweeping conclusions, there is also concrete theoretical and empirical scholarship, especially in the sociocognitive field. For example, Snyder (1984) shows how false perceptions of others shapes social interactions with those individuals, and Campbell (2002) illustrates how “ideas rather than self-interest determines policy-making outcomes” (p. 21). On a more granular level, Schwartz (2021) argues that ideologies encourage ‘reconstrual’, or lead people to change their behaviours based on incorrect beliefs, and also generate ‘self-fulfilling prophecies’ in which the change of behaviours based on false beliefs confirms original assumptions. Similarly, Campbell and Kay (2014) explore how ‘motivated disbelief’ encourages politicians to disregard evidence or solutions that do not align with their ideological camps.

2.5.1 Technology and Ideology

As the above section on determinism makes a strong case for a link between technology and ideology, I will only briefly reiterate that point. Scholars have named several specific technological ideologies at play in modern society, all various shades of determinism and invariably aligning with dystopian or utopian views. For example, Barbrook and Cameron (1996) coined the term ‘Californian Ideology’, which they define as the “contradictory mix of technological determinism and libertarian individualism” and the “hybrid orthodoxy of the information age” (p. 4). For Van Dijck (2014), ‘Dataism’ is the “widespread *belief* in

the objective quantification and potential tracking of all kinds of human behavior...” (italics original) (p. 198), a fallacy that leads users “naively or unwittingly—trust their personal information to corporate platforms” (p. 197). Balbi (2023) names the ‘digital revolution’, or the belief in unprecedented technological change, as an ideology (see also West, 2024).

It is important to note that technological ideology, or what Schwartz (2021) calls the ‘technology of ideas’, extends well beyond the technical sphere to interact with other belief systems. Indeed, Wasilewski (2020) highlights that “social responses to technology, and technological progress in general, largely depend on ideologies — or a consistent set of values, attitudes, and beliefs” (n.p.). Further, scholars have explored the centrality of technology to broader ideological systems such as Marxism (Bimber, 1990; Hornborg, 2001), Capitalism (Carlson, 2001; Hughes, 1983; Kemp, 1966), Neoliberalism (Hess, 2015; Neubauer, 2011; Pickard, 2013) Progressivism (Winner, 2020, 1989), and Libertarianism (Barbrook and Cameron, 1996). The fact that technological beliefs and ideologies permeate even non-technical domains underscores the necessity of critiquing them and underlines the importance of this project’s exploration of the dynamic between government, platforms, and citizens.

2.6 Agency

Agency is generally defined as the capacity to act as an individual or alongside others and is commonly discussed in association with Action Theory, which concerns the causal mechanisms behind why humans act (Emirbayer and Mische, 1998). Agency, therefore, is distinct from mere ‘autonomy’, which acknowledges an agent’s freedom from external influence but necessarily not their capacity to act (Cummins, 2014). At the same time, restricting agency only ‘action’ renders it too broad a concept on which to ground a normative project aimed at enhancing user agency (See RQ3). Indeed, Barandiaran et al. (2009) show that the simplistic action=agency model affords a “bacterium performing metabolic-dependent chemotaxis” with agency (p. 375), and a similar debate then arises concerning the ‘agency’ of autonomous technologies (Berberian et al., 2012; Shyam, 2020). Thus, although agency requires the capacity to act, building a theory of ‘human’ agency requires expanding on this model.

2.6.1 Human Agency

Although a comprehensive overview of the metaphysical debates surrounding human agency is beyond the scope of this project, several core elements are common in literature. For example, many scholars contend that agency is only exercised when an agent acts with ‘intent’. This conception of agency has a long history, underpinning Kant’s view of humans as rational moral agents with the ability to choose ‘courageous action’ (Kant et al., 2002; Watkins, 2017). The intentional view is also found in the seminal works of Anscombe ([1957] 2000) and Davidson (1963), and contemporary scholarship, as shown by Rosenbaum’s (2019) definition of agency as “people’s ability to choose actions that are based on a consideration of past behaviors and possible future outcomes...” (p. 1). However, as Schlosser (2019) points out, the intentional view of agency is still limiting in a human context because actions such as driving a car or improvising jazz can be habitual yet intentional (see also Emirbayer and Mische (1998) regarding ‘repertoires’).

While ‘action’ and ‘intent’ fall short of fully capturing human agency, a final criterion helps round it out: reflexivity. Crucial here is Charles Taylor’s (1985) argument that truly exercising agency requires ‘reflectiveness’ or what Bandura (2020) calls ‘metacognition’. As Taylor writes, “what is distinctively human is to *evaluate* our desires” (p. 15). Thus, Taylor and Bandura move beyond the model of intentional action toward a more instrumental conception that requires conscious alignment between actions and goals. Importantly, Archer (2012) invokes technology in this sense by arguing that reflexivity has become a *categorical* need in a ‘modern’ world in which tradition and habit are less reliable. She explains that agents now more than ever must consciously “define their course(s) of action in relation to the novelty of their circumstances” (p. 1). Thus, this view of agentic action is not mindless but informed by higher-level cognition.

Based on the scholarship above, I use the following formula to express the nuanced view of human agency used in this dissertation:

$$(Capacity + Intention + Action) \rightleftharpoons Reflexivity = Human\ Agency$$

Because the ideal form of agency presented above requires meeting specific criteria (i.e., capacity, intention, reflexivity), it follows that humans mostly experience imperfect or ‘constrained’ agency. Indeed, if agency were easy to achieve, it would be a poor topic for a critical research project. Rosenbaum (2019) defines ‘constrained agency’ as occurring

“Whenever one’s behavioral intentions do not align with one’s actual behavior because of restraining outside forces...” (p. 2). Thus, constrained agency represents a tension between an individual’s or group’s own volition and the external or ‘structural’ limitations they encounter. Thankfully, the tension between agency and structure is well-studied, and is most clearly articulated by Giddens’s (1984) Structuration Theory, which holds that exercising human agency often requires negotiating with “already-existing rules and resources” (Johnson, 2008, p. 459). However, as Orlikowski (2005) points out, Giddens only focused on the social elements of structure and did not acknowledge technology, thus making classic Structuration Theory of limited use in this dissertation.

A critical point about agency and structure is that humans experience different agentic possibilities and constraints. Perhaps the most common agentic distinction made for humans is between children and adults. The commonly accepted view of children is that they are ‘innocent’ or ‘immature’ (Haring et al., 2019) and by extension “uncompleted and incompetent agents” (Ponte et al., 2009, p. 161). Indeed, traditional moral and rational models of agency have typically overlooked children’s agency on account of their perceived inability to make complex decisions (Valentine, 2011). However, many contemporary scholars argue that simply because children do not exercise agency in the same way as adults does not preclude them from possessing agency. As Haring et al. (2019) show, even abused and neglected children can activate their agency through artistic expression. However, it is widely agreed that adults should play a role in securing child agency (through art instruction, for instance), as the obvious mental and physical limitations of children may make some forms of agency difficult to activate. As Baker and Le Courtois, (2022) argue, “Children need to be supported to make the most of opportunities” (p. 437).

Aside from children, many adults’ agentic experiences systematically diverge from the Western idealised, rational, and action-oriented conception. Understanding such diverse experiences is crucial for a critical research project, thus helping avoid what Davies (1991) calls a default ‘masculinist elitist’ understanding of agency (p. 44). For example, many women are blocked from political and economic affairs due to patriarchal dominance (Frank, 2006), yet they may also be more likely than men to exercise their agency online (Stavrositu and Sundar, 2012). Further, ethnic, sexual, and gender minorities may lack meaningful representation in public institutions; however, they often engage in effective public resistance (Carney, 2016; Lokot, 2020, 2018; Lucero, 2017). Age is also a potential constraint, as older adults may experience decreased physical and mental faculties. At the

same time, elderly individuals are known to seek agency-enhancing opportunities such as ‘late-life learning’ programs (Moody, 2004). Finally, lower socioeconomic status often portends decreased agency, especially in terms of market participation; however, such groups are increasingly making their voices heard by rejecting politics as usual (Kalb and Halmai, 2022). Although these examples are not exhaustive, they show that although the agency of vulnerable people is often constrained (and as this project argues, should be enhanced), such individuals and groups can and do exercise agency in meaningful ways.

To understand agency as it is conceived in this project requires moving beyond an instrumental to a normative account. The idea that agency is central to human wellbeing has a long philosophical history, as evidenced by Aristotle’s concept of *eudomania* or human flourishing (Moran, 2018) and especially Kant’s Categorical Imperative (Kant et al., 2002). According to Watkins (2017), Kant believed that “all persons, in virtue of their rationality, are treated not as things with a price, but as ends in themselves worthy of unconditional respect, precisely because of their capacity for autonomous agency” (p. 2). Put differently, Kant believed a person’s capacity to think for themselves provides the possibility of agency, which makes them worthy of respect. ‘Dignity’ also closely correlates with this position. As Kleinig and Evans (2013) explain agency and dignity are often co-dependent and both lie at the heart of modern human rights doctrine. Importantly, presenting agency as a path toward dignity helps distance it from a purely rational concept to one whose meaning is to some degree culturally relative (Archer, 2004).

Finally, it is important to operationalise the normative account of agency presented above through the concept of ‘empowerment’. This dissertation follows Sato et al.’s (2022) definition of empowerment as the ‘enhancement of agency’. Sato et al. draw on the work of scholars in fields ranging from economics to psychology to explain how empowerment can be achieved through a variety of mechanisms, including through participation, control, and mobilization (p. 65). In this view, the central premise of empowerment is that those being empowered are provided with expanded opportunities to exercise their agency. Returning to this project’s research agenda, determining whether or not OSMR policymakers sought to provide users with expanded agency (i.e. to empower users) is a central aim.

2.6.2 *User Agency*

Exploring the nature of human agency online is important because, as Emirbayer and Mische (1998) explain, agency is relative to time and place (p. 962). Also helpful in this regard is van Dijck's (2009) argument that user agency is contingent upon “multifarious roles of users in a media environment where the boundaries between commerce, content and information are currently being redrawn” (p. 42). Thus, van Dijck sees the nature of agency as different online versus offline, a view that is widely shared by others scholars (Neff and Nagy, 2018; Tufekçi, 2016; Wessels, 2013).

Critical assessments of SM are largely divided between whether such technologies enhance or restrict user agency (see Orlikowski (2005) on ‘duality of technology’). On one hand, there is a view that various technological ‘affordances’ (see boyd, 2011) provide more opportunities to take action, such as by allowing “searching for and locating information,” “interaction with a data display,” and “speech acts that resist a dominant discourse” (Stephens and DeLorme, 2019, p. 391). Indeed, even though van Dijck (2009) is largely pessimistic about the possibility of substantive SM user agency, he contends that platform design encourages ‘participatory engagement’. Similarly, Deuze (2006) argues that “a sense of participation is what people have come to expect” from digital technologies (p. 68).

In terms of limits on user agency, Tufekçi (2016) explores how “algorithmic computational-tools dynamically filter, highlight, suppress, or otherwise play an editorial role—fully or partially” in channelling online speech (p. 208). Further, as Orlikowski (2005) points out, digital technology constrains user agency through ‘material performativity’ (p. 185). Similarly, Kallinikos (2002) holds that digital technology shapes the ‘terms’ of the user agency by producing ‘IT artefacts’ that “objectify and organize their major tasks and invite (or exclude) human participation” (288). More specific to SM, van Dijck (2012) argues that platforms fail to constitute a ‘public sphere’⁷ because SM ‘engineers’ rather than facilitates conversations (p. 168). A final pessimistic stance is some scholars’ argument that many ostensible opportunities for exercising agency via SM are simply gimmicks. For example, Peters (2017) suggests that personalisation features, such as likeness avatars, really only invite users to exercise agency on the industry’s terms (p. 22). As the above debate shows, theorising user agency is not a simple case of transplanting offline mechanisms for human action to the online sphere, but necessitates understanding

⁷ See Fraser (2017) for a comprehensive overview of Jurgen Habermas’ Theory of the Public Sphere.

how technological affordances and constraints affect users' capacity to act intentionally and reflexively.

2.6.3 Governments and Citizen Agency

That ensuring citizens' dignity (i.e., agency) should be a central concern of any democratic government is an uncontroversial stance. However, there is a longstanding (and often fiery) ideological debate over how citizen agency is best honoured.⁸ On one side is the classic liberal or 'anti-paternalist' philosophy that the chief responsibility of the State is to ensure the 'liberty'⁹ of its citizens through provisions of rights and the Rule of Law (Demenchonok, 2009). Indeed, Berlin's (1968) concept of 'negative liberty', or freedom from external interference, closely aligns with this view, as does the definition of autonomy (Cummins, 2014). Further, John Stewart Mill's 'Harm Principle' is often touted as a guiding text: "the only purpose for which power can be rightfully exercised over any member of a civilised community, against his will, is to prevent harm to others" (Mill, [1859] 2016, p. 18). Thus, in Mill's view, it is unacceptable for governments to interfere in the lives of citizens to ensure their welfare—even if doing so prevents them from harming themselves (Turner, 2014). Indeed, Mill's adherents would label any attempt of governments to protect citizens from even knowingly harming themselves as 'paternalistic' (Begon, 2016), or an "insult to autonomous agents" (Shiffrin, 2000, p. 207). An extreme version of this philosophy that is gaining popularity in the United States is libertarianism, which is sceptical of any degree of government intervention in citizens' lives (Zwolinski and Tomasi, 2023, p. 66).

In contrast to the anti-paternalist view outlined above, there is also widespread belief, especially in European countries, that governments have a normative responsibility to actively shape citizens' lives in beneficial ways (Saint-Paul, 2011). The most extreme version of this philosophy would undoubtedly be Communism, which aims toward centralized economic and social engineering. Today, however, government intervention more commonly takes a more moderate form known as 'soft paternalism' (Feinberg, 1986), 'new paternalism' (Rizzo and Whitman), or 'libertarian paternalism' (Sunstein, 2015).

⁸ Although Ireland lacks significant ideological distinction between political parties (Green-Pedersen and Little, 2023), a more extreme version of this debate plays out between Democrats and Republicans in the United States (See Fitzgerald O'Broin p. 17).

⁹ It is important to note that such literature discusses 'autonomy' or 'liberty' rather than agency. At the same time, autonomy and agency are often conflated in philosophical literature though both often fit with the conception of agency outlined in this chapter.

Such approaches advocate limited State involvement in individuals' lives "to prevent non-voluntary self-harm" (Begon, 2016, p. 357), such as by steering citizens from acting on addictive impulses or making healthcare decisions based on false information (Thaler and Sunstein, 2009). As Begon (2016) points out, some degree of 'soft paternalism' is often seen as common-sense: "many believe the state should prohibit slavery contracts, forbid the sale of heroin and require us to wear our seatbelts" (p. 355). Finally, like anti-paternalism, soft paternalism ensures 'negative liberty' (e.g., 'freedom from'), but also advocates 'positive liberty', or the 'freedom to' act in ways that aligns with one's goals (Berlin, 1968). Thus, the concept of positive liberty is inherently concerned with agency in that it focuses "on the *quality of agency* and not merely the opportunity to act" (italics original) (Christman, 2005, p. 79).

Notably, OSMR's aim of "protecting our society, particularly our children, from serious forms of harmful online content" (Minister Martin, CD, 6 December) appears to place it on the soft paternalist end of the governance spectrum. For transparency's sake, it is important to outline that this dissertation agrees that some degree of soft paternalism is necessary regarding ensuring and enhancing SM user agency, especially considering the economic power of SM companies and their manipulative and predatory practices (see Zuboff, 2020).

2.7 Conclusion

As this chapter shows, this dissertation is firmly rooted in a longstanding critical theoretical tradition that aims to emancipate humans from class domination, and in the case of critical theory of technology, technocratic domination. Further, it presents a theory of human agency as a proxy for both determining and undermining technocratic domination. As outlined, the conception of agency used in this dissertation includes capacity to act, the intention to take the action, the action itself, and reflection on the merits of that action. Importantly, this dissertation assumes the normative position that agency is requisite for human wellbeing and dignity and that governments should aim to protect and enhance the agency of their citizens.

The next chapter presents empirical studies that have drawn on the theories and concepts discussed in this chapter. More specifically, it will outline relevant studies relating to user agency, including studies of users employing agency in practice and of users' sense of agency (SoA).

It will also present scholarship on technology policymaking, including policy case studies and examinations of policymakers' beliefs about technology, users, and citizens more generally.

CHAPTER 3: LITERATURE REVIEW

3.1 Introduction

The inherent interdisciplinarity of this dissertation requires drawing on a range of empirical studies and conceptual work. For example, answering RQs 1-3 requires consulting a significant body of perception-based or so-called ‘attitudinal’ research spanning fields such as STS, cultural studies, political science, and psychology. The following chapter presents this body of work in the following order: The first section focuses on the historical study of public perceptions of technology, as well as empirical studies of user perceptions of technology, especially in relation to digital technologies and social media (SM). The next section focuses on studies of user agency via SM by focusing on how scholars have shown SM to both detract from and enhance user agency. The final section focuses on scholarship related to policymaking and technology, including on policymakers’ views of technology and the role that technological belief plays in policymaking. As will become clear, scholarship on digital policymaking and particularly policymakers’ considerations of user agency, is limited.

3.2 Humans and Technology

The following section explores empirical studies of humans’ relationship to digital technologies. As technological ‘belief’ is of central concern to this project, special attention is paid to outlining perception-based and attitudinal research. As will be shown, the plurality of scholarship (outside of Society and Technology Studies (STS), that is) has tended to approach users as means to economic ends rather than as agents deserving of technological affordances that allow them to reach their goals. Indeed, the meaningful consideration of user agency in digital technology literature is a relatively recent trend in STS and remains largely absent in policy scholarship.

3.2.1 Users as ‘Consumers’ and ‘Workers’

Empirical study of users’ relationships to technology has traditionally served the commercial ends, such as by improving sales and industrial efficiency (Shaw and Jones, 2005).¹⁰ Indeed, over the past 100 years, a multitude of studies have explored *consumers’*

¹⁰ Notably most of this scholarship is not STS but fields such as business and economics.

attitudes toward new technologies, including television (Western, 1939), the personal computer (Lin, 1998; Venkatesh and Brown, 2001), at-home shopping (Mochis et al., 1985), internet banking (Lee, 2005; Sathye, 1999), the automatic teller machine (ATM) (Rogers et al., 1996), and mobile phones (Chowdhury et al., 2006; Teo and Pok, 2003).¹¹ In fact, this trend continues in the present, as evidenced by ongoing research on consumer perceptions of technologies such as 5G (Shah et al., 2021), driverless vehicles (Howard and Dai, 2013), and Artificial Intelligence (AI) (Kim et al., 2020).

A large number of studies have also explored employees' perceptions of technology in the workplace (Boothby et al., 2010; Proctor and Marks, 2013; Townsend et al., 1998). Indeed, one of the most popular theoretical models used to understand technological uptake, the Technology Acceptance Model (TAM) (Davis et al., 1989), is often employed by corporations to streamline the introduction and adoption of new technologies (see also Agarwal and Prasad, 1998). Further, the well-known Gartner Hype Cycle, a model for predicting social acceptance of new technologies, differentiates between 'early' and 'late adopters' and aims to understand when and whether technologies reach market-viable adoption levels (Linden and Fenn, 2003).

Proof that technology scholars have tended to view users as a means to an economic end lies in the justifications they give for their work, such as aiding "the rapid migration of customers to internet banking, resulting in considerable savings in operating costs for banks" (Sathye, 1999, p. 324), helping advertisers "match the interactivity of their advertising with users' experiences of interactivity at Web sites" (McMillan and Hwang, 2002, p. 39), and contributing to the view that "consumer perception and hence market acceptance should have a much larger role in R&D policies" (Grunert et al., 2003, p. 435). Even a recent study on perceptions of driverless ambulances referenced patients as 'consumers' whose "emotional response" (i.e., resistance to the technology) might be overcome through "greater education and awareness" (Winter et al., 2018, p. 438).

Unsurprisingly, such user-focused studies outside of STS have tended to problematise resistance to technology rather than consider it valid and deserving of study. For example, Howard and Dai (2013) frame the motivation for their research on public perceptions of self-driving cars thusly: "While self-driving cars have the potential to improve safety and increase quality of life" (i.e., technology is objectively good) "many

¹¹ Significant effort was also spent understanding perceptions of supposedly 'revolutionary' technologies that soon proved irrelevant, such as VideoTex systems (Bolton, 1983; Eastlick, 1993; Heikkinen and Reese, 1986).

people appear reluctant to adopt the technology” (p. 2). Further, in their article about the onboarding of virtual workplace technology, Townsend et al. (1998) laudingly quote a past president of Intel as arguing that corporations faced with the ‘information revolution’ must “adapt or die” to (p. 17). A close reader of this dissertation’s theoretical chapter may notice that such statements seem driven in part by technological determinist belief. Indeed, this line of scholarship is filled with prognostications such as “WAP [wireless application protocol] is poised to succeed the Internet as the next big thing” (Teo and Pok, 2003, p. 483) and “we are entering an “always-on” society” (Lee, 2005, p. 165). This trend toward hype further underscores the need for critical technology research by showing that determinist thought is prevalent even in certain academic fields.

3.2.2 Digital Technologies & User Agency

A movement to foreground user agency in technology research emerged in the 1970s and 1980s in fields such as Human Computer Interaction (HCI) (Savage et al., 2005; Turkle, 1982), and Science and Technology Studies (STS), including constructivist approaches (e.g., Feenberg, 1992b; Giddens, 1984; MacKenzie and Wajcman, 1985). The legacies of these, more human-centred fields are evident in emerging technological contexts related to healthcare (Powell et al., 2017), environmental sustainability (Dao et al., 2011), online privacy (Cecere et al., 2012; Hargittai and Marwick, 2016), and gaming (Kerr, 2002). Indeed, a number of frameworks for conceptualising human-centred technology have become popular, including ‘user-centred design’ (Vredenburg et al., 2002), ‘humans-in-the loop’ (Mondal et al., 2019), ‘values-oriented design’ (Bowler et al., 2015), and ‘positive technology’ (Botella et al., 2012).

A common thread among human-centred studies is a normative call to reorient the design, implementation, or maintenance of technology to better serve users’ needs. For example, Rohrer (2003) explains that understanding the needs of end-users can help “improve the conditions for a more conscious, reflexive and inclusive learning process between designers, intermediaries, and users in production-creation processes” (p. 178). Boudet (2019) presents her work on public perceptions of sustainable energy policies as meant to both “influence new technology and deployment” and “serve as a check on new technologies with potentially risky outcomes” (p. 2). Moreover, Araujo et al. (2020) argue that users must be afforded the opportunity to “choose for which decisions [automated decision-making] ADM is preferable, review the accuracy and completeness of the

information that goes into that process,” and be able to “bring in additional argumentation” (p. 622). Finally, Schoenebeck et al. (2021) argue for social media platforms to better serve teen victims of online abuse by adopting “harm-centred governance approaches using trauma-informed practices” (p. 13).

Importantly, the teleological shift toward conceptualizing technology as a means for benefiting humans can be interpreted as a greater valuation of user agency.

Scholars are increasingly discussing digital technologies in terms of whether they increase or decrease user agency. For example, a common recent research theme in this tradition explores the risks that automation poses for agency. As Grafanaki (2017) writes, “there are growing concerns that we are ‘sleepwalking’ into a future of algorithmic regulation, where decisions about individuals and society in general are made by software...” (p. 805). Meanwhile other scholars have outlined more systematic obstacles to realising agency, such as when producers discourage users from ‘tinkering’ with technologies by invalidating warranties (Gillespie, 2006).

A common node among agentic conceptions of technology is ‘affordances’, which Best (2009) defines as what “technology allows us to accomplish, such as making a phone call, writing a document or organizing our calendar” (p. 1016) (see also boyd, 2011a). Acknowledgement of affordances is evident in studies ranging from agentic impact of elder-care robots (Suwa et al., 2020), to mobile technology and rural education (Czerniewicz et al., 2009) to telehealth (Powell et al., 2017). On the other hand, scholars have also found that affordances may decrease agency. For example, through in-depth interviews at a financial company, Cousins and Robey (2005) discovered that communication technologies limited employees’ abilities to practice ‘boundary management’ between personal and professional spheres. Such empirical cases validate Toivonen and Lelli’s (2020) assertion that “affordances are both enabling and constraining people’s actions” (p. 2), as well as Leonardi’s (2011) argument that human agency is ‘imbricated’ with material agency, or that that human and non-human agency are not wholly separate.

3.2.2.1 Users’ Sense of Agency (SOA)

Much of the literature on user agency explores beliefs and perceptions (i.e., beliefs based on subjective experience) rather than objective measures of agency. An increasingly popular scholarly focus in this area is ‘sense of agency’ (SoA), which holds that positive

‘beliefs’ about agency influence agency in practice (Baumer et al., 2018; Coyle et al., 2012; Moore, 2016; Thue et al., 2011). According to Best (2009), “a salient and central feature of our use of digital technologies is our experience of control” (p. 1015). Indeed, the majority of studies exploring SoA focus on the relationship between control and agency, with most studies finding that users believe they do not have sufficient control over digital technologies (Pacherie and Nicod, 2007; Turow et al., 2015), especially in terms of privacy settings (Cecere et al., 2012; McDonald and Cranor, 2010; Sax, 2021).

Studies have also highlighted a correlation between SoA and technological complexity, especially automation. For example, Kang and Kim (2020) found that users perceived themselves as less agentic when interacting with autonomous smart home devices, such as lighting dimmers and thermostats, rather than analogue. Similarly, Coyle et al. (2012) found that when computers gently assisted users with predictive mouse acceleration, those users registered a ‘high sense of agency’, but that when computers assisted at a ‘medium’ or ‘high’ level, the opposite was true. These studies suggest that automation associated with digital technology leaves users wanting more control and, thus, with a negative SoA.

Another research area explores the so-called ‘privacy paradox’, which Barth and de Jong (2017) explain as users having a “theoretical interest in their privacy” but one that “rarely translates into actual protective behaviour” (p. 1039). An empirical example comes from Cecere et al.’s (2012) survey analysis of more than 20,000 Europeans, which found that the more governments publicised privacy concerns, the more freely internet users shared personal data with online advertisers. Sundar et al. (2013) hold that such behaviour represents a ‘cognitive heuristic’ for coping in high-risk digital spaces. Further, Cho et al. (2010) suggest that ‘optimistic bias’ may be at work, which causes people to ‘underrate’ their own vulnerability to risk while judging others as more likely to be victimised (p. 988). Indeed, they found that having ‘a sense of control’, even if unfounded, “can give a feeling of personal invulnerability” (p. 992). Finally, Hoffmann et al. (2016) suggest that ‘privacy cynicism’ may also be a factor, a phenomenon in which users become so overwhelmed with the extent of privacy threats they conclude precautions are futile.¹² Such research is

¹² It is important to note that the concept of ‘privacy cynicism’ is similar to the suggested role of ‘fatalism’ in other areas of risk, such as Kerwin’s (2016; 2012) finding that the perception of a higher risk of contracting HIV leads to riskier sexual behaviours.

especially important to highlight in the context of this dissertation, as it further supports the premise that beliefs about technology influence agency in practice.¹³

3.3 Users & Social Media

The shift toward STS and other human-centred research helped lay the groundwork for more a user-focused social media (SM) research agenda. Indeed, while SM studies often focus on themes common across digital technology research, such as technological adoption and affordances, the unique user-driven nature of SM seems to have intensified scrutiny of how users interact with each other and platforms. The following section presents the well-developed body of scholarship on topics including the nature of SM technologies, SM affordances, and SM harms. It is important to note that, while studies in these areas certainly imply user agency, few scholars have explicitly framed their work in terms of agency, thus highlighting a key theoretical contribution of this dissertation.

3.3.1 The Nature of SM

After the launch of popular SM platforms such as Myspace and Facebook,¹⁴ scholars became expressly concerned with explaining how such technologies differed from ‘traditional’ and other forms of computer-media communication such as those highlighted by Castells (1996) and Garton et al., (1997). Using the term ‘SNS’, boyd and Ellison (2007) explained SM as ‘web-based services’ that allow users to build a public profile and network of connections and to view those of other users. Indeed, the networked nature of SM soon gained attention, as its own ‘public sphere’ with the “technological means to exist independently from political institutions and from the mass media” (Castells, 2008, p. 87). A shared consensus soon developed, which recognised that the globalised and networked nature of SM undermined the omnidirectional broadcast communication model (Hermida, 2010).

Another set of scholarship focuses on how SM operate on a structural and technological level. Of chief importance here is the role of algorithms in curating the flow of information. Tufekçi (2016) defines an algorithm as “computational processes that are used to make decisions” (p. 206). Gillespie (2018) further explains that algorithms “grant and organize visibility, not just by policy, but by design: sorting and delivering information

¹³ This dissertation is primarily concerned with the role that policymaker beliefs about user agency play in shaping policy outcomes and thus lived experiences of agency (See RQs in Introduction Chapter).

¹⁴ SM were first called social network sites (SNS) or online social networks (OSN).

in profiles, friend lists, news feeds, threads, channels, categories, updates, notifications” (p. 192). Scholars have also focused on how algorithmic operations are ‘hidden’ from users (Eslami and Karahalios, 2017; Vaccaro et al., 2018). Importantly, a similar body of scholarship is emerging regarding how ‘embedded’ AI technologies are increasingly orchestrating the SM environment (Grandinetti, 2023). Such studies paint a picture of a highly technical environment rendered deliberately opaque by companies.

Although the technological aspects of platform governance are well-studied, there is palpably less research on how human decision-making at SM companies impacts platform operation. Indeed, the prevailing self-governance model of SM regulation trusted companies to regulate in society’s best interest, which in turn created a situation in which governance measures became company secrets (DeNardis and Hackl, 2015). As a result, there is relatively little exploration of internal company decision-making. Non-academic books written on the topic often rely on interviews with former employees (e.g., Miller, 2018) or are written by disgruntled former employees themselves (e.g., García Martínez, 2016). One academic exception is Gillespie’s (2018) *Custodians of the Internet*, a well-researched exploration platform moderation practices. Gillespie (2018) writes that platforms moderate “both to protect one user from another, or one group from its antagonists, and to remove the offensive, vile, or illegal, as well as to present their best face to new users, to their advertisers and partners, and to the public at large” (p. 8). Moreover, York and Zuckerman (2019) explain the two ways in which platforms moderate content as 1), by determining what users see through the use of algorithms, which they call ‘soft control’, and 2) by determining what is allowed to be published (‘hard control’) (p. 148).

3.3.1.1 SM Affordances

As SM gained popularity, scholars increasingly focused on understanding users’ experiences, especially in terms of how they leveraged SM affordances to achieve their goals. The work of boyd (2010) is indispensable in this regard. She outlined that SM have four structural affordances: ‘persistence’, the longitudinal archiving of information; ‘replicability’, or the ease of duplication; ‘scalability’, the potential for content to spread; and ‘searchability’, the potential for data organisation and retrieval (p. 46). Later scholarship expanded on the affordances model. For example, Hargittai and Marwick (2016) showed that platforms enable ‘self-presentation’ among users via affordances such as ‘presentation flexibility’, the ability for users to present themselves in different styles;

‘content persistence’, the long-term availability of content; and ‘identity persistence’, the ability for users to build their public persona over long periods of time (p. 742) (see also Strano, 2008). Further, Miller (2017) found that SM’ messaging services provide validating, positive environments for queer and disabled individuals (see also Chong et al., 2015 and Lucero, 2017). Similarly, Choudhury and Kiciman (2017) found that networked affordances of Reddit allowed mental health support groups to help users cope with suicidal ideations.

An even more apparent theme in this line of scholarship concerns SM’s role in enabling collective social action. Jost et al. (2018) write that “Social media facilitate the exchange of information that is vital to the coordination of protest activities” (p. 85) (see also Margetts et al., 2016). Similarly, SM has been implicated in the struggle for racial justice by building “a public sphere where youth of color are particularly skilled and well equipped to gain some amount of power over public discourse” (Carney, 2016, p. 17). Further, a number of recent studies show that social media may facilitate social change and political mobilisation (Castells, 2012; Jost et al., 2018; Lokot, 2018; Poell and Dijck, 2018; Valenzuela, 2013), though some studies note SM’s limitations in supporting sustainable social and political change (see Tufekçi, 2017).

3.3.2 SM Harm

A crucial area of scholarship to explore in the context of this dissertation relates to online harm. From roughly 2010 onward, internet scholars began turning their attention to online ‘harm’ and especially user-to-user harm. Put differently, this set of scholarship explored users leveraging affordances to harm themselves or others. Much of this scholarship has focused on children. For example, Dyson et al., (2016) shows how SM was used by children to learn about self-harm tactics and broadcast self-harm to others. Cyberbullying among adolescents also emerged as a strong theme (Bastiaensens et al., 2014; Langos, 2015). Whittaker and Kowalski (2015) found that cyberbullying most often takes place on SM and that it can be more harmful than in-person bullying because of its “indirect and very public” nature (p. 16). Other child studies have focused on harms to mental health. For example, Woods and Scott (2016) discovered a strong correlation between teens having trouble sleeping and their use of social media before bed. Still, other studies have linked SM use to increased adolescent anxiety (Keles et al., 2020; Vannucci et al., 2017) and depression (Lin et al., 2016; Tandoc et al., 2015).

Scholars also have also explored adult-related SM harms, including image-based sexual abuse (Citron and Franks, 2014), sexual abuse of children (Bursztein et al., 2019; Sanderson and Weathers, 2020), hate speech (Cleland, 2014; Daniels, 2009; de Saint Laurent et al., 2020), misinformation (Ferrara et al., 2020; Jin et al., 2014), bullying (Byrne, 2021; Norris, 2023), and extremism (Awan, 2017; Ekman, 2014; Engesser et al., 2017; Ernst et al., 2017; Zúquete, 2023). A growing area of study in this field is social media addiction (Balakrishnan and Griffiths, 2017; Sriwilai and Charoensukmongkol, 2016), defined as the “compulsion to use social media to excess” (Hou et al., 2019, p. 2). Much of this scholarship focuses on the manipulatory practices of algorithms to ‘exploit’ users’ attention (Bhargava and Velasquez, 2021; Helm and Matzner, 2024).

A number of studies have explored negative implications of SM use for certain vulnerable or disenfranchised groups. For example, boyd (2011) examined how certain SM platforms can become siloed along racial lines, thereby inhibiting a diversity of voices. Moreover, Keating et al. (2016) found that many young SM users with health problems rated their social media experiences as ‘bad’ because “they felt excluded from social activities displayed on social media” (p. 97). There is also evidence that SM harms to mental health are more acute for members of the LGBTQ community (Escobar-Viera et al., 2018; Lucero, 2017) and individuals suffering from addiction (Hou et al., 2019; Petruzelka et al., 2020).

Aside from harms to individuals or groups, scholars have also explored SM’s societal-level effects, including how machine learning, algorithms, and automation manipulate and users’ collective experiences (Gillespie, 2018; Pariser, 2011; Tufekçi, 2016). Topics covered in this area include the ability of algorithms to help create ‘filter bubbles’ or to silo users into like-minded informational groups (Pariser, 2011). Other research explores how platform practices contribute to political polarisation (Bright, 2018; Sunstein, 2017), mis- and disinformation (Allcott et al., 2019; Bimber and Gil de Zúñiga, 2020), and hate speech (Burnap and Williams, 2016; Noble, 2018). Scholars often blame such outcomes for a general decay in democratic debate (Forelle et al., 2015; Piccolo et al., 2019) and a breakdown shared conceptions of ‘truth’ and scientific fact (Cinelli et al., 2020; Lewandowsky et al., 2017). Indeed, scholars such as Johannessen et al. (2016) and van Dijck (2012) challenge the early SM utopian idea of the ‘digital public sphere’ (see Castells, 2008) on the grounds that communication and expression are unnaturally mediated, manipulated, and constrained through platform architecture.

As the above section shows, while early SM scholarship often lauded platforms as vehicles and for self-expression collective action, more recent works have turned toward understanding individual, group, and society-level ‘harms’. Indeed, this trend seems to mirror the shift from self-regulation to binding regulation that is occurring in the policy domain. As discussed below, understanding empirical work on the empowering and disenfranchising aspects of SM is important, as doing so will help build a nuanced understanding of user agency and how it might be enhanced.

3.3.3 User Resistance

One research theme implicating user agency is user ‘resistance’ to SM technology. It is important to note that while user resistance to earlier technologies was often problematised, scholars have predominately framed SM resistance in a positive light. Several scholars have explored resistance on a conceptual level, as exemplified in Flew et al.’s (2019) use of the term ‘techlash’, and Ananny and Gillespie’s (2017) outlining of periodic ‘public shocks’ over platform behaviours (such as Facebook’s Beacon advertising program, which incorporated user’s photos into advertisements) (p. 5). Similarly, Portwood-Stacer (2013) argues that decisions to leave social media platforms can be ‘performative acts’ that constitute a “way of making one’s everyday lifestyle into a site of resistance against the powerful, normative force of media consumer culture” (p. 1053).

Empirical research on SM resistance has so far mostly consisted of quantitative surveys and descriptive statistics. For example, through a series of polls, Pew Internet Research found that 64 per cent of Americans believed that social media have a negative impact on American society (Auxier, 2020); that 74 per cent of Americans do not believe SM accurately reflects society (Smith, 2018); and that 60 per cent of Americans believe that that SM’s control over news dissemination is a problem (Shearer and Grieco, 2019). Similarly, a 2017 Eurobarometer 88 survey found that 62 per cent of Europeans ‘distrust’ social media (a 9 per cent increase over 2015 results) (European Commission, DG Communication, 2017, p. 20). Thus, while it is now commonly acknowledged that publics hold negative attitudes toward social media, the connection between these negative views and user agency has not been systematically explored.

3.3.4 SM User Agency-focused Literature

The body of SM scholarship presented above is replete with terms such as ‘control’, ‘manipulation’, ‘intimidation’, ‘expression’, and ‘collective action’ and, therefore, often implicates agency. Moreover, scholars frequently employ complex concepts such as ‘autonomy’ (Susser et al., 2019) and ‘self-efficacy’ (Hocevar et al., 2014), which are commonly conflated with agency (Cummins, 2014). However, relatively few scholars have explicitly situated their work in the user agentive context, thus highlighting this project’s empirical contribution. The brief section below presents studies focused on user agency (often containing ‘agency’ in their titles), with special emphasis on normative scholarship aimed at enhancing user agency.

3.3.4.1 User Agency and Affordances

Several scholars have directly tied SM affordances to user agency, though most of this scholarship remains theoretical. For example, van Dijck and Poell (2013) argue that the logic of SM allows “users retain significant agency in the process of steering programmability” and that “spreadability accentuates the power of audience agency, while deemphasizing the power of platform agency...” (pp. 6-8). Similarly, Kennedy et al. (2015) present ‘datafication’ as both a structural constraint and an opportunity for resistance and creativity, such as through hacking and open-source programming. An empirical example comes from Zhao et al. (2013), who explore how agency is leveraged through SM design affordances, such as by users having input into dashboard layouts.

3.3.4.2 User Agency and Moderation

Another specific research domain in which scholars have explicitly evoked user agency is platform moderation. In contrast to works on affordances, moderation studies often explore constraints on agency. For example, Williams (2018) writes that opaque moderation architectures “threaten not only the success but even the integrity of human will” (p. xii). Similarly, drawing on the Facebook/Cambridge Analytica Scandal, Susser et al. (2019) calls “challenging human autonomy” the most “insidious harm” of online manipulation (p. 1). Many criticisms of platform moderation are made on ‘free expression’ grounds and the idea that “Increasingly, freedom of speech will depend on the design of the technological infrastructure...” (Balkin, 2009, p. 1). Similarly, DeNardis and Hackl (2015) hold that SM companies exert “direct power over online rights” by deleting or blocking

content “at will” (p. 11). Especially important are the limited number of normative studies in this area, including on facilitating ‘user-driven’ moderation and increasing transparency of moderation practices (see Gillespie, 2018; Kuo et al., 2023; Seering et al., 2019). Indeed, few empirical studies have explored user-led moderation, such as the ‘flagging’ of harmful content (Crawford and Gillespie, 2016; Garrett and Poulsen, 2019).

The negative effects of algorithms on SM user agency are also widely studied. Much of the theoretical literature on algorithms and agency centres on the idea that algorithms are ‘non-neutral’ and engineered to discriminate and manipulate (Klinger and Svensson, 2018). There is also some discussion that algorithms decrease ‘respect’ for humans (Rubel et al., 2020) and threaten user dignity (Mattiuzzo, 2021). Another research theme acknowledges the tension between algorithms and user agency. For example, Tufekçi (2016) draws on Actor-Network Theory (ANT) to argue that algorithms’ abilities to “dynamically filter, highlight, suppress, or otherwise play an editorial role” constitutes ‘computational agency’ (pp. 207-209). Notably, Siles et al. (2024) challenges the ‘deterministic’ focus on algorithmic power, arguing that it obscures a more ‘fluid’ conception of agency that also acknowledges user agency. Nonetheless, the majority of recent scholarship makes clear that the automated nature of algorithmic decision-making often undermines user agency as defined in this dissertation.

3.3.4.3 User Agency and Offline Impacts

Several scholars have directly explored how users employ their online agency to exact offline agency. For example, through interviews with adolescent users, Marwick and boyd (2014) discovered ‘creative’ usage of affordances, such as ‘speaking in code’ so as to hide textual meanings from their parents, or, as in the case of one user in foster care, only going on Facebook at night and deleting the account in the morning to avoid surveillance by social workers. Moreover, Czerniewicz et al. (2009) showed how low-income students in South Africa overcame the ‘digital divide’ by ‘making a plan’ to collectively use cell phones for internet access. Scholars have also studied agentic effects of directly calling out or ‘cancelling’ other users (Bouvier and Machin, 2021; Norris, 2023), and even ‘non-use’ (DeVito et al., 2017b). As Baumer et al. (2018) argue, the decision to ‘depart’ from or ‘return’ to a platform is an agentic exercise in itself. Such studies support one of this dissertation’s main premises: that securing user agency facilitates human agency across digital and non-digital contexts.

A clear relationship between online and offline agency is highlighted by scholarship on collective user resistance, especially regarding “digital rights and freedoms” (Cammaerts, 2015, p. 1). For example, scholars have explored how Iranians have used SM to speak with cohesive voice on women’s rights (Khazraee and Novak, 2018), and how American NGOs use messaging to combat inequality (Kavada, 2015). In contrast, literature has also explored external constraints on collective SM user agency. For example, Lokot (2020) examines how external privacy threats shape the agency of online activists in Russia, and Milan (2015) examines how algorithmic materialities help create a ‘politics of visibility’ amongst activists, thereby undermining group cohesion and protest potency.

3.3.4.4 SM Users’ Sense of Agency

In keeping with the socio-cognitive argument that agency is partially a mental construct (see Bandura, 2006; Pacherie and Nicod, 2007), another set of scholarship explores SM users’ ‘beliefs’ or ‘perceptions’ of agency. Research in this area often examines users’ SoA (Schaffner et al., 2023), or their “perceived ability to reach desired outcomes in the social media environment” (Hocevar et al., 2014, p. 252). Notably, Velasquez and LaRose (2015) explore ‘collective self-efficacy’, finding that individual activists’ positive perceptions of a their movements’ abilities leads to more effective collective action. Another promising research area concerns ‘folk theories’, or “intuitive, informal theories that individuals develop to explain the outcomes, effects, or consequences of technological systems” (DeVito et al., 2017b, p. 3165). As Myers West (2018) shows, SM users who have been removed from platforms often theorise how platform moderation works. She finds that the predictor of whether users liaise with platforms to reinstate their accounts depends on the degree of user agency they incorporated into their theory.

Other studies have focused on how incorrect or incomplete beliefs about user agency constrain agency in practice. One such area examines how the tendency of users to discount the possibility of user agency leads to nihilism. For example, through 48 semi-structured interviews Ur et al. (2012) found that internet users were concerned with privacy but held only an “abstract notion of privacy violation” and little knowledge of how to mitigate it (p. 9). Indeed, one of their interviewees shared that understanding more about online behavioural advertising (OBA) made them, “[W]ant to go home and delete all my cookies, but then I know that’s not gonna help much. It makes me mad” (p. 7). Importantly, scholars have found that inflated beliefs about agency also reduce the likelihood of agentive

outcomes. For example, Vaccaro et al. (2018) discovered evidence of a ‘placebo effect’ when users of their experimental platform felt more satisfied when tweaking controls, regardless of whether those controls actually worked. Similarly, Hocevar et al. (2014) found that a greater SoA made SM users more trusting of other users’ content regardless of its veracity. Such studies suggest that although a belief in the possibility of agency is important, users must also be able to accurately evaluate limits on their agency.

3.3.4.5 Enhancing Social Media User Agency

In alignment with this dissertation, a number of scholarly studies have focused on normative methods for increasing SM user agency, though most of this scholarship admittedly bridges on technological solutionism. For example, Bhargava et al. (2019) conducted an experimental study in which they allowed users to filter their SM content through an aggregator called ‘Gobo’. Responses were overwhelmingly positive, with one participant stating, “I do want more control and it seems possible to achieve it this way” (p. 154). In terms of recommendations for platforms, Lukoff et al., (2021) suggest that platforms focus on facilitating user ‘microplanning’, or the ability for the user to outline their next steps and goals for engagement (e.g., playlist creation). To remedy lax privacy behaviour, Mondal et al. (2019) recommend that platforms implement ‘human-in-the-loop’ privacy systems that actively remind users to update their privacy settings. One of the most insightful participatory studies in this field comes from Bowler et al. (2015), who conducted a participatory focus group with teens on how to better design SM affordances to mitigate bullying. Users’ suggestions included implementing a 10-second pop-up window to allow users to reflect on their messages, a public shaming ‘bully button’, and a system that notifies human modifiers if a certain post goes viral (p. 9-15). While efforts to enhance user agency through technological fixes is no doubt welcome, this strand of literature does not address possible changes to company practices and other non-technical solutions.

A mechanism through which scholars have largely failed to advocate enhanced user agency is in SM policy and regulation. Though a few studies touch on regulation, such scholarship is often more theoretical than practice based. For example Kennedy and Moss (2015) call for a ‘democratisation’ of Big Data mining that allows for greater ‘supervision and ‘regulation’ by the general public; however, they fail to provide specific recommendations beyond increased transparency of data processes and enhanced

relationships between researchers and platforms. A more comprehensive overview of regulatory possibilities comes from Strossent (2021), though this work primarily fixates on the tension between free expression and regulation and fails to propose a solution that addresses harm while encouraging speech. Finally, as previously mentioned, Feenberg (2009) calls for a ‘democratisation’ of technology but does not clearly extend the concept to regulatory participation. It follows that one of the key goals of this dissertation is extend to practical methods for enhancing agency (See Conclusions & Recommendations Chapter).

3.4 Policymaking & Social Media

The second half of this literature review focuses on the technology policymaking arena. Given the breadth of scholarship that treats users as a means for economic ends, it should come as no surprise that technology policy studies have also tended to focus on whether regulations help or hinder innovation. Indeed, relatively little scholarship has explored ways of improving digital technology policymaking outcomes for users’ sakes.

The following section begins by presenting an overview of scholarship about how policy decisions are made, including discussion of the role of ideology and cognitive heuristic shortcuts. There is also an overview of limited extant scholarship on policymakers’ perceptions of citizens, especially regarding citizen engagement in the policymaking process (e.g., deliberative democracy). The chapter ends by presenting the small number of studies focused on SM policymaking, though no studies appear to focus on policymaker perceptions of SM user agency, which is the core focus of this dissertation.

3.4.1 Rational vs. Bounded Decision-Making

The traditional scholarly view of policymaking is one driven by rational agents making ‘strategic’ decisions based on empirical evidence, including by weighing tradeoffs and considering constituent views (Lindblom, 1979). Scholars have especially used this ‘instrumental rational model’ to explain economic policymaking (Hall, 1993; Mortensen and Pissarides, 1999) and to advocate ‘evidence-based’ policy outcomes (Crowley et al., 2021; Hirsch and Wong-Parodi, 2023; Vivaldi and Coville, 2023). But although the rational policymaking model is popular, it fails to acknowledge the full complexity of human decision-making (Sanderson, 2006). For example, Anderson (2014) explains that policies

invariably “incorporate biases or preferences” (p. 10), and Godin (2009) writes that “policy-making is conceptual construction, from its very first step” (p. 1).

The rational model of policymaking poses special problems for dissertation concerned with the role of ‘belief’ and ‘ideology’ in policymaking. Thankfully, several theories of human decision-making help to counter this purely logical view, the most influential of which is ‘bounded rationality’ (Simon, 1972). Bounded rationality holds that thought processes cannot be purely rational as humans (and, therefore, policymakers) face ‘cognitive obstacles’ and ‘environmental influences’ that *bound* or restrict their knowledge of a given situation (Jones, 2003). A number of policy scholars have incorporated the bounded rationality model into policymaking. For example, Cairney and Kwiatkowski (2017) suggest that those seeking to influence policy should not ‘bombard’ policymakers with information but focus on “presenting a concise evidential synthesis” (p. 6) (see also McCaughey and Bruning, 2010). Scholars have also shown that bounded rationality causes policymakers to use cognitive heuristics or ‘shortcuts’, including by relying on emotional cues (Guthrie, 2004; Maor and Capelos, 2023), intuition (Saguin, 2022), and indeed, ideologies (Kousser et al., 2007).

3.4.2 Policymaking and Ideology

Numerous studies have argued that that ‘ideologies’ influence the policymaking process (Campbell and Kay, 2014; de Miranda and Kristiansen, 2012; Henderson, 1998; Plutzer et al., 1998b). In fact, research suggests that “elites and issue publics show greater evidence of ideological thinking than samples of the mass public” (Plutzer et al., 1998, p. 192), and that “taken-for-granted paradigms constrain the range of views that policymakers are likely to consider” (Rowlands et al., 2002, p. 23).

Importantly, scholars have attempted to theorise how ideology influences policymaking. For example, Rowlands et al. (2002) argue that ideology often colours initial perceptions of policy problems before the policy negotiation process even begins. They write, “Political and professional ideologies are fundamental to the way that information policy problems and dilemmas are perceived – and, more urgently, how problems are screened and represented by different stakeholders” (p. 32). This line of scholarship suggests that ideologies can play a policy agenda-setting function in which taken-for-granted views serve as the starting point for policy discussion (König and Luig, 2012). Hall (1993), one of the most well-known scholars in this respect, outlines three levels of

ideological influence: a ‘first-order shift’ in which ideological precedents guide policy; a ‘second-order shift’, which allows for minor adjustments policy instruments but leaves the ideology intact; and a ‘third order shift’ or full-on ‘paradigm shift’ in which the underlying ideology is completely changed and so are the policy responses. Such studies show that policy ideology is well-studied, at least on a theoretical level.

3.4.3 Empirical Study of Policymaker Beliefs

It is important to outline the relatively few empirical studies that have explored policymaker ideologies and belief, especially those concerning technology and citizens (i.e., users). To my knowledge, no studies have focused on policymakers’ beliefs about SM user agency, thus underscoring this project’s contribution to scholarship.

3.4.3.1 Policymakers’ Beliefs About Citizens

Scholars have so far paid scant attention to policymakers’ beliefs about citizens. Most of the existing research focuses on scepticism toward citizen involvement in the policy process, especially in relation to ‘deliberative’ or ‘direct’ democratic initiatives in which citizens provide input into policy decisions. It is important to outline this scholarship in detail, as Ireland is considered a global leader in implementing deliberative forums (Farrell et al., 2013; Suiter et al., 2020; West, 2019), and because deliberative exercises feature in the policy recommendations presented in Chapter 11.

Several empirical studies have sought to understand policymakers’ perceptions of citizen engagement. For example, Bolívar (2016) used an online survey to understand official views on the efficacy of e-governance tools, finding that policymakers welcomed ‘ideas’ from citizens but then expected citizens to passively accept policy outcomes. Bolívar attributed these findings to policymakers’ wariness of ceding decision-making power, writing that “policymakers seem to have a wish to retain a predominant role in the implementation of Web 2.0 technologies” (p. 47) (see also Bolgherini, 2007). Similarly, Koskimaa and Rapeli (2020) surveyed Finnish government elites about their ‘trust’ in citizens to make informed policy recommendations via deliberative democratic forums. Their findings were blunt: “The pattern is unmistakable. Citizens have much more trust in a deliberative forum than elites” (p. 642). Such findings are important, a) because Ireland has a storied history with deliberative democratic interventions, and b) because if policymakers afford citizens little agency in the policymaking process, there is little reason

to believe they will do so in relation to policy outcomes. One possible solution for garnering more political buy-in for such interventions may be reframing the aims of deliberative forums as ‘listening’ exercises rather than mechanisms for directly informing policy, though little conceptual work exists on this topic (an exception is Dobson (2012)).

The empirical work presented above is perhaps not surprising given the historical popularity of the ‘public’ or ‘knowledge deficit model’ of policy communication, which Brunk (2006) defines as,

a widespread assumption among experts that public reluctance to accept new technologies, or its faith in unproven alternative therapies or cultural practices, reflects a fundamental failure to understand what scientific and other expertise has established as true; the solution to this failure is more effective scientific education and communication (p. 178)

A small number of empirical studies have measured policymakers’ adherence to the deficit model. For example, Butler and Dynes’s (2016) survey-based study found that American politicians often “rationalize that constituents with opposing views are less informed about the issue” (977). Further, Adenle (2014) discovered that West African officials believed that genetically modified crop (GMO) technology would fail—not because of any flaw with the technology itself—but for a lack of trained personnel. Such studies provide initial evidence of the ‘public deficit’ model in practice, yet more research is needed, especially given increasing levels of technocratic governance (Friedman, 2019).

3.4.3.2 Policymakers’ Beliefs About Technology

In contrast to the body of research on users’ beliefs about technologies, scholars have so far focused little on understanding those of policymakers. This research gap is problematic, given that policymakers are increasingly willing to regulate digital technologies (Baccarella et al., 2020; Flew et al., 2019). The few studies that have explored policymaker beliefs have tended to focus on deficits in policymakers’ own technical knowledge—the public deficit model in reverse. For example, Petersen and Anderson (2007) assessed scientists’ and environmental and technology policymakers’ understanding of nanotechnologies and their attitudes toward regulation, finding that policymakers “frequently acknowledged the limits of their own knowledge about particular nanotechnology issues” (p. 248). In a study of Swedish policymakers’ perceptions of digitalisation in schools, Gustafsson (2021) noted that policymakers often exhibited confusion about how educational technologies work and are practically implemented.

Other studies have more directly framed policymakers as inept in dealing with technology. Indeed, the idea that policymakers lack technical knowledge has also been tied to the idea of ‘regulatory lag’ (see Ahern, 2021). As Mager (2012) shared from their interviewee with computer scientist: “By the time government decides how to regulate the technology that we’re using now, we’ll actually have a whole different set of technologies that we are integrating” (pg. 781-782).

Similar to studies on user attitudes toward technology (e.g., Boudet, 2019; Proctor and Marks, 2013), existing research on policymakers’ views on technology has focused mostly on attitudes toward recent and controversial technologies such as GMOs (Adenle, 2014), social robots in classrooms (Smakman et al., 2020), nanotechnologies (Petersen and Anderson, 2007), and nuclear energy (Li et al., 2018). This pattern suggests that researchers may be influenced by technological ‘hype’ (Bareis et al., 2023; Züger et al., 2023), which is problematic in the case of SM because it is a relatively ‘mature’ technology.

3.4.3.3 *Policymakers and Ideological Belief*

One of the most studied aspects of technology policy is the role that ideologies play in shaping it. This is perhaps the result of the longstanding scholarly and public fascination with elite belief systems (see Jost et al., 2008). As Plutzer et al. (1998) write, “research from several traditions suggests that elite opinion concerning the safety of nuclear energy, genetic engineering, and other new technologies derives primarily from political ideology” (p. 191). Indeed, policymaker perceptions of technology have largely been studied in the context of broader ideologies such as neoliberalism (Hess, 2015), libertarianism (Dotson, 2015), and environmentalism (Campbell and Kay, 2014). Dotson (2015) is notable in this regard for exploring how a prevailing neoliberal, *laissez-faire* approach to technology regulation led policymakers to adopt a stance of ‘permissionless innovation’ whereby technology is only regulated once overtly harmful effects develop.¹⁵

Other studies in this vein include *post-hoc* analyses of large-scale policy outcomes. For example, West (1996) argues that the ‘tech utopian’ ideology shaped much of 20th century technology policy, writing, “The lull of the technological dream seems as strong in public policy, although it is driven by ideology rather than the lure of spectacular profits”

¹⁵ Since the 2015 publication of this article, ‘permissionless innovation’ has begun to fall out of favour with policymakers, even in notoriously free-market societies such as the United States. Indeed, a major premise of this dissertation is that the technology regulation paradigm is shifting toward a more hands-on approach by policymakers, or what (Hall, 1993) would call a ‘third-level shift’ in policy ideology.

(p. 260). Further, Petersen and Anderson (2007) found that beliefs in the “progressive view of science” and “faith that regulatory systems can control risks once they are assessed” were common in policymakers’ views on nanotechnologies. Finally, Campbell (2002) explains how certain ‘governing mentalities’ influenced lax regulation of drug test manufacturers. As these studies show, the influence technological ideology on policy has been studied, but from a crucial empirical perspective.

3.4.3.4 Policymaker Perceptions of Users and Their Agency

Aside from the use of SM for political campaigning (Kelm et al., 2019; Seggaard, 2015; Stromer-Galley, 2014), little research has focused on policymakers’ thoughts on SM technology. It is important to note, however, that a limited set of studies has examined policymaker’s perceptions of user agency in the context of other technologies. Most notable in this instance is Kristian Nielsen’s work on policymaker’s opinions of sustainable end-user innovation (SEI), or the idea that users can steer innovation toward trajectories that better meet their expectations and needs (Nielsen, 2020; Nielsen et al., 2016). Instead of supporting SEI, Nielsen (2020) found that policymakers most often assume a ‘traditional’ view of end-users that is largely in keeping with the users-as-consumers model—or users as “passive recipients of innovation” (p. 5) and consumers who drive demand (p. 1). These findings seem to corroborate those of Bolívar (2016) and Koskimaa and Rapeli (2020) who found that policymakers tend to discredit the knowledge of non-experts, even in the context of deliberative democracy forums.

3.5 Conclusion

This chapter outlined the body of perception-based studies of technology, showing that studies of technological beliefs have predominately viewed the user as a means to an economic end, thus justifying this project's normative aims to include users in the policymaking process. This review also showed a significant gap in scholarship related to both SM users' and policymakers' perceptions of user agency. Importantly, the final section shows that although technological beliefs of policymakers have been studied, these views and their effects on the policymaking process have not been empirically examined. This lack of understanding about how technology policies are formulated shows the need for direct questioning of policymakers' beliefs about SM technologies and users. The next chapter, 'Methodology', will outline a rigorous research programme designed to help fill this empirical gap.

CHAPTER 4: METHODOLOGY

4.1 Introduction

This chapter presents the dissertation's research paradigm and builds a theoretical case for the chosen analytical approaches: grounded theory (GT) and critical frame analysis (CFA). It also outlines the research phases, explains their relevance to the RQs, and justifies choices concerning data protection, human participation, and researcher reflexivity. While this chapter is predominately theoretical, the 'Coding and Analytic Approach' section explains how the methodology was operationalised.

4.2 Research Paradigm

4.2.1 Ontology

As this research focuses on understanding OSMR legislators' beliefs about technology and perceptions of user agency, I assume distinct ontological, epistemological, and normative positions. Beginning with ontology, I believe that power imbalances exist in society and that they are significant source of social conflict. As noted in Chapter 2, this project fits within a long history of 'critical' scholarship, roughly progressing from Marx's critique of the capitalist system (Marx et al., 1975), to the Frankfurt School's denunciation of Enlightenment Era rationality (Adorno and Horkheimer, 1997; Marcuse and Kellner, 2002), to contemporary concerns over digital technological domination (Zuboff, 2020; Feenberg, 2004; Winner, 1984).

While critical theoretical literature has historically focused on exposing power differentials between social classes, this dissertation examines power from a predominately institutional perspective—between social media (SM) users, government, and SM platforms. More specifically, it uses the acknowledgement and advocacy of user agency in policy speech to proximate where and with whom power lies in this regulatory system. Finally, this dissertation holds that the outcomes of regulations like OSMR are not only influenced by rational considerations but also prevailing beliefs systems such as technological determinism.

4.2.2 Epistemology

This dissertation is grounded in the interpretive linguistic framing tradition established by (Goffman, 1986), which holds that “utterances—whether formal or informal—are anchored in the surrounding, ongoing world” (pg. 500). I further adopt the critical theoretical stance of scholars such as Foucault (2000) and Habermas (1975), as well as scholars of critical language studies (Fairclough, 1989; Fowler et al., 1979) and sociocognitive theory (Berger and Luckmann, 1991), who suggest that language is integral to the creation and maintenance of reality and power relations. More specific still, I employ the critical discourse analytic view that the study of language can reveal the underlying, latent ideologies that scaffold power relations (Fairclough, 1995; van Dijk, 1995; Wodak and Meyer, 2009).

4.2.3 Preconceptions

Fairclough (1989) explains that critical theory (CT) is inherently value-laden because it questions the validity of existing governance and societal structures; he encourages scholars to be transparent about such views. Taking this advice, my position as a researcher is thus: I am critical of *laissez-faire* capitalism and the self-regulatory model for SM platforms, and I consider government oversight of technology companies as necessary for ensuring the wellbeing of consumers, users, and society. Most importantly, I reject the technological determinist view that humans are increasingly powerless in our high-tech era and believe that enhancing and protecting user agency should be a core aim of technology regulation.

A crucial point is that the above normative stance does not wholly align with the revolutionary style often associated with critical theory but is more akin to the Popperian concept of incrementalism (Popper, 2010; Rowlands et al., 2002) or what Lindblom (1979) calls ‘muddling through’. Indeed, I believe that enacting lasting, positive social change often requires a more gradual than punctuated approach, a stance reflected in my decision to explore how user agency can be protected and enhanced under the aegis of the traditional policy apparatus. Finally, unlike most critical theorists of the 20th-century (i.e., Adorno and Horkheimer, 1997; Ellul and Wilkinson, 2011; Marcuse and Kellner, 2007), I recognise systematic oppression but foreground possibility of human agency.

4.3 Research Design

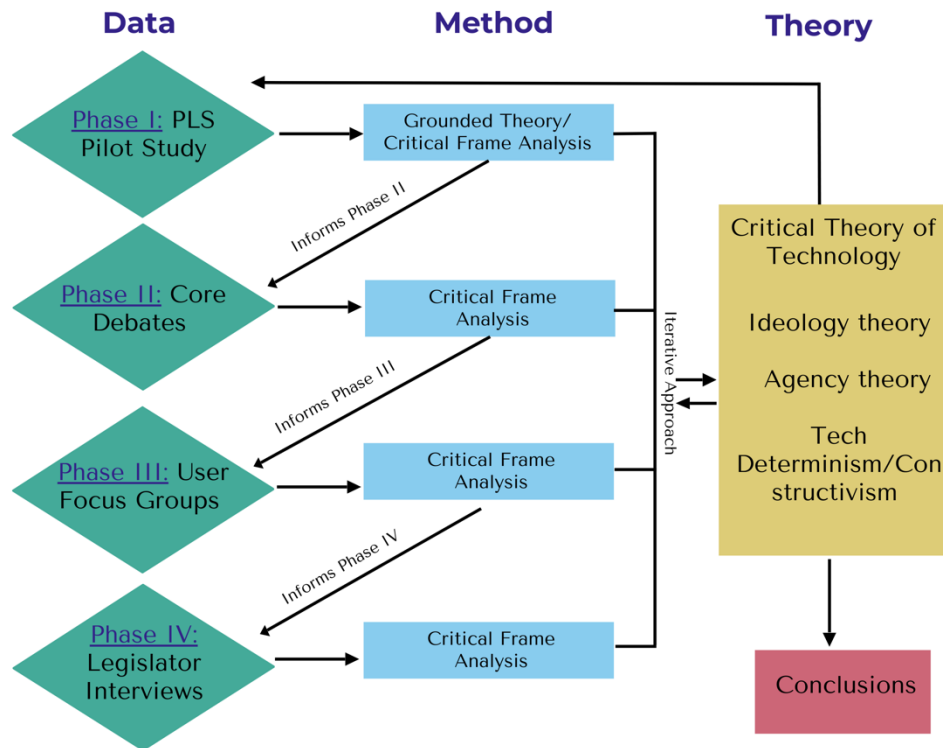


Figure 4.1: Methodology Flow Chart

4.3.1 Mixed Methods

This dissertation avoids what Weaver and Snaza (2017) call ‘medocentrism’ by employing mixed-methods. Tashakkori and Creswell (2007) define ‘mixed methods’ as any framework through which “the investigator collects and analyzes data, integrates the findings, and draws inferences using both qualitative and quantitative approaches (p. 4). In keeping with this definition, I analysed legislative debates using Grounded Theory (GT), Critical Frame Analysis (CFA), and the tabulation of data points such as frame frequencies, ratios, and their evolution over time.

Using a mixed methodology enriched the project in several ways. First, as Johnson et al. (2007) explain, mixed methods more easily grasps the complexity of “multiple viewpoints, perspectives, positions, and standpoints” (p. 113), thus making it a useful approach for debate analysis. Second, the theoretical flexibility engendered by this approach helped efficiently answer the RQs and ensure that the research findings were more easily transformed into evidence-based recommendations. Finally, mixed methods

differentiated this dissertation from the traditional technology perception studies, most of which have used only quantitative methods to study users as ‘consumers’ or ‘workers’ (e.g., Chowdhury, 2006; Lin, 1998). By employing interview and focus group data sets, this project aligns more closely with recent STS studies aiming to improve user outcomes in fields such as healthcare (Powell et al., 2017), environmental sustainability (Dao et al., 2011), and digital media (Beninger, 2016; Benson et al., 2015; Best, 2009; Chowdhury et al., 2018).

It is equally important to note that I took an iterative methodological approach throughout the project by “visiting and revisiting the data and connecting them with emerging insights” (Srivastava and Hopwood, 2009, p. 77). In other words, the research approach was omnidirectional, requiring continuous evaluation of the four research phases. This circular framework facilitated the theoretical and conceptual discovery necessary for exploratory research.

4.4 Methodological Theories

Two inductive approaches heavily influenced the research design: Grounded Theory (Corbin and Strauss, 1990) and discursive theories of language, including frame theory (Goffman, 1974) and critical language theory (Fairclough, 1989; Wodak and Meyer, 2009). It is important to note that ‘theory’ is a somewhat of a misnomer for these approaches, as they as they are in many ways just as methodological as they are theoretical. The sections below explain how these approaches are theoretically appropriate to this dissertation. Again, Chapter 6, ‘Research Approach’, will outline how they were applied in practice.

4.4.1 Grounded Theory

Grounded Theory (GT) was first presented by Glaser and Strauss (2009) as a way of inductively building theory from qualitative data. Though scholars have taken different approaches to GT, it is generally presented as a three- or four-phase qualitative coding process. I follow Corbin and Strauss's (1990) three-phase approach, which Kelle (2007) argues is more accessible to early career researchers who lack theoretical saturation. This approach includes:

Phase 1: ‘Open Coding’ in which relevant pieces of speech (codes) are liberally selected.

Phase 2: 'Axial Coding' in which open codes are compared for similarities and grouped to align with research questions.

Phase 3: 'Selective' coding in which individual codes and themes are synthesised to formulate a theory about the data under analysis.¹⁶

GT served a crucial foundational role by helping form an initial understanding of OSMR debate discourse and creating a deductive analytical framework for the remainder of the project. GT was only utilised for analysing the Pre-Legislative Scrutiny (PLS) phase of the OSMR debates, as a means of building an initial list of common user and technology frames employed by legislators. In this way, GT helped compensate for the lack of existing research on policymaker beliefs about SM technology and user agency.

4.4.2 Frame Theory

According to Chong and Druckman (2007) the central premise of 'framing theory' is that speakers establish perspectives and positions on issues using discursive devices called 'frames'. Although no standard definition 'frame' or 'framing' (i.e., the frame-making process) exists (Matthes, 2011), a brief survey of influential scholarly definitions its relevance to this dissertation. The seminal work on framing is Goffman's (1986) *Frame Analysis: An Essay on the Organization of Experience*, in which he defines a frame as a "schemata of interpretation" that enables audiences "to locate, perceive, identify, and label" (p. 21, cited in Pan and Kosicki, 1993, p. 56). Another well-known scholar, Entman (1993), explains framing in terms of its aims, including 'defining moral judgements', 'defining problems', and 'suggesting remedies' (p. 52). Even more relevant to this dissertation, Schön and Rein (1994) outline how frames operate during policy debates, explaining that "frames determine what counts as a fact and what arguments are taken to be relevant and compelling" (p. 24).

I triangulated the above scholarship to define a 'frame' as a phraseology used to suggest how a situation should be perceived, such as by naming a problem, identifying the cause, and presenting a solution. This conception fits with FitzGerald et al.'s (2019) argument that "What we think of as policy problems are to a large extent socially

¹⁶ As explained in the Methods Chapter, I augment Corbin and Strauss's (1990) 'Selective' coding phase to include critical frame analysis.

constructed. If a crisis occurs, how that crisis is framed, perhaps by policy entrepreneurs, reflects the desires of some policy actors as much as the nature of the crisis itself” (p. 4).

To systematically analyse frames, I employ Frame Analysis (FA) (and specifically CFA, as shown below). FA is unique in that it goes beyond noting *what* was said, as is the case with content analysis and to a lesser extent thematic analysis, to *how* something was said. FA is suited to this dissertation for two primary reasons. First, it represents a more manageable way to analyse larger data sets than broad discursive approaches such as discourse analysis. As Rowlands et al. (2002) explains, FA’s micro- and intra-textual lens is less intensive than discourse analysis but still a robust approach. Choosing a manageable methodology was important for this dissertation because of the high volume of debate, focus group, and interview data needing analysis.

The second motivation for choosing FA is that it can illuminate both strategic and subconscious motivations behind speech, thus making it useful for analysing performative political speech but also latent belief. Indeed, although scholars such as Hawkins and Holden (2013) contend that frame usage is intentional, Creed et al. (2002) holds that frames are often laden with ‘implicit meanings’ and ‘assumptions’ (p. 43) and Schön and Rein (1994) even argue that frames can be “exempt from conscious attention and reasoning” (p. 23). Drawing from both sides of this debate, I considered FA as concerning not only ‘what’ an actor said (or did not say) but what those verbal choices might mean on strategic and subconscious levels.

4.4.2.1 Policy Frames

It is important to note that FA has traditionally been used to analyse constructed texts such as media stories (D’Angelo, 2002; Gitlin, 2003; Pan and Kosicki, 1993; Reese, 2003; Scheufele, 2006) and social movement manifestos (Benford and Snow, 2000; Muncie, 2020). However, FA is gaining popularity for its utility in analysing ‘policy frames’, which Matthes (2012) defines as “selective views on issues—views that construct reality in a certain way leading to different evaluations and recommendations” (p. 3). Recent policy FA studies, include Hawkins and Holden’s (2013) FA of policymaker interviews on alcohol regulation and Dekker’s (2017) examination of immigrant integration policies in the Netherlands.

Researchers using FA to study policy must understand that policy frames are employed differently than media frames. As Gamson and Lasch (1983) explain, policy

frames include a range of linguistic devices such as “metaphors, exemplars, catchphrases, depictions, visual images, roots, consequences, and appeals to principle” (p.1). Further, various scholars have shown that the performative nature of political debate often leads officials to employ value-based frames, including ‘personal integrity’, ‘public safety’, and ‘egalitarianism’ to garner emotional support from the public (Lindgren, 2022; Nelson and Garst, 2005; Rowlands et al., 2002; Schemer et al., 2012), suggesting that policy frames may operate on a higher emotional register than in other types of frames.

Policy framing is also considered more process-oriented than news or protest framing (van Hulst and Yanow, 2014). As Epstein and Medzini (2022) explain, policy frames “do not simply name a problem; they offer it a rich conceptual terrain, including presumptions about the manner of the problem at hand, how it came to be, and what kind of steps might be necessary to rectify it” (p. 96). Björnehed and Erikson (2018) outline the policy framing process in four steps: 1) a frame “reaches the political agenda”, 2) “gains support from a coalition of actors or key actors”, 3) receives “official acknowledgement”, and 4) is “formally institutionalized” via policy or legislation (p. 113). Similarly, Matthes (2012) explains that policy framing is a dynamic and diachronic process involving “frame competition, frame selection and modification, frame dynamics, and frame consistency” (p. 6). Moreover, Dekker (2017) argues that frame competition often fails to produce dominate frames, resulting in ‘frame ambiguity’, or “the state of policy frames consisting of incoherent problem definitions and policy strategies” (p. 128).

4.4.2.2 Technology Frames

Also important in the context of this dissertation, is that FA has sometimes been used to explore framings of technology. Most relevant in this case is Orlikowski and Gash's (1994) concept of ‘technological frames’, which they define as “deeply held assumptions, expectations, and knowledge that people have about technology” (p. 174) (also see Davidson and Pai, 2004). They also explicitly outline that frames can be individually and collectively held, thus aligning with Pinch and Bijker's (1984) contention that perceptions of technologies are relative to vantage point of the perceiver. Only a small number of empirical studies have built on the concept of technology policy frames, including Epstein and Medzini's (2022) analysis of privacy framing in U.S. Congressional debates and Ulnicane et al.'s (2021) analysis of governance frames in AI policy documents.

As the above methodological scholarship shows, using FA on OSMR debates and legislator interviews contributes to the growing field of interpretivist policy analysis, especially by bridging the concepts ‘policy’ and ‘technology frames’. To my knowledge, no other scholars have conducted a FA specifically on SM policy, thus underscoring this dissertation’s methodological contribution.

4.4.3 Critical Frame Analysis

This dissertation carries FA a further analytical step than most scholars by adding a ‘critical’ dimension based on the critical language theory of Fairclough (1989) and others, including Lakoff (1973) and Van Leeuwen (2007), to form critical frame analysis (CFA). This augmentation was warranted because, as Vliegthart and van Zoonen (2011) write, “a notion of power is absent from most current frame and framing research” (p. 101). Indeed, my use of CFA is in keeping with their call for return to the sociological origin of frame research by focusing on “social and cultural contexts, structural divisions and power constellations” (p. 112).

The approach of explicitly combining frame and critical theoretical methodologies to form CFA is quite new. Originating only in the mid-2000s (Verloo, 2005), CFA remains relatively obscure compared with critical discourse analysis (CDA) and has mostly focused on feminist critiques of power (Anicha, 2022; Van Der Haar and Verloo, 2016). To my knowledge, Dekker's (2017) article on migrant integration in the Netherlands is the only study to employ CFA in a policy context. However, one common thread linking all CFA studies is the combination of elements from FA and CDA, an approach I mirrored by focusing on how legislators framed user agency relative to the agency of SM technology, SM companies, and government.

It is important to note that the normative aims of CFA require a broader analytical scope than FA. As Omrow (2018) explain, CFA addresses power relations by treating “frames as mechanisms of hegemonic control employed by the powerful” (p.15). Given such a ‘hegemonic’ focus, it was necessary to achieve a more latitudinous view of power relations than the intra-textual focus of traditional FA provides. In this way, conducting CFA required acknowledging influences of externalities such as the lobbying practices of companies or shifting political symmetries.

4.5 Data Sources

Data gathering choices were guided by the above research paradigm and RQs, resulting in a focus on OSMR-related speech acts that might illuminate legislators' beliefs about technology and/or user agency. Three primary data sources were used: OSMR debate transcripts (for both PLS and core debates), user focus groups (transcripts), and legislator interviews (transcripts).

4.5.1 OSMR Oireachtas Debates

I downloaded the entirety of the Oireachtas debates on the Online Safety and Social Media Regulation bill (OSMR) (n=29), spanning from PLS to Report Stage, from the public Oireachtas website. Though the corpus was substantial, at approximately 500,000 words, such volume was needed to help differentiate between beliefs held only by a few or individual legislators and those more widely shared that perhaps constituted ideologies (See Appendix 2 for a full list of debates).

4.5.2 User Focus Groups

I held focus groups with three SM user groups: 7 Dublin City University undergraduate students aged 18-19, 9 Dublin Adult Learning Centre (DALC) students aged 24-67, and 11 Dublin City University Age Friendly University (AFU) students aged 62-80. The undergraduate students were recruited through via in-classroom pitches and students in the other two groups were recruited via their respective programme directors (See Table 9.1 for list of focus groups).

4.5.3 Semi-Structured Legislator Interviews

I conducted 5 semi-structured interviews with Irish policymakers, including 4 Members of the Oireachtas (legislators) and 1 civil servant in the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media (TCAGSM), which was the government department responsible for drafting the General Scheme of the OSMR Bill. Interviewees were recruited via emails to their public addresses (See Table 10.1 for list of interviewees).

4.6 Analytic Phases

4.6.1 Phase I (*PLS Debates GT Pilot Study*)

Phase I addressed RQ 1 concerning policymakers' technological determinist beliefs and RQ2 concerning their views of user agency. I analysed 12 Pre-Legislative Scrutiny (PLS) debate transcripts (there were 14 total PLS debates but two related only to broadcast), first by using first grounded theory (GT) and then by conducting a critical frame analysis (CFA). This pilot study inductively built an *a priori* frame list related to users and/or technology.

4.6.2 Phase II (*CFA of Core Debates*)

Phase II also addressed RQs 1-2. Using CFA, I applied the *a priori* frame list to the OSMR core debates (n=15), which included all remaining debates in the Second, Committee, Report and Final Stages in both the Seanad and the Dáil.

4.6.3 Phase III (*CFA of Focus Groups with Social Media Users*)

Following the frame analysis of OSMR debates, I conducted the three focus groups with social media users, which contributed to a greater understanding about users' beliefs about SM technology and their own agency. Responses also provided insight into how users believed agency might be better protected and enhanced, thus also contributing to RQ3 about improving agency through policy mechanisms. Importantly, conducting user focus groups aligned with the dissertation's normative stance that users should be involved in the regulation of digital communication technologies.

4.6.4 Phase IV (*CFA of Legislator Interviews*)

Research Phase IV addressed RQs 1-2 by testing whether debate frames still held outside of the legislative setting and amongst individual legislators. This phase consisted of 5 semi-structured interviews with OSMR policymakers, including 4 Oireachtas members and 1 civil servant. The interview with the civil servant was only used to gain background information on the Irish policymaking process and helped to inform Chapter 3 'Policy Context'.

4.7 Ethical Considerations

I complied with GDPR regulations and DCU's Code of Good Research Practice (DCU, 2024) throughout the duration of this project. All data was stored in a secured Google Drive folder hosted on DCU's email server. Participants were advised recordings would be deleted within one year of dissertation publication. Besides legislator interviews, this project only included anonymised data collection from consenting adults and was considered 'lowest risk' by the Research Ethics Committee.

4.7.1 Participant Consent

I obtained prior approval from DCU's Research Ethics Committee to conduct focus groups and interviews (see Appendix 8). All research participations were 18 years and older, read a Plain Language Statement about the research project, and signed an Informed Consent form prior to participating.

4.7.2 Research Transparency

A key ethical decision was settling on the degree of transparency with participants about research aims. As Hammersley (2014) explains, participants often assume their words will be taken at face value, which causes an ethical quandary for critical projects because researchers are often more concerned with 'how' and 'why' researchers speak than with exactly what they say. Hammersley cautions that researchers' conclusions may 'disgruntle' participants because their words may be explained "in terms of psychological or social processes of which they are unaware, or whose existence they would deny" (p. 531). Although there is no agreed-upon solution to this challenge, Hammersley holds that a certain level of opacity is required to ensure the validity of qualitative data, and also that any withholdings should be justified by the research contribution (p. 537).

A similar consideration emerges regarding informed consent, especially with politicians, as there is often tension between the aims of critical research and elite participants' desire to distance or protect themselves from criticism. For example, Ostrander (1993) shares that during her critical research into executive boards, board members asked to 'sign off' on any research publications. Ultimately, no such concerns arose during my data gathering, and all legislators indicated, without stipulation, that they could be named in the findings.

Based on the considerations above, I omitted reference to the ‘critical’ nature of this project in consent materials and in conversations with participants. I did not consider it necessary to share my theoretical or methodological approaches with participants and instead focused on communicating the research outcomes (i.e., improved consideration of user agency in policymaking). This approach to consent was relatively straightforward because the topic of SM regulation is largely uncontroversial, meaning that research conclusions would have few, if any, personal implications for participants.

4.7.3 Researcher Reflexivity

Saldaña (2009) outlines that a researcher’s chosen approach will inevitably be shaped by their own ontological positions and empirical aims, which he calls ‘coding filters’ (p. 6). While I discussed my working assumptions at the beginning of this chapter, I wish to also outline how my ‘personal positions’ as a human being and researcher might have influenced this project. Finlay (2002) calls this introspective process ‘outing the researcher’, explaining that it requires transparency about the researcher’s inherent personal attributes, including gender, race, and nationality and how those ‘positionalities’ affect researchers’ interactions with and views of participants.

I consciously considered my positionality in relation to the research participants by reflecting on the immutable aspects of my person, such as being in my mid-thirties, gay, white, and male. I also remained cognisant of my unique experiential background, such as being a from working-class family, married, an immigrant, and a PhD researcher. I considered how all these attributes positioned me relative to OSMR policymakers, who were my primary research targets, but also and SM users, whose agency I hoped might be enhanced by the project. This reflexivity increased my awareness of how inherent biases might influence my interactions with research subjects, analysis, and conclusions. Importantly, I was also able to leverage my positionality as a first-generation college graduate from a marginalised socioeconomic area. This background sensitised me to OSMR’s lack of consideration of users of different socioeconomic and educational backgrounds and encouraged me to elevate similar groups in the conclusions and policy recommendations.

4.8 Coding and Analytic Approach

This section outlines the two analytical processes that formed my mixed-methods approach: grounded theory (GT) and critical frame analysis (CFA). The below explanation of the GT approach relates only to the PLS pilot study, while explication of the CFA approach applies to the ‘Selective’ coding phase of the pilot study and the analysis of subsequent data sets.

4.8.1 Transcription

Given that I predominately used qualitative methods to analyse the data, it is important to first outline choices related to transcription. I did not transcribe OSMR debates, as they were already available on the Oireachtas website; however, I did transcribe the user focus groups and policymaker interviews. Following Kowal and O’Connell (2014), I treated transcription as a critical analytical choice and initially decided to manually transcribe the data rather than to use a human transcriber or software. Manual transcription familiarised me with the text to a level sufficient for conducting the ‘above text’ analysis most associated with critical research (Wodak and Meyer, 2009). However, to save time in the final research phase (i.e., legislator interviews) I used Trint,¹⁷ an online AI transcription website. I corrected Trint’s transcription errors (of which there were many) by re-listening to each interview and correcting inaccuracies in real-time.

Addressing the RQs required a descriptive level of analysis rather than the more in-depth detail often required in fields such as cognitive functional linguistics. For this reason, I chose a transcription style mid-way between ‘naturalised’ and ‘denaturalised’ speech (Davidson, 2009, p. 39). More specifically, I aimed to capture relevant verbal (spoken words) and prosodic (the way words are spoken) features without including superfluous detail (Kowal and O’Connell, 2014). In short, I transcribed with Ochs’s (1979) advice in mind: “A more useful transcript is a more selective one” (p.44).

4.8.2 Coding

Coding is the second foundational step in most qualitative research (Elliott, 2018). Saldaña (2009) defines a code as “a short phrase that symbolically assigns a summative, salient, essence-capturing, and or evocative attribute for a portion of language-based or visual data” (p. 3), and outlines the goal of coding as finding “repetitive patterns of actions and

¹⁷ <https://trint.com>

consistencies in human affairs” (p. 5). Although this dissertation employs various data-gathering approaches (i.e., analysis of transcripts, focus groups, and interviews), each required qualitative coding as an initial step.

My first task was using a grounded theoretical (GT) approach to code the pre-legislative scrutiny (PLS) debates. Following Corbin and Strauss (1990), I carried out to a three-step coding process guided by constant comparison. I used this GT approach to build an *a priori* list of frames about technology and users and then applied this list to subsequent Oireachtas Core Debates, focus groups, and interviews. This progression from inductive to deductive analysis aligns with the concept of ‘delimiting’ in GT, in which later coding rounds are simplified and streamlined.

It is also crucial to outline my approach to transparency and rigor during coding, as the interpretive nature of qualitative coding renders it vulnerable to claims of subjectivity and opacity (Gill, 2000; Greckhamer and Cilesiz, 2014; Saldaña, 2009). Gill (2000) suggests that the source of much of this criticism is the inherent ‘messiness’ of language (p.187), which requires the researcher to make complex syntheses and judgements to derive meaning from speech. Fortunately, scholars have proposed a number of recommendations to strengthen the validity of qualitative research, many of which are used throughout this dissertation.

Especially helpful in building transparency was guidance from Greckhamer and Cilesiz (2014) and Saldaña (2009), all of whom recommend that researchers keep a track record or ‘paper trail’ of decisions made during coding and analysis that reviewers can later scrutinise. Further, Saldaña (2009) stresses the importance of taking field notes and making analytic memos throughout the data collection and coding processes (pg. 33). I used all of these transparency measures throughout my analysis. I also followed the above scholars’ advice in using qualitative software by analysing data using NVivo, a program that manages citations, codes, and relationships within large data sets. I used NVivo’s memo and annotation features to keep a detailed record of my coding and analysis decisions.

4.8.3 Grounded Theory Analysis

Although there are several slightly varied approaches to GT (e.g., Charmaz, 2017; Glaser and Strauss, 2009; Strauss, 1987), I followed Corbin and Strauss’s approach (1990) because, as Kelle (2007) explains, it is more approachable for early-stage GT researchers who may be less familiar with relevant theory. I detail the steps of this GT approach below,

which included a preliminary reading and three rounds of coding (Corbin and Strauss, 1990): Open, Axial, and Selective (with the ‘Selective’ round incorporating critical frame analysis (CFA)):

4.8.3.1 Step 1: Preliminary Reading

I first downloaded the PLS debate transcripts from the public Oireachtas website (H. of the Oireachtas, 2023) and ingested them into NVivo. There were 14 PLS debates in total but two (27 May and 16 June 2021) related only to the broadcast aspects of the Bill and were not included. I performed a preliminary reading of the 12 remaining PLS debate transcripts to gain a comprehensive understanding of the policy issues and solutions presented, as well as a general view of how legislators referenced users and technology.

Gill (2000) defines a preliminary reading is a simple yet essential step requiring “reading and rereading your transcripts until you are really familiar with them” (p. 179). Similarly, Entman (1993) argues that close reading is necessary for ensuring that all ‘obscure’ but ‘salient’ parts of the text are considered in the final analysis (p. 53). Using these recommendations, I approached the text by taking general notes about my observations and highlighting debate moments that I believed might relate to the RQs. I later consulted these notes when reviewing my codes and themes.

4.8.3.2 Open Coding

After I had achieved a sufficient, albeit surface-level understanding of the texts, I embarked on the Open Coding round of analysis. As Corbin and Strauss (1990) explain, conducting open coding means “taking apart an observation, a sentence, a paragraph and giving each discreet incident, idea, or event, a name, something that stands for or represents a phenomenon” (pg. 63). To determine what and how much to code, I followed what Saldaña (2009) calls the ‘pragmatic eclectic’ approach in which the researcher codes anything that may be relevant to the research focus. Also helpful in this regard was Elliott's (2018) suggestion that qualitative data can appear in ‘chunks’ and Creed et al.'s (2002) concept of ‘idea elements’ with fuzzy borders.¹⁸

¹⁸ I used these flexible coding definitions above to justify capturing speech acts of varying lengths that I believed were relevant to RQs 1-2. In hindsight, this approach was probably too broad and resulted in what Kelle (2007) calls “drowning in the data” (pg. 142) I rectified this ‘overcoding’ in later coding rounds by cleaning the data and re-focusing my approach, a process I cover in detail in the Axial and Selective (CFA) coding sections.

It is important to note that I only coded speech acts from members of the Joint Oireachtas Committee (legislators), including their opening statements and questions and comments to guests. The only exception was that I also analysed statements from Minister Catherine Martin, as she was naturally quite active in and integral to the debates. I did not analyse guest statements because RQs 1-2 only concern ‘policymaker’ beliefs about users and technology. I specifically coded for mentions of SM users and/or technology, resulting in a list of discrete codes (n=153) ranging in length from several words to several sentences. This liberal coding approach sometimes resulted in the same text being assigned different codes. As Elliott (2018) explains, the question of whether to ‘overlap’ coding is a matter of debate among grounded theorists but contends that the “co-incidence of different codes within the same piece of data may well be a useful finding” (pg. 2853). For ease of reading, I denoted codes using lower-case letters and single inverted commas (e.g., ‘cyberbullying’, ‘manipulative algorithms’, ‘child users’) and only capitalised a code if it was a proper noun (e.g., Facebook, Twitter).

I created descriptive, topical, and, to a lesser extent, conceptual codes.¹⁹ Descriptive codes mostly related to who policymakers considered as users (i.e., ‘minors’, ‘vulnerable people’, and ‘women’) or what platforms they mentioned (i.e., ‘Facebook’, ‘Instagram’, ‘Twitter’). Topical codes included the harms policymakers mentioned (i.e., ‘cyberbullying’, ‘algorithmic manipulation’, and ‘misinformation’), as well as possible remedies (i.e., ‘user bans’, ‘sanctions against platforms’, ‘pop-up warnings’)..

4.8.3.3 Axial Coding

During Axial Coding, I created coding categories, which involved ‘collapsing’ closely related codes, ‘splitting’ overused codes, and eventually embarking on “intense analysis done around one category at a time” (Strauss, 1987, p. 32) by putting the data “back together in new ways” (Corbin and Strauss, 1990, p. 97). Coding categories were generated during the axial phase to thematically group codes. However, these categories were not yet ‘framing categories’, as they did not yet present cogent problem/solution narratives. The process of ‘collapsing’ codes involved determining which codes were similar enough to be combined. For example, I collapsed the code ‘trolling’, which only had one reference, into the related code, ‘cyberbullying’, which had eight. Conversely, I ‘split’ codes when I

¹⁹ Codes used for quantitative analysis (e.g., tallies of what harms were mentioned and how often) were only used contextually and did not factor into the frame analysis.

deemed them too general or as catchalls. For example, I split the code ‘elite harm’ (19 references) into ‘journalist abuse’ (8 references) and ‘politician abuse’ (8 references) to better reflect the professional differences between those groups.²⁰

Next, I worked according to Corbin and Strauss's (1990) explanation of a category as a higher level of abstraction that lays the cornerstone for theory (in this case, critical theory of technology) (Feenberg, 2004). To this end, I grouped codes by possible shared meanings rather than literal attributes and established 4 primary coding categories and 19 coding subcategories. I denoted coding categories using all caps (e.g., THOUGHTS ON TECHNOLOGY, THOUGHTS ON USERS).²¹

4.8.3.4 Selective Coding (CFA)

The final, Selective Coding stage differed significantly from the third stage prescribed by Corbin and Strauss (1990) in which they invite the researcher to tell an “analytic story” represented by data (p. 142). I instead followed Van Gorp (2010) and Van Gorp and Vercruyse (2012) in using this stage to conduct FA, or in this case, CFA. I relied heavily on Entman's (1993) conception of a frame as ‘defining moral judgements’, ‘defining problems’, and ‘suggesting remedies’ (p. 52); however, I also drew from work on technological frames (Orlikowski and Gash, 1994) and policy frames (Schön and Rein, 1994; van Hulst and Yanow, 2014). I textually denoted frames with first-letter capitalisation and single inverted commas (e.g., ‘Users as Rights Holders’, ‘SM Companies as Harmful’, and ‘SM Technology as Unavoidable’).

4.8.3.5 Frame Unit of Analysis

Determining how to divide the data into frames was a critical decision (Gill, 2000). Many framing researchers opt for smaller units of analysis, such as individual news articles or speech acts to which they assign one or a limited frames (see Linström and Marais, 2012; Pan and Kosicki, 1993; Robbins, 2017). However, the length of PLS debate transcripts and the fact that they reflected the views of upwards of 15 different speakers each made defining analytic units challenging. For example, assigning a single dominate frame (or even a limited number of frames) might have risked overlooking the diversity of frames and, thus, would not have fit the exploratory GT framework. As a result, I adopted a liberal approach

²⁰ I did sometimes use the collective ‘elite’ descriptor in my findings to clearly outline differences in how elite vs. non-elite users were framed.

²¹ See Figure 4.2 for graphical example of coding to frame-building process.

in which I identified frames wherever they occurred, meaning the unit of analysis for the pilot study theoretically included the entire corpus of 12 PLS debates. This choice largely aligned with Reese's (2009) view that frames are "embedded across a body of discourse and speakers" (pg. 11).²²

4.8.3.6 Nature of Policy Frames

Before embarking on the CFA, I consulted theoretical literature on how frames are presented in policy scenarios to help 'isolate' and 'foreground frames' (Reese, 2009, p.2). Several scholars were helpful in this regard. Björnehed and Erikson (2018) outline the policy framing process in four steps: a frame 1) "reaches the political agenda", 2) "gains support from a coalition of actors or key actors", 3) "receives official acknowledgement", and 4) is "formally institutionalized" via policy or legislation (p. 113). Similarly, Matthes (2012) argues that policy framing is a dynamic, diachronic process involving "frame competition, frame selection and modification, frame dynamics, and frame consistency" (p. 6). A common thread throughout this scholarship is that frame competition results from stakeholders' differing views and that there are varying levels of frame salience within policy discourse. I also found that scholars often divide frame salience into two levels, such as primary and secondary or dominate and weak (Di Gregorio et al., 2012; Dickson et al., 2022).

A critical implication of frame competition is that policymakers can sometimes strategically guide framings. For example, Dickson et al. (2022) hold that there are often 'dominant' policy frames but also "numerous opportunities for opposing frames to influence policy" (p. 118). Moreover, the potential for 'frame modification' or 'reframing' in policy debates is also widely recognised, especially as a method for overcoming controversial policy problems (Schön and Rein, 1994; van Hulst and Yanow, 2014). Further outlining the complexity of the framing process, Dekker (2017) points out that policymakers can send 'ambiguous' framing messages, resulting in no 'dominate' frames. Such scholarship highlights the importance of recognising how policymaker choices, whether strategic or latent, can influence frame outcomes.

²² Identifying frames wherever and whenever they occurred in the PLS debates was a complex and time-intensive task. As a result, I only used this approach to reach theoretical saturation (Holton, 2007) through GT and to build an *a priori* framing construct for the remainder of Oireachtas debates, user focus groups, and legislator interviews. In later analyses, I delineated individual speech acts (such as uninterrupted questions and answer sets) as units of analysis.

Once I understood the process-driven, competitive nature of policy frames, I then established a micro-analytic framework to help ensure validity. In other words, I identified elements that would support my claim that a frame was being activated. Helpful in this regard was Van Gorp's (2005) assertion that that focusing too much on reliability runs the risk of "recording all kinds of media content and missing the frame" (p. 488). Van Gorp instead advocates a middle-ground approach that includes content analytic strategies such as noting keywords and metaphors but also leaves room for more intuitive insights into frame activations. As explained below, I follow this advice by systematically identifying the broad range of framing devices outlined by Gamson and Lasch (1983).

4.8.3.7 Preparing the Data for CFA

As in previous phases, I streamlined the previous data (from Open and Axial phases) to better align with the methodological requirements of the current phase. Because the CFA expressly contributed to RQs 1-2, I removed codes not relating to policymakers' beliefs about users and/or technology. Thus, I omitted purely descriptive or topical categories. It also became clear that, to differentiate between determinist and non-determinist frames, I needed to make an analytical distinction between references to social media as an industry and as a technology. Indeed, what a person means when they say "social media" is often unclear (Treem et al., 2016), and even in scholarly literature, SM is often used interchangeably as both a technology and an industry (e.g., Bruns, 2019; Fuchs, 2014; Zhang et al., 2023).

With RQs 1-2 in mind, I revisited the codes from the Axial 'THOUGHTS ON TECHNOLOGY' category and assigned each of them either a new SM COMPANIES or SM TECHNOLOGY category (labels I kept throughout the dissertation). This distinction was crucial because non-determinist theories of technology (i.e., Latour, 1987; MacKenzie and Wajcman, 1985; Pinch and Bijker, 1984) generally acknowledge human agency in sociotechnical systems, of which high-tech industries are certainly a part. Further, economic power concentrated by capitalist activity is central to classic critical theory (Marcuse and Kellner, 2002) and the critical theory of technology (Feenberg, 2009). Thus, I conducted CFA on both SM TECHNOLOGY and SM INDUSTRY codes and compared those findings to bolster conclusions related to RQs 1-2.

4.8.3.8 The Frame Building Process

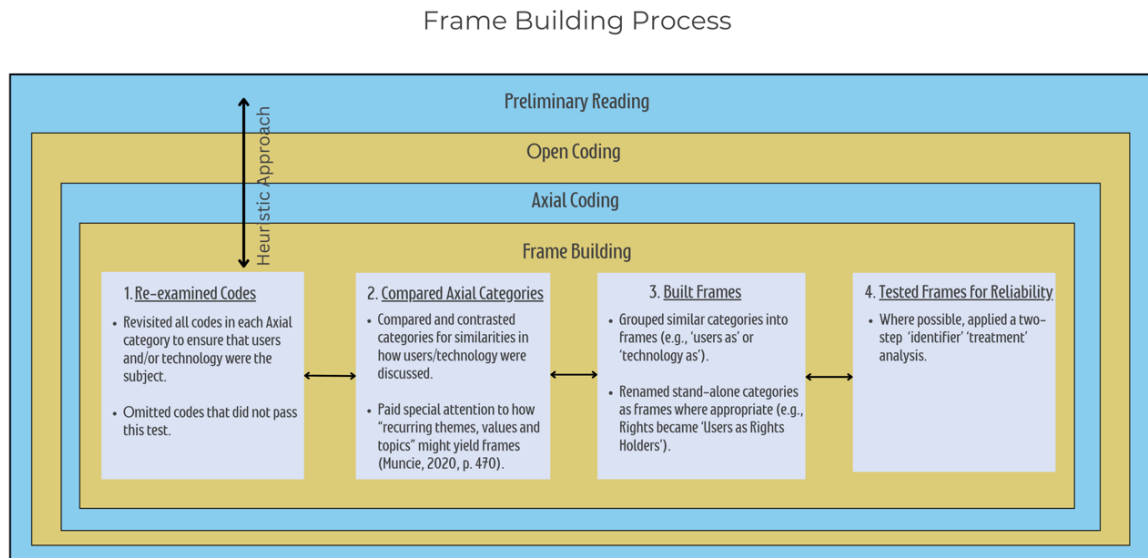


Figure 4.2: The Frame-building Process

As shown in Figure 6.1 above, I conducted the CFA in four steps using a heuristic ‘zooming in and out’ approach (Kelle, 2007), which involved constant comparison of the identified frames with previous findings from the Close Reading, Open, and Axial phases. This dynamic approach helped protect against accusations of what Glaser (1992) calls ‘forcing’ categories on the data at this more abstract stage (referenced in Kelle, 2007, p. 142).

When unsure whether frames were at work, I again reexamined the individual codes (zooming in) to detect framing devices (Creed et al., 2002; Gamson and Lasch, 1983). I remained sensitive to the existence of implicit framing devices (Van Gorp, 2005), but as often as possible relied on a two-step verification process (see figure below):

Two-Step Frame Verification

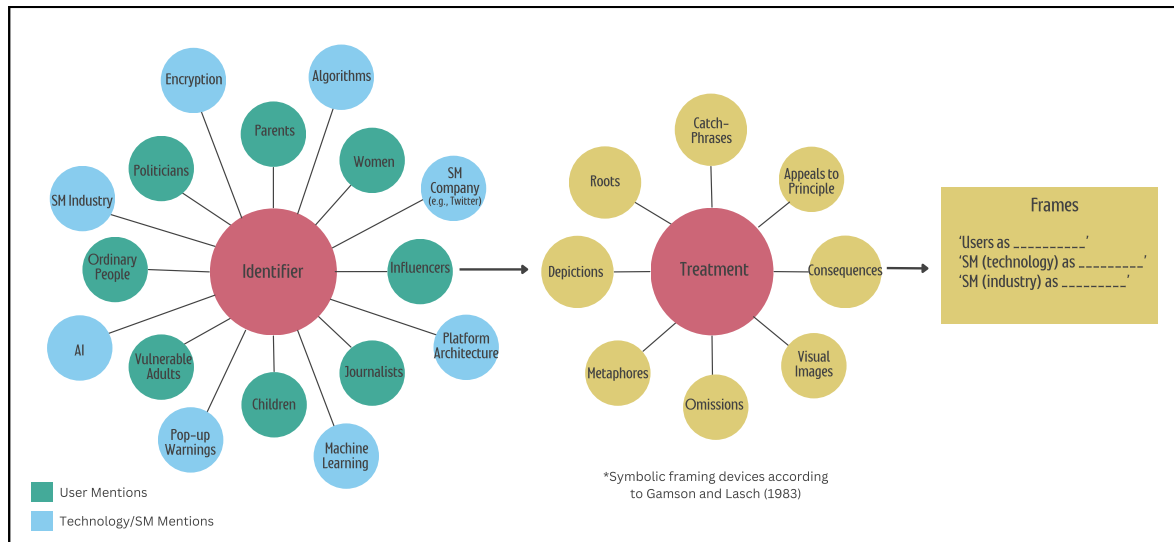


Figure 4.3: Two-step frame verification process

As shown in Figure 4.3 above, when validating frames, I first searched for a mention of users and/or technology in each code, what I call an ‘identifier’, to understand who or what was being framed. Next, I searched for one or more of the eight rhetorical framing devices outlined by Gamson and Lasch (1983) (i.e., catch-phrases, appeals to principle, consequences, visual images, omissions, metaphors, depictions, roots). I call these ‘treatments’ in this dissertation, as they frame the identified subject. As shown in the ‘testing model’ below, I considered the existence of both an identifier(s) and treatment(s) as confirming a frame activation.²³

4.8.3.9 Incorporating Critical Discourse Concepts

I used several methods to ‘criticalise’ the frame building process. For example, I conducted a quantitative analysis of frames to illuminate power differences by focusing on statistics such as often users were framed versus technology and the ratio between protection and empowerment-oriented user frames. Further, I borrowed 4 micro-analytic concepts commonly identified in CDA literature that are often used to identify linguistic

²³ I did not systematically record the rhetorical devices at play at the PLS stage because of the highly detailed and overlapping coding used for GT. Moreover, the fact that the frames identified at this stage would later be deductively applied to the focus groups and policymaker interviews meant that the validity of the entire framing paradigm would be adequately tested and that rhetorical devices could be more easily identified in those smaller data sets.

constructions of power relations: hedging, legitimation, blame attribution, and assigning responsibility:

4.8.3.9.1 Hedging

As explained by Lakoff (1973), a hedge is wording that creates “vague boundaries and fuzzy edges,” and renders statements “neither true, nor false, nor nonsensical, but rather true to a certain extent and false to a certain extent” (pg. 458). Lakoff presents ‘essentially’, ‘strictly speaking’, and ‘particularly’ as hedge examples (pg. 472). Fraser (2010) shows that hedging in political discourse serves two main purposes: “to mitigate an undesirable effect on the hearer, thereby rendering the message (more) polite; and (2) to avoid providing the information which is expected or required in the speaker’s contribution, thereby creating vagueness and/or evasion” (pg. 206). In short, hedging creates a lack of clarity in political speech.

4.8.3.9.2 Legitimation

Van Leeuwen (2007) describes legitimation as answering question of “‘Why should we do this?’ and ‘Why should we do this in this way?’” (p. 94). As Reyes (2011), explains legitimation in political discourse manifests through appeals to: “(1) emotions (particularly fear), (2) a hypothetical future, (3) rationality, (4) voices of expertise and (5) altruism” (pg. 781). Legitimation is relevant in the OSMR context, as it helps illuminate how policymakers justify their interventions (e.g., invoking fear of harm or the need to empower children).

4.8.3.9.3 Blame Attribution

Hansson et al. (2023) defines the ‘discursive construction of blame’ as “the use of language to portray some actor as deserving blame for having intentionally caused a negative outcome or for violating a norm” (pg. 62). Further, Hansson (2018) outlines that blame is often attributed by claims about “harmfulness (or more broadly – negativity) of an event, the cause(s) of the event, and the (degree of) blameworthiness or otherwise of an actor...” (pg. 231-232). Since OSMR addressed online harm, it was illuminating to see where policymakers located the source of that harm (e.g., users, SM companies, or SM technology).

4.8.3.9.4 Responsibility Assignment

As Iyengar (1989) explains, “Responsibility embodies a powerful yet elementary rule for structuring issue opinions: oppose agents of causation, support agents of treatment” (p. 895). Here, Iyengar alludes to the dual concepts of blame and responsibility using the terms ‘causal responsibility’ for blame and ‘treatment responsibility’ for the responsibility to act. As Epstein et al. (2011) show, assigning responsibility is a central function of policy debates. Notably, I most often identified ‘responsibility assignment’ in frames that suggested who should solve online harm (e.g., users, government, or SM companies).

4.8.3.10 Framing Categories

My final analytic step directly addressed the RQs by categorising user frames into agentive categories and the technology frames into ideological categories.

1. **POSITIVE AGENTIVE:** I categorised frames as **POSITIVE AGENTIVE** when legislators presented users as either having agency or the potential for agency. I was guided in this analysis by theoretical literature on harm (Turner, 2014) and agency (Bandura, 2002; Emirbayer and Mische, 1998).
2. **NON-AGENTIVE:** I categorized frames as **NON-AGENTIVE** when legislators framed users as inherently lacking agency for reasons such as receiving harm or lacking technical skills.
3. **NEGATIVE AGENTIVE:** Though I initially only planned to have an agentive vs. non-agentive division, I quickly realised that legislators often framed users as agentive but in a negative sense, such as by using their agency to harm others. I decided to place these frames into a **NEGATIVE AGENTIVE** category.
4. **DETERMINIST:** I categorised technology frames as **DETERMINIST** when I detected hallmark determinist indicators such as the belief that technology is internally guided (Ceruzzi, 2005), inevitable (Smith and Marx, 1994), or out of control (Winner, 1989). I also remained attuned to semantic instances in which technology was “the subject of an active predicate” (e.g., ‘social media is changing society’) (Smith and Marx, 1994, p. xi).

5. NON-DETERMINIST: I categorised frames as NON-DETERMINIST when they lacked determinist indicators and acknowledged a degree of non-technical agency (Bimber, 1990; Ceruzzi, 2005; Giddens, 1984; MacKenzie and Wajcman, 1985).

4.9 Conclusion

This chapter presented an overview of how the PLS pilot study was conducted, including an in-depth explanation of how the initial grounded theory and frame building approaches were applied. For textual/graphical examples of how frames were derived from codes, see Appendix 4. The next chapter sets the regulatory scene for OSMR by exploring international, EU, and domestic themes regarding SM regulation, as well as by explaining the Irish legislative process step-by-step.

CHAPTER 5: SOCIAL MEDIA POLICY CONTEXT

5.1 Introduction

Before embarking on empirical study of the OSMR debates, it is first necessary 1) to provide an overview of the international, EU, and domestic policy context related to SM regulation, and 2) to outline the procedural aspects of Irish policymaking, as well as OSMR's legislative path. Providing this level of sociopolitical and institutional background is crucial for such a critical project, as it will be necessary to situate empirical frame findings within broader systems of power and domination (Fairclough, 1995). Since the Introduction Chapter included an overview of the shift from *laissez faire* to command-and-control regulation, this history is not recounted here. Instead, this chapter provides a brief outlining of international and EU SM policy events while predominantly focusing on the Irish regulatory context.

5.2 Policy, Regulation, and Law

Policy is often conflated with regulation, though it is a much broader concept that incorporates the actions of various branches of government to address complex issues in areas such as housing, healthcare, and education. As Heidelberg (2020) states, policy is a “bridge between the legislative body and the executive body” that is aimed at forming the direction of “state involvement in society” (p. 21). Policy actions can take the form of laws, green or white papers, unwritten rules, or even the decision to do nothing (FitzGerald et al., 2019; TASC, 2016). FitzGerald et al. (2019) present four types of ‘instruments’ through which policy outcomes are achieved: 1) regulation, or enforcement of laws through punitive measures (e.g., OSMR); 2) incentives, including tax breaks and other supports; 3) information, which includes educational materials and campaigns, and 4) provision, which includes the implementation of services such as public transportation and financial supports. OSMR falls under the ‘regulation’ category in this policy overview.

Given the broad and collaborative nature of policymaking, government policies are enacted by a broad range of professionals, including elected officials, civil servants, and advisors, all of whom can be called ‘policymakers’. Given these parameters, OSMR is only one node (albeit a critical regulatory one) of the Irish government's approach to SM policy. Other relevant actions and actors include Coimisiún na Meán (CNM), which OSMR

formed, as well as the Irish Data Protection Commission, An Garda Síochána (the Irish national police service), and various government departments and civil society organisations.

Here, an important distinction should be made between ‘regulation’ and ‘law’, as OSMR is clearly a legal exercise but also contains ‘regulation’ in its title. Though these terms are often conflated, ‘law’ is best understood as a penalty-based policy instrument or “authoritative rules backed by coercive force” (Brownsword et al., 2017, p. 6), while ‘regulation’ is understood as “defined standards or purposes with the intention of producing a broadly identified outcome or outcomes...” (Black, 2002, p. 4). As Moses explains “A focus on regulation rather than law thus highlights means of influence (or intentional influence) other than traditional top-down rules” (Moses, 2013, p. 4). In the context of OSMR, the binding safety codes and fines for SM companies can be understood as legal tools, while the creation of CNM and the role of the Online Safety Commissioner are more regulatory initiatives.

The decision to focus on only OSMR in this dissertation was strategic, as it would have been impossible to explore the entirety of Irish SM policymaking within a single project. As parliamentary debate is often voluminous, analysing only legislator speech rather than that of other policy actors was another way to ensure manageability. Indeed, I considered analysing Oireachtas speech acts the most expedient route toward understanding how individual and collective beliefs about technology and agency may become codified into law and policy practice.

5.3 SM Policy Context

Ireland’s domestic policymaking does not take place in a vacuum and is influenced by regulatory trends in other countries and especially the European Union, of which Ireland is a member. The next section briefly outlines the global regulatory environment and how it has shaped Ireland’s approach to combatting SM harms.

5.3.1 International Policy

As noted in the Introduction Chapter, there has been a flurry of SM policy actions worldwide since the 2010s. Some of these measures aligned with the self-regulatory, multi-stakeholder models of governance, including the World Economic Forum’s ‘Global

Coalition for Digital Safety’ (WEF, 2019) and the Internet Governance Forum’s sustained focus on countering online hate (Panday, 2020). However, governments increasingly enacted command-and-control regulation during this period. For example, Australia was one of the first Western countries to adopt stringent regulation by setting up an entirely new government body in 2015 called the Office of the eSafety Commissioner.

The Australian eSafety Commissioner’s remit included providing an “early intervention and harm remediation” programme regarding issues such as ‘cyberbullying’ and ‘image-based abuse’ (eSafety, 2019, n.p.). It also established an Individual Complaints Mechanism through which users could raise issues regarding platforms. Given the parallels between the eSafety Commission and Ireland’s CNM, it is perhaps no surprise that Irish legislators consistently cited the Australian model as an inspiration for OSMR (see, for example, Bruton, Int., 2024). In fact, the Australian eSafety Commissioner, Julie- Inman Grant joined the Pre-Legislative Scrutiny Debates via Zoom on 21 July 2021.

Although the Australian model perhaps had the most influence on OSMR, other national regulations also emerged during this period. For example, Germany enacted its ‘Network Enforcement Act’ or NetzDG, which required platforms to remove hate speech within seven days or face up to 5 million euros in fines (Gorwa, 2021). In May 2020, France launched ‘Combatting Hate on the Internet’, which went even further than NetzDG by requiring platforms to take down content such as sexual abuse within 24 hours (Assemblée Nationale, 2019). Finally, the UK debated its own ‘Online Safety Bill’ at the same time that Ireland was deliberating on OSMR.²⁴ Similar to OSMR, the UK Bill proposed fining companies up to 10% of their annual revenue if they failed to take down online abuses such as hate speech and suicide encouragement (Holden, 2021; UK Government, 2021). Finally, the United States, famous for limiting internet intermediary liability through Section 230 of its Communications Decency Act (Mann and Belzley, 2005), also began teasing regulation by frequently inviting SM executives such as Mark Zuckerberg (Facebook/Meta) to testify before the US Congress (Rushe and Paul, 2020).

²⁴ Notably, Deputy Richard Bruton presented the UK model as a cautionary tale because it placed the onus on users to combat harm (Bruton, Int., 2024).

5.3.2 EU Policy

Although OSMR was no doubt influenced by international trends, it was more directly instigated by EU-level action. As an EU Member state, Ireland is obligated to follow EU guidelines and required by law to enforce EU directives and regulations. Thus, as the EU became more forceful in regulating internet companies in the 2010s, it expected Ireland to follow suit.

EU action first took the form of non-binding guidelines such as the ‘EU Safer Internet Action Plan’ (1999), which sought to promote ‘industry self-regulation’, such as through ‘filtering tools and rating mechanisms’ (EUR-Lex, 2007, n.p.), and more recently the ‘EU Code of Practice on Disinformation’, which encouraged platforms to “implement the self-regulatory Code of Practice on Disinformation” and Member States to institute a ‘Rapid Alert System’ to share disinformation trends (European Commission, 2018, n.p.). However, the EU has increasingly moved toward binding regulatory action that, as Jørgensen and Zuleta (2020) note, is located somewhere between the American ‘hands off’ and Chinese ‘hands on’ models of content moderation (p. 52).

The first major step toward EU SM regulation was the passage of the EU-wide General Data Protection Regulation (GDPR) (2018), which fined companies up to 4% of their annual revenue for failing to protect user data (Houser and Voss, 2018, p. 8). The GDPR also required Member States to set up Data Protection Authorities (DPAs) to enforce the GDPR for companies in their territory, meaning that Ireland (where most digital platforms’ EMEA headquarters are based) was saddled with playing an out-sized role in regulating data handling across the EU. Aside from its punitive measures, the GDPR was notable for breaking the prevailing assumption that the world’s biggest tech companies were unregulatable. Indeed, Irish legislators made several references to the GDPR over the course of the OSMR debates reflecting this. As Senator Alice-Mary Higgins stated in her interview for this project, “[W]hat GDPR did is send the signal that ‘you have rights’” (Higgins, Int., 2024).

2018 proved a busy year for EU action. In addition to the passage of the GDPR, the EU Commission also produced the Audiovisual and Media Services Directive (AVMSD), which sought to harmonise EU’s approach to media regulation by subjecting video-sharing platforms to the same rules as broadcast entities. Importantly, the AVMSD also included the aim to “protect minors from harmful content and all citizens from incitement to hatred, violence and terrorism...” (European Parliament, 2018, p. 70). Although this protective

remit focused only on video-sharing, as will be shown below, Ireland in some ways pre-empted the Digital Services Act (DSA) by expanding OSMR's remit to cover all online content.

The DSA of 2023 is the most consequential piece of European legislation for SM platforms to date (European Parliament, 2022), aiming to ensure that “what is illegal offline” is also “illegal online” (Council of the EU, 2022, n.p.). One of the DSA's key goals was to revise the E-Commerce Directive of 2000, which had originally enshrined ‘safe harbour’ for internet intermediaries under EU law, meaning that companies were seen as ‘mere conduits’ that were largely irresponsible for content disseminated through their services. Although the DSA left the original approach to intermediary liability largely intact, it sought to clarify the transparency and reporting requirements for large online platforms, as well notice-and-takedown procedures for harmful content (Sagar and Hoffmann, 2021). The DSA required Member States to establish a Digital Services Coordinator (DSC) to monitor compliance with these measures. As the DSA was first proposed in 2020 and enacted in 2023, its was partially deliberated at the same time as OSMR, thus leading to controversy over whether OSMR was overstepping since the DSA was coming down the line (Kirk et al., 2021).

5.3.3 Irish Policy

Ireland's path to OSMR also included significant domestic policy measures. Similar to the EU, it enacted non-binding safety measures as early as the 1990s, including ‘The Report of the Working Group on the Illegal and Harmful Use of the Internet’ (DOJ, 1998), which even then recommended ‘Codes of Practice’ for internet companies. Ireland also established an Internet Advisory Board (IAB) in 2000 to monitor industry self-regulation. As O'Neill and Dinh (2013) show, many of these early policy initiatives placed emphasis on protecting the interests of children online.

In-line with international and EU trends, Ireland began shifting toward binding regulation of internet companies in the 2010s. The Publication of the 2016 Law Reform Commission Report on Harmful Communications and Digital Safety was particularly consequential in precipitating this shift, as it recommended establishing an Office of Digital Safety Commissioner that would promote “online and digital safety generally” and facilitate guidance “for young people and schools on what it means to be a safe and

responsible digital citizen” and monitor ‘take down’ procedures for ‘harmful communications (LRC, 2016, p. 2).

The LRC Report’s detailed recommendations helped spur a series of attempts by Irish legislators to regulate SM harms. For example, the Children’s Digital Protection Bill (Freeman et al., 2018) proposed holding platforms accountable for exposing children to content relating to self-harm, suicide, eating disorders and any other ‘unsafe practices’ (p. 4), and the 2017 Advertising and Social Media Transparency Bill proposed requiring ‘transparency notices’ for online political advertising and the banning of bots for political messaging (Lawless, 2017, pp. 4-6). Both bills ultimately lapsed with a change of Government. However, a successful piece of legislation during this period (though notably aimed at users and not platforms) was the ‘Harassment, Harmful Communications and Related Offences Act’ (also known CoCo’s Law), which criminalised the nonconsensual sharing of intimate images (DOJ, 2021).

5.3.4 OSMR

As the above section suggests, the launch of deliberations over the ‘Online Safety Act’ (later changed to OSMR)²⁵ by Minister Richard Bruton on 4 March 2019 (Merrion Street, 2019) came during a time of sustained effort from the EU and the Irish government to act regarding online harm. Indeed, Bruton shared in his interview that one of his core mandates when assuming office was to “kick life” into the Government’s approach to online safety (Bruton, Int., 2024). He also echoed this sense of immediacy when launching the ‘Online Safety Act’. As he stated:

The situation at present where online and social media companies are not subject to any oversight or regulation by the state for the content which is shared on their platforms is no longer sustainable. I believe that the era of self regulation in this area is over and a new Online Safety Act is necessary” (Merrion Street, 2019, n.p.).

Bruton’s announcement set off a nearly four years-long effort to enshrine online safety to into law, resulting in a comprehensive piece of legislation (OSMR) that was both praised for tackling a serious issue (CRA, 2022) and criticized for being overly broad and ambitious (ICCL, 2021; Kirk et al., 2021). A nod to the sweeping nature of the Bill was the early

²⁵ I refer to the legislation with the acronym ‘OSMR’ throughout this dissertation .

decision to use it as a vehicle for transposing AVMSD into Irish law. This pivot resulted in a name change to the ‘Online Safety and Media Regulation Bill’ (OSMR) and effectively led to a dual legislative focus: 1) combatting online harm and 2) aligning broadcast and streaming regulations. Indeed, the Government decided that a core aim of the Bill would be dissolving the Broadcasting Authority of Ireland (BAI) and housing all media regulation responsibilities, including those related to SM platforms, under the aegis of a new Coimisiún na Meán (CNM).

As mentioned, another common criticism levied against OSMR was that it ‘overstepped’ the impending Digital Services Act (DSA). Indeed, although AVMSD only dealt with video, OSMR pre-emptively extended oversight to all online content. It appears that part of this enthusiasm stemmed from a sense among legislators that Ireland should lead in online safety. Several legislators espoused this sentiment in their interviews for this project. As Senator Malcom Byrne stated, “I took a very simple view. We’ve got to set up this agency” (Byrne, Int., 2023). Similarly, Richard Bruton (Deputy Bruton, at the time of his interview) said, “[W]e sought to do something first and move the thing along, which is quite within our rights, obviously” (Bruton, Int. 2024).²⁶ Another reason for the perceived need to act was that implementing EU-level actions had become a priority, especially after the EU lodged an infringement against Ireland for unsatisfactory implementation of the GDPR in 2020 (Fathaigh, 2021). Nonetheless, Ireland would still eventually pay 2.5 million euros for delaying full implementation of the AVMSD (LSI, 2024).

5.3.4.1 Key Legislative Goals

Given OSMR’s breadth, it is important to clearly outline the features of the Bill that implicated SM and users. The most user-consequential aspect of the legislation was no doubt its focus on ‘harm’ or so-called ‘awful but lawful’ online content (Keller, 2022). Whereas most legislation aims to delineate certain behaviours as patently illegal, as seen in the criminalisation of nonconsensual sharing of intimate images through CoCo’s Law, OSMR sought to combat actions that did not cross the illegality threshold, including bullying and the encouragement of self-harm. It aimed to achieve this goal by placing the onus on companies to regulate problematic content through adherence to an Online Safety Code.

²⁶ Such views were somewhat ironic given the fact that Australia enacted its Enhancing Online Safety Act in 2015.

OSMR laid the framework for designated online services to combat SM harm through a series of guiding mechanisms and punitive measures. First, OSMR defined relevant harms by creating four categories of ‘harmful online content’: 1) that which was already illegal under Irish criminal law, such as materials depicting the sexual exploitation of children; 2) cyberbullying, which included dissemination of content “which may impair physical, mental or moral development of minors” and of hate-based content aligning with protected categories under the Article 21 of the Charter of Fundamental Rights of the European Union (i.e., race, gender, religion); 3) promotion of eating disorders; and 4) promotion of self-harm or suicide (TCAGSM, 2019, pp. 82–85). OSMR also outlined the development of transparent Safety Codes to guide platforms in moderating of online content and through which the Government could measure compliance. These Codes would be developed with input from industry and experts and include guidelines on takedown procedures and for dealing with user complaints (p. 91).

The Coimisiún na Meán (CNM) would have a range of functions related to online harm, including to “Promote and protect the interests of the public in relation to audio-visual, audio and online content,” to promote ‘educational initiatives’ regarding online safety, to establish and manage a ‘complaints mechanism’²⁷ for members of the public, and to set up Safety Codes and monitor designated online services’ compliance with those codes (TCAGSM, 2019, pp. 20–24). Importantly, OSMR also outlined that the CNM would have the power to levy fines against online services for non-compliance (up to €20,000,000 or 10% of annual turnover, whichever higher) (p. 48). A final note on the CNM, though not outlined in OSMR, is that the CNM would eventually become a ‘Designated Services Coordinator’ (DSC) under the DSA, meaning that its remit to monitor all aspects of online harm would eventually also fall under EU law (CNM, 2024). As per the DSA’s Country of Origin principle, the CNM (along with the European Commission) would enforce DSA breaches across the EU as most major SM platforms (i.e., Facebook, X, TikTok) have their European headquarters in Ireland (Klokgieters, 2024). These developments ultimately rendered the CNM not only one of the most powerful regulators in Ireland but also the EU. As Niamh Hodnett, the Commissioner for Online Safety stated in 2023, the CNM ‘has the teeth’ to enforce platform compliance with the Online Safety Codes (Bowers, 2023).

²⁷ Government did not initially envisage an ‘individual’ complaints mechanism but a ‘super complaints mechanism’ that would field aggregated complaints. This would become an area of contention in the debates between legislators and Government (see Core Debates Chapter).

5.3.4.2 Controversy

OSMR has generated significant controversy since its inception, especially given its broad scope and the powers it afforded to the CNM. Much of this opposition stemmed from concerns about threats to freedom of expression. Indeed, The Irish Council for Civil Liberties (ICCL) wrote on its website, “There are grave dangers in seeking to restrict speech that may be distasteful but does not break any existing laws” (ICCL, 2021). The NGO Uplift similarly asserted that OSMR “[P]oses a risk to what everyday people can say online and how we express ourselves” (Uplift, n.d.). It is important to note that it was not only NGOs invoking concerns over freedom of expression, citizens also voiced similar sentiments through OSMR’s public consultation (see TCAGSM, 2020a), and legislators often referenced ‘balancing rights’ as one of their key responsibilities (e.g., PLS, 22 February, 2021). Such concerns represented a common preoccupation with ensuring that OSMR did not result in companies over-moderating user speech in an effort to comply with the law.

One constructive suggestion for ensuring free expression was facilitating increased transparency of interactions with a range of stakeholders. For example, during the Pre-Legislative Scrutiny hearings (see legislative stages below), a representative from the free speech organisation, Article 19, argued for including “different perspectives and different forms of expertise...” on the premise that “It cannot be expected that social media companies would take the place of therapists, social workers, researchers, media literacy experts and others” (PLS, 7 July, 2021). Especially relevant to this dissertation were calls for enhanced engagement with citizens over OSMR. As Culloty (2021) argued, “members of the public do need to be involved in the debates about how media are funded and regulated” (n.p.).

5.4 The Irish Lawmaking Process

As noted, policymaking is a broad term that includes many policy ‘tools’ (i.e., incentives, programmes, laws); this dissertation focuses specifically on the lawmaking aspect of policy. Thankfully, the Irish lawmaking process is well-defined, including a Pre-Legislative Scrutiny phase (PLS), as well as five core stages of debate in each House (Seanad and Dáil): First Stage, Second Stage, Committee Stage, Report Stage, and Final Stage. The following section explains the general terms of each legislative stage and how

OSMR was handled at each juncture. See Appendix 3 for a detailed timeline of the OSMR process.

5.4.1 Preliminary Stages

Public Consultation

The Oireachtas (Irish parliament) is comprised of two houses, the Seanad and the Dáil. Bills can be proposed by Government ministers or legislators and can be commenced in either house. As OSMR was proposed by Richard Bruton, the (then) Minister of the Department for Communications, Climate Action and Environment, it was known as a ‘Government Bill’ rather than a ‘Member Bill’.

Given that OSMR was of critical public importance, the Government first sought input from stakeholders and citizens via a ‘public consultation’ process. The Explanatory Note for the consultation solicited suggestions on topics including how to define harmful content and what type of system might be implemented to remove it. Contextual information, including the aim to expand the legislation’s remit beyond AVSMD’s focus on video to include all content, was also included. Finally, it also outlined a preliminary need to ‘balance rights’ and mentioned Australia and New Zealand’s national legislation as guidance in this respect (DCCAE, 2019).

The public consultation remained open for six weeks and 84 submissions were received. 40 were from members of the public, 21 were from commercial organisations and industry groups, seven were from public bodies, and 16 were from NGOs. The Department’s own thematic analysis of public submissions yielded several clear findings, though many conspicuously aligned with the Department’s initial wording in the Explanatory Note (TCAGSM, 2020a). For example, a strong ‘rights balancing’ theme emerged, as well as a scepticism over the viability of an Individual Complaints Mechanism (ICM) (p. 20).

However, key differences in departmental versus public stances included respondents’ suggestion that cyberbullying might be expanded from children to other users and that ‘behaviours’ such as ‘catfishing’ (exploiting others while pretending to be someone else) should also be considered as harmful (p. 17). Further, there appeared to be a degree of pushback against the legislation as a whole: “a number of respondents disagreed with the premise that non-illegal harmful online content requires regulation. These respondents emphasised concerns around State interference with freedom of expression,

transparency and the subjectivity of deciding what is and isn't harmful" (TCAGSM, 2020a, p. 18)

General Scheme

Using the results of the public consultation process, the Department produced a draft 'General Scheme' that outlined the broad objectives of the legislation on 8 December 2020 (TCAGSM, 2020b). The draft scheme was then debated by a Joint Committee of Oireachtas legislators through what is called Pre-Legislative Scrutiny (PLS).

Pre-Legislative Scrutiny (PLS)

Drafts of Government Bills are now almost always subject to pre-legislative review processes called Pre-Legislative Scrutiny (PLS). PLS was formally adopted as part of the Irish legislative process in 2016 as a means of strengthening the role of the legislator in relation to Government priorities (Martin, 2017). It is carried out through debate between members of a Joint Committee of both Houses and often includes input from a 'public consultation process' and extensive testimony from "stakeholders, experts and interest/advocacy groups" (p. 8). The ultimate aim of the PLS is to formulate a list of recommendations for Government to consider before a Bill is formally introduced. Although PLS is a relatively new mechanism, it has shown promise in changing the direction of Government-sponsored Bills. Martin's (2017) study of 50 PLS processes found that 41.71% of recommendations were accepted by government. Importantly, Martin also points out that PLS influence may extend beyond concrete recommendations because PLS discussions can set the agenda for subsequent parliamentary debate.

There were 15 OSMR PLS debates occurring between February and July 2021. These debates yielded 33 recommendations to the Government, including that 'disinformation' be added as a category of harmful content, a ban on advertising to children, and a full review of the overlap between OSMR and the DSA (TCAGSM, 2021, p. 12). Upon the Government's review of the PLS recommendations, it produced a finalised version of the Bill on 12 January 2021 (TCAGSM, 2022a). This final General Scheme was then debated by the Oireachtas.

5.4.2 Core Debates

Although the preliminary stages of Irish lawmaking may vary (i.e., whether there is PLS or public consultation or both), all pieces of legislation follow the following core debate process (see Oireachtas, 2023):

1. First stage

The Bill is initiated in either the Seanad or Dáil (the two Houses of the Oireachtas). OSMR was initiated in the Seanad on 25 January 2022. An important development during this time, though unrelated to the First Stage, was that Minister Catherine Martin launched the ‘Expert Group on an Online Safety Individual Complaints Mechanism’ on 24 January 2022 to “examine if an individual complaints mechanism is practicable in the context of the Online Safety and Media Regulation Bill” (TCAGSM, 2022b, p. 2).

2. Second Stage

The Second Stage debate is the first time that legislators who did not contribute to PLS can address a Bill. Legislators are allotted “a limited amount of time to make a statement on the general principles of a Bill” (Oireachtas, 2023, p. n.p.). As a result, Second Stage statements are often pre-written and designed to touch on as many aspects of the Bill as possible. The Second Stage of the OSMR debate commenced in the Seanad on 22 February 2021, and the Second Stage in the Dáil was held over 21-22 September 2021.

3. Committee Stage

At the Committee Stage, legislators can submit as many amendments as they like and speak on an amendment as many times as they wish, meaning there are ample opportunities for topic and issue framing. This freer debate structure stands in comparison to more formal stages such as the Second or Report Stages. Legislators examine the Bill by section in relation to amendments that legislators put forward.

Legislators introduce and justify their amendments (often in groupings), after which the Minister may accept or reject the amendment. If the amendment is rejected, the sponsoring legislator can call a vote to override the Minister’s wishes, though this rarely happens. The amendment is declared 'lost' if the house fails to vote as a majority in favour. Members of the Seanad ultimately put forward 228 amendments in preparation for the

Committee Stage (Seanad Éireann, 2022) and Members of the Dáil 321 (Dáil Éireann, 2022).

It is also important to note that the Expert Group on the ICM published its recommendations in May 2022, finding that an ICM would be ‘feasible’ but suggesting a phased approach in which the CNM first focuses on complaints related to child harm and then expands to serving all users over a period of three years (Expert Group, 2022, pp. 3-4).

4. Report Stage

The Report Stage is the final opportunity for legislators to make changes to a Bill. However, only the Government can put forward new amendments and legislators can only speak twice regarding an amendment.

5. Final Stage

The Report and Final stages are usually combined into one session. The Final stage is largely ceremonial, with legislators only making brief statements before a final vote. The Final Stage of OSMR took place in the Dáil on 30 November 2022. The Seanad then reviewed the Dáil Amendments (Cream List) and voted on 6 December 2022.

6. Bill Becomes Law

A Bill is signed into law by the President (i.e., becomes an Act) after going through the above stages in both Houses and being passed by both Houses. Ireland’s President, Michael D. Higgins, signed OSMR on 10 December 2022.

5.5 Conclusion

As this chapter makes clear, OSMR was not the first piece of legislation to regulate online harm (though it may become the most consequential). Indeed, Australia's establishment of its eSafety Commission in 2015 was especially influential in informing Ireland's approach. Moreover, the EU's AVMSD and eventual passing of the DSA required Ireland to act on online harm. Despite these externalities, OSMR also resulted from a strong domestic policy shift away from self-regulation. As legislators made quite clear in their interviews (see Chapter 9), Ireland aims to be a global leader in holding SM platforms accountable for harms.

CHAPTER 6: PRE-LEGISLATIVE SCRUTINY DEBATES

6.1 Introduction

This chapter presents the findings of the GT and FA of the PLS debates. GT's inductive nature enabled an exploratory research approach involving line-by-line analysis of the 12 PLS debate transcripts (Holton, 2007). This inductive process ultimately yielded 370 user and 218 social media (SM) framing instances. This list of frames will be later applied to the remainder of the OSMR debates, focus groups, and legislator interviews.

Since the debate speakers were elected representatives, framings naturally took place within a political context. However, it is important to note that influence of political ideology on legislator speech was not explored. This decision was made for three reasons: 1) because, as Green-Pedersen and Little (2023) argue, ideological conflict is relatively minimal among Ireland's political parties in comparison to other countries, 2) because exploring political differences would have introduced yet another variable into an already complex project, and 3) because Ireland's political parties have historically acted in concert regarding the self-regulation of emerging technologies and multinational corporations (Cunningham et al., 2020). See Appendix 9 for a list of all the Oireachtas legislators who spoke during the PLS and Core Debates. See Appendix 1 for a list of all PLS debates, including stakeholders who were represented at each.

6.2 Findings

An overview of the quantitative findings related to users and social media harms is provided first. Though the quantitative data does not directly contribute to RQs 1 or 2, it nonetheless contextualises user and technology frames by presenting the proportion of mentions of adults vs. children and identifying what SM harms legislators invoked and how often. To reiterate, mentions are simply quantifiable 'namings' that do not constitute frames.

6.2.1 Who Were Users?

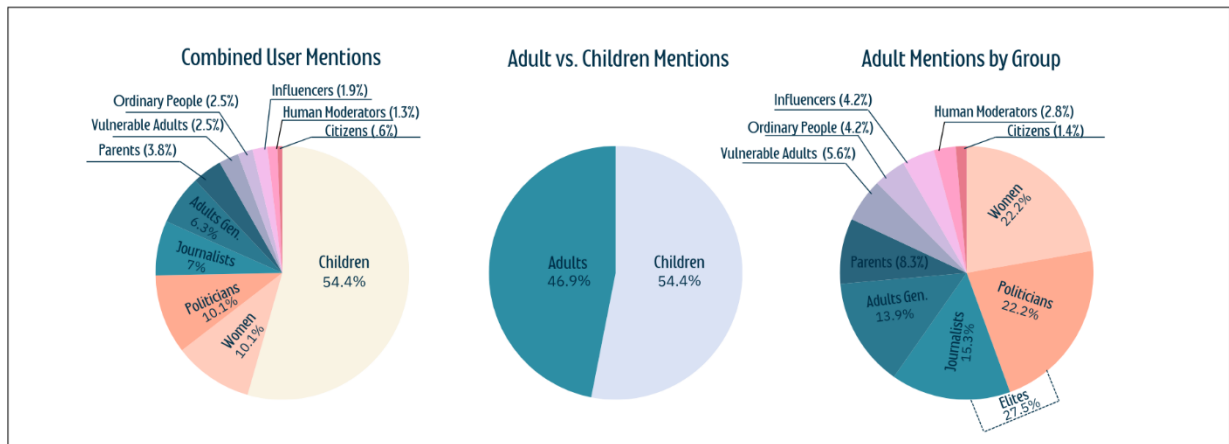


Figure 6.1: Legislators' mentions of users

A quantitative analysis of legislators' mentions of users ($n=162$) revealed that children were most often discussed in the PLS debates.²⁸ Indeed, legislators were 25% more likely to reference 'children' and 'young people' than adults (90 and 72 mentions, respectively), but twice as likely to reference children and young people when mentions of journalists or politicians were removed from the tally (90 vs. 45 mentions). Unsurprisingly, legislators most often referenced children as the primary beneficiaries of the bill. The following is a representative statement from Deputy Chair Niamh Smyth: "We want to create something that is robust and has the effect of being a trusted option for children and young people" (Smyth, PLS, 13 May).

The ways in which legislators discussed adults and children differed significantly. For example, they often mentioned adults in reference to vulnerable groups, such as young women, people with physical disabilities, or those with mental health needs. In contrast, only 13 of the 162 mentions of adults were general (i.e., without reference to vulnerability). An example of a general reference came from Deputy Johnny Mythen: "Often, the people on these platforms are just normal people like ourselves, but then they must deal with these difficult situations as well" (Mythen, 14 July, 2021). Compared with adults, children were generally not referenced in terms of specific vulnerabilities, possibly suggesting a collective understanding of default vulnerability. The following excerpt from Senator

²⁸ Determining whether a statement referenced children or adults was sometimes challenging, as legislators sometimes only referenced 'users'. In these cases, it was often possible context clues to determine the age group in question. However, if the subject remained unclear, I coded that mention as referencing both children and adults.

Malcom Byrne is representative of this trend: “In my view, we should look at trying to prohibit most forms of advertising and microtargeting aimed at children. We should allow children to be children, essentially” (Byrne, 13 May, 2021).

A final notable pattern was legislators’ self-referencing and mentions of other elites (see Ostrander, 1993). Of the 72 mentions of adult users, 11 were to journalists and 16 were to politicians. Combined, these 'elite' mentions comprised 36% of all adult mentions, thus making elites the second most-mentioned user type behind children (26 and 90 mentions, respectively). In fact, such mentions were often self-referential: "As politicians, all of us are trolled by fake accounts every day of the week and abused and threatened whenever we put anything online" (Byrne, 19 May, 2021); in the same debate Deputy Brendan Griffin stated, “Certainly, the vast majority of the abuse I have received online over the years has been from anonymous accounts” (Griffin, 19 May, 2021).

6.2.2 Which Harms Were Important?

A quantitative analysis of legislators’ mentions of harms showed that 54.88% or 97 out of 188 total harm references invoked either ‘Cyberbullying’ (55 references/29.25%) or ‘Disinformation’ (42/22.34%). Politicians and journalists were slightly more likely to be cited as victims of cyberbullying than young people or children (29% vs. 25% of mentions, respectively), which again underscored a proclivity to focus on elites. ‘Algorithmic Bias’, or how prejudiced automated processes skew information dissemination was the third most-cited area of concern (15/7.97%).

The remaining 8 top-ten harms were: ‘Underage Gambling’ and ‘Threats to Mental Health’, which included content encouraging self-harm or suicide, with 11 references each (5.85%), ‘Advertising to Children’ with 7 references (3.72%), ‘Gender-Based Abuse’ (predominately cited as abuse against trans individuals) and ‘Biometric Data Processing’ with 6 references each (3.19%), ‘Adult Sexual Abuse’ with 5 references (2.65%), ‘Child Sexual Abuse’ and ‘Hate Speech’ with 4 references each (2.12%).

It is important to note that of the top-mentioned harms, only ‘Disinformation’, ‘Cyberbullying’, and ‘Threats to Mental Health’ clearly fell under OSMR’s legislative remit regarding “not illegal but nonetheless harmful online content” (Kirk et al., 2021). For example, concerns over biometric data processing would fall under the EU's General Data Protection Regulation (GDPR). Adult online sexual abuse would be subject to various criminal laws including the Harassment, Harmful Communication and Related Offences

Act (also known as CoCo's Law), which banned the non-consensual sharing of digital intimate images (DOJ, 2021).

6.2.3 User Frames

Preliminary Frame List

Frame	Definition	Activations
POSITIVE AGENTIVE		
Users as Stakeholders	Users having a role to play in combating online harm	84
Users as Rights-Holders	Users possessing rights (e.g., freedom of expression, right to redress)	54
Users as Controllers	Users adjusting platform elements to suit their needs	10
Users as Producers	Users making/disseminating content via social media	9
Users as Info Seekers	Users gathering learning via social media	7
Users as Owners	Users holding dominion over their online presence, including data	5
NON-AGENTIVE		
Users as Needing Protection	Users requiring legislators to intervene	93
Users as Vulnerable	Users being susceptible to online harm	30
Users as Victims	Users explicitly receiving online harm	25
NEGATIVE AGENTIVE		
Users as Perpetrators	Users employing their agency to harm others	50

Table 6.1: Preliminary Frame List

*Note: Frame definitions above were shortened to save space. See Appendix 6 for complete list of project frames and detailed definitions.

Using the frame building and testing processes outlined in Chapter 6, I recorded a total of 367 user frame activations. I grouped activations into the 10 distinct user frames listed

above, which I then aligned with the research questions by further dividing them into POSITIVE AGENTIVE, NON-AGENTIVE, and NEGATIVE AGENTIVE framing categories. The following is a complete overview of the distinct user frames that emerged in order of most- to least-activated, along with frame activation excerpts. The reason for the difference in number between user mentions (n=162) and user frame activations (n=367) is because legislators often activated multiple frames in connection to a single mention.

1. Users as Needing Protection

The Users as Needing Protection frame (NON-AGENTIVE) was employed 93 times or in 25.34% of user framing instances. It was used to suggest that users would not be safe without the efforts of policymakers and, therefore, helped legitimate OSMR. Below are excerpts of this frame in action:

As legislators, one of our core functions and responsibilities is to protect all of our citizens, particularly those most vulnerable of our citizens, in the public space, of which the online area is now a part (Senator Malcom Byrne, PLS, 13 May).

This frame was further evidenced in a question from Deputy Brendan Griffin to Assistant Secretary of the Department of TCAGSM, Triona Quill:

How does Ms Quill envisage we will protect children from platforms that are quite obviously being targeted towards younger children? From what I see, there seems to be a drive to get as many people as possible on to these platforms from as early an age as possible (Griffin, PLS, 13 April).

2. Users as Stakeholders

The 'Users as Stakeholders' frame (POSITIVE AGENTIVE) was activated 84 times or in 22.88% of user framing instances. It was employed when users were described as part of the solution to combating SM harm and occurred most often when legislators voiced support for the Individual Complaints Mechanism (ICM). It is crucial to note that though the ICM is POSITIVE AGENTIVE, it does place significant responsibility on users to lodge complaints. In the framing excerpt below, Senator Byrne clearly advocates including an ICM provision in the Bill:

If I, as an individual, have a problem, especially with a social media company, and there is a failure to take action, it is important that there is a very clear mechanism by which it can be addressed (Byrne, PLS, 13 April).

This frame was also activated in reference to educational interventions such as media literacy and other outreach campaigns. Users were framed as being better able to protect themselves if given adequate information and training. Finally, ‘Users as Stakeholders’ was sometimes employed to highlight the importance of user input in the formation of the OSMR Bill:

It would be doing young people a disservice if they were not afforded the opportunity to contribute their views. After this legislation is enacted, should children have an active role in this? (Deputy Johnny Mythen, PLS, 12 May).

3. Users as Rights Holders

The ‘Users as Rights Holders’ frame (POSITIVE AGENTIVE) was activated 54 times or in 14.71% of user frames. It established users as holding fundamental rights that OSMR should protect, the most commonly referenced included ‘free expression’, the ‘right to privacy’, and the ‘right to redress’:

What we must do is ensure that citizens and persons resident in Ireland can engage with the media, including social media, in a safe manner and that their individual human rights are protected (Byrne, PLS, 13 April).

As we saw last week with the children from Kinsale and Tallaght who gave testimony to the committee, they expressed concern about over-regulation of the area. It comes down to the fine lines (Deputy Shane Cassells, PLS, 13 May).

4. Users as Perpetrators

The ‘Users as Perpetrators’ frame (NEGATIVE AGENTIVE) was activated 50 times or in 13.62% of user frames. Legislators presented users as employing SM affordances to harm others, often by naming users as ‘bullies’, ‘trolls’, or ‘abusers’ and by using active verbs such as ‘subject others to’ and ‘spread’ to indicate that SM harms were human-generated. Thus, by using this frame, legislators placed a degree of blame on users:

My second question is to ask the assistant commissioner to outline the process adopted when a person is subjected to a torrent of online abuse from numerous, possibly anonymous accounts...(Senator Fintan Warfield, 14 July, 2021).

Some very influential Instagram and Facebook account holders, who may have several thousand followers, have gained support but they may be putting out misinformation on the vaccination programme, using terms such as “experimental” and other harmful terminology, and on the pandemic itself, suggesting it is a hoax (Deputy Christopher O’Sullivan, PLS, 7 July).

5. *Users as Vulnerable*

The ‘Users as Vulnerable’ (NON-AGENTIVE) frame was activated in 30 instances or 8.17% of user frame activations. It was used to indicate when users have heightened susceptibility to harm by their belonging to a particular group (i.e., LGBTQ individuals, children, journalists) or because of personal attributes related to mental or physical health. Unsurprisingly, this frame was often helped legitimate legislative action:

Everyone on this call wants technology to be used safely, particularly among our children and young people, and this is very important legislation (Byrne, PLS, 13 May).

These trolls bully with abandon, spread racist and misogynist abuse and attack people based on looks, weight, age, gender and disability (Deputy Allan Dillon, PLS, 19 May).

6. *Users as Victims*

The ‘Users as Victims’ (NON-AGENTIVE) frame was activated in 25 instances or 6.81% of user frame activations and referenced specific instances of users being harmed. Unlike the ‘Vulnerable’ frame, the ‘Victims’ frame did not discuss possibility of harm but outlined that harms occurred:

I have to speak about a young woman who bravely told her story recently about a fake Instagram account that had been set up in her name and using her face and that showed sexually explicit images of other young women (Senator Micheál Carrigy, 5 May, 2021).

As politicians, all of us are trolled by fake accounts every day of the week and abused and threatened whenever we put anything online (Carrigy, 19 May, 2021).

7. Users as Controllers

The ‘Users as Controllers’ frame (POSITIVE AGENTIVE) was activated 10 times or in 2.72% of user framing instances. Legislators employed this frame to describe users as able to manage their SM experience, such as by changing platform settings:

Finally, we need to give users the option to block communication, comments and other interactions from unverified users as a category if they so wish (Dillon, PLS, 19 May).

8. Users as Producers

The ‘Users as Producers’ frame (POSITIVE AGENTIVE) was activated 9 times or in 2.45% of user frames, and was used to reference users as makers. It was the only frame to present users as employing their agency to create content:

Influencers have a great way of earning a living, living a great life and sharing it with the world. If people are interested that is fantastic. When influencers have a certain following, there are opportunities to advertise, which is also great (O’Sullivan, PLS, 2 June).

9. Users as Info Seekers

The ‘Users as Info Seekers’ frame (POSITIVE AGENTIVE) was activated 7 times, or in 1.90% of user frame activations. It presented users as using social media to gather information:

RTÉ admitted this week that more and more young people are turning towards social media giants for news content (Cassells, PLS, 20 May).

10. Users as Owners

The ‘Users as Owners’ frame (POSITIVE AGENTIVE) was activated 5 times, or in 1.36% of user frame activations. This frame exclusively used to indicate when users held propriety over their data or devices:

What should be explored, and is not explored much, is the principle of data ownership. That is where we should focus some of our expertise (Mythen, PLS, 13 May).

6.2.4 Technology Frames

PLS Technology Frame List

Frame	Definition	Activations
NON-DETERMINIST		
SM Companies as Ineffective	Companies' methods for combating harm are not working	23
SM Tech as Needing Regulation	SM tech (e.g., algorithms) needs government oversight	22
SM Companies as Uncooperative	Companies obstruct government action	20
SM Companies as Stakeholders	Companies are potential partners for solving harm	16
SM Companies as Needing Regulation	Companies need government oversight	16
SM Companies as Powerful	Companies are economically or socially influential	15
SM Companies as Profit-Driven	Companies are mainly concerned with making money	10
SM Companies as Opaque	Companies not transparent about their practices	10
SM Companies as Exploiting Users	Companies manipulating users to increase engagement	4
SM Tech as Ineffective	SM tech not effective in combatting online harm	3
DETERMINIST		
SM Tech as Fast-Evolving	SM technology is rapidly changing	27
SM Tech as Harmful	SM technologies directly cause harm (e.g., algorithms)	21
SM Tech as a Solution	SM tech (e.g., AIs and algorithms) can address harm	14
SM Tech as Opaque	Operation of SM is unknown (e.g., 'black boxed')	10
SM Tech as Ubiquitous	SM tech pervades all areas of society	6

Table 6.2: PLS technology frame list

I recorded 218 instances of Joint Committee Members (legislators) framing SM. I divided these technology framing instances into two categories: SM COMPANY (114 frames) and SM TECH (104 frames). I also further divided the SM TECH frames into DETERMINIST

and NON-DETERMINIST frames to help answer RQ1 concerning legislators' technological ideologies. I placed all SM COMPANY frames into the NON-DETERMINIST category because the fact that legislators situated SM within an industry suggested awareness of broader sociotechnical influences (i.e., corporate culture, leadership decisions, shareholder pressure). As explained the Research Approach chapter, I considered a frame DETERMINIST if it presented technology as all-powerful (Smith and Marx, 1994) and NON-DETERMINIST if it afforded degree of agency to humans (e.g., Latour, 1987; MacKenzie and Wajcman, 1985; Pinch and Bijker, 1984).

6.2.4.1 SM Industry Frames

1. SM Companies as Ineffective

The 'Companies as Ineffective' frame (NON-DETERMINIST) was activated 23 times or in 20.17% of framing instances within the SM Company category and 10.64% of all SM framing instances (i.e., the Company and Tech frames combined). It was used when legislators positioned companies as 'ineffective' in combating online harm, such as when they failed to address user complaints or when changes to their operations did not reduce harm. Thus, this frame partly assigned blame to SM Companies:

At the moment, if anyone makes a complaint about online abuse to Twitter or Facebook, it can take a long time to be addressed and it is often addressed ex post facto (Byrne, PLS, 5 May).

As it stands, tech companies - forgive me if I am wrong - do not know who millions of their users are. No matter how good these companies' intentions, the lack of basic information means that any attempt they make to police their platforms and bring offenders to justice is a painful process for them (Dillon, PLS, 19 May).

2. SM Companies as Uncooperative

The 'Companies as Uncooperative' frame (NON-DETERMINIST) was activated 20 times (17.54% of SM COMPANY frames and 9.25% of all SM frames). It was most often employed when legislators suggested that platforms were trying to weaken OSMR. Though this frame did not blame companies for past harms, it did indirectly blame them for future ones:

It has been suggested that Mark Zuckerberg threatened to pull investment from the UK. Records from a 2018 meeting show that he might look elsewhere in Europe to invest. We have seen the legislation be delayed there (Warfield, PLS, 19 May).

In some of the kickback that we have been getting from some stakeholders regarding the individual complaints mechanism, their argument is that it would be instantly bogged down with complaints and reports and that would render it useless (Deputy Imelda Munster, PLS, 21 July).

3. SM Companies as Stakeholders

The ‘Companies as Stakeholders’ frame (NON-DETERMINIST) was used 16 times (14.03% of SM COMPANY frames and 7.40% of all SM frames) and was most often employed when companies were discussed as playing a useful role in combatting harm. Thus, this frame is the opposite of the ‘Companies as Ineffective’ frame. The ‘Stakeholders’ frame is also notable because it is one of the few frames that places a degree of responsibility on companies:

Part of this will be about what the regulator can do but it is also about what actions can be taken by social media companies (Byrne, PLS, 13 May).

That is why it is exceptionally important for those who provide the ever-evolving array of social media platforms, reaching out and connecting to an ever-increasing number of people, both here in Ireland and throughout the world, to act responsibly (Deputy Ciarán Cannon, PLS, 19 May).

4. SM Companies as Powerful

The ‘SM Companies as Powerful’ (NON-DETERMINIST) frame was used 15 times (13.15% of SM COMPANY frames or 6.94% of all SM frames). It was employed when legislators alluded to the size, wealth, or reach of companies. It was often activated alongside the of platforms as ‘giants’ metaphor:

The burden of responsibility should not be on an NGO to monitor a big social media giant (Warfield, PLS, 13 April).

Further, referencing Twitter’s decision to remove Donald Trump from its platform, Senator Byrne stated:

Whether you agree or disagree with what Donald Trump was saying, it was Dorsey and their teams who made the decision, rather than democratic society (Byrne, PLS, 26 May).

5. SM Companies as Needing Regulation

The ‘SM Companies as Needing Regulation’ (NON-DETERMINIST) frame was activated 16 times (14.03% of SM COMPANY Frames or 7.40% of all SM frames), often when legislators suggested the business or decision-making practices of SM companies needed oversight. This frame was commonly used to legitimate the immediate need for OSMR, and, therefore, placed responsibility on government to address harm:

We need to make our social media known more for the good in society rather than the toxic, unsafe hellhole they can be for so many (Dillon, PLS, 19 May).

We have accepted that the era of self-regulation by the technology companies is over and I get the point about criminal activity. Part of our responsibility as legislators, however, is to deal with the very real challenges around online bullying and harassment, and the real harm caused by these [technology companies] (Byrne, PLS, 26 May).

6. SM Companies as Profit-Driven

The ‘SM Companies as Profit-Driven’ frame (NON-DETERMINIST) was activated 10 times (8.77% of SM COMPANY frames and 4.62% of all SM frames). It was used when companies were discussed as caring primarily about their bottom lines more than users. It follows that this frame was also often used to legitimate OSMR, while it blamed companies for harm:

As witnesses said, if we allow service providers to have their own standards, they are there for profit, to make money and to exploit (Mythen, PLS, 13 May).

7. SM Companies as Opaque

The ‘SM Companies as Opaque’ frame (NON-DETERMINIST) was activated 10 times (8.77% of SM COMPANY frames or 4.62% of all SM frames). It was used to suggest that companies are non-transparent and was often activated through legislators asking pointed

questions about content moderation approaches. Like many others, this frame was predominately employed to legitimate OSMR and blame companies for harm:

Twitter's systems just do not work. It should stop trying to pull the wool over people's eyes. What is going on is a disgrace and Twitter has been presiding over it for years. It is not good enough (Griffin, PLS, 19 May).

8. SM Companies as Exploiting Users

The 'SM Companies as Exploiting Users' frame (NON-DETERMINIST) was used 4 times (3.50% of SM COMPANY frames and 1.85% of all SM frames). It was employed when legislators referenced platforms as purposefully acting against the interests of users, such as by allowing harmful advertising or selling users' data (i.e., placed blame on companies):

That is where all the service providers gain. The little button is pressed and that is it, they can sell the data across the board, globally, and make lots of money out of it (Mythen, PLS, 13 May).

6.2.4.2 SM Technology Frames

Below is an overview of the 104 instances of legislators framing SM as technology (Tech) in order of most- to least-activated.

1. SM Tech as Fast-Evolving

The 'SM Tech as Fast-Evolving' frame (DETERMINIST) was activated 27 times (25.96% of SM TECH frames and 12.38% of all SM frames), most often in reference to the launch of new platforms or the pace of change of platform architectures, such as adjustments to algorithms and AI implementations. It was also used in reference to older generations being less able to understand SM technology than younger users:

I take the view we should set up the media commission and the online safety commissioner. They will be flawed and there will be problems from the start because technology is changing so quickly it will not be able to cover everything (Byrne, PLS, 13 May).

One of their [student invitees] points related to the fact there is a bit of a disconnect with teachers of an older generation and parents, who are older and who may not have grown up in the world of Instagram, TikTok and Facebook, so there may be a lack of understanding. (O'Sullivan, PLS, 13 May).

2. SM Tech as Needing Regulation

The ‘SM Tech as Needing Regulation’ frame (NON-DETERMINIST) was used 22 times (21.15% of SM TECH frames and 10.09% of all SM frames). It was activated when legislators referenced the technologies underpinning social media (e.g., algorithms and machine learning) as needing oversight, thus blaming technology for harms and placing responsibility on government:

...an area of concern is around the whole question of algorithmic decision-making and machine learning. We have been looking at the idea that the new media commission would develop specific codes in these areas to ensure transparency and awareness of when algorithmic decision-making is taking place (Byrne, PLS, 12 May).

I would like to pick up the conversation about ethical algorithms. There is a quote from "The Social Dilemma" to the effect that the algorithm is convincing someone somewhere that the earth is flat. I am guessing the witnesses agree that we need more transparency around the algorithms (Warfield, PLS, 14 July).

3. SM Tech as Harmful

The ‘SM Tech as Harmful’ frame (DETERMINIST) was activated 21 times (20.19% of SM TECH frames and 9.63% of all SM frames). This frame was used in reference to SM’s technological features having adverse effects on users, such as through platform architecture or messaging features. Similar to the ‘Needing Regulation’ frame, this frame blamed SM as a technology rather than companies; however, it stopped short of legitimating government action:

Online bullying in WhatsApp groups is very prevalent and I imagine it is much more difficult to moderate because what are almost chain messages are sent on from group to group or person to person (O’Sullivan, PLS, 19 May).

I will turn to the question of anonymous accounts and bots, which is obviously an area of concern, and the question of ensuring that individuals are able to identify themselves. (Byrne, PLS, 19 May).

4. *SM Tech as a Solution*

The ‘SM Tech as a Solution’ frame (DETERMINIST) was activated 14 times (13.46% SM TECH frames or 6.42% of all SM frames). It was used when legislators discussed using SM technologies to combat online harm, such as through AI detection and automated parental controls. Thus, this solutionist frame enlisted technology as having a role to play in solving SM harm:

What do the witnesses envision as being needed by way of warnings and signposting for children online and for their parents and teachers? Social media platforms are using intervention tools much more. If somebody mentions something about Covid, an intervention happens (Senator Annie Hoey, PLS, 13 May).

In a situation where, for instance, an individual is operating nine Twitter accounts or if some individual seems to be linked to multiple accounts, perhaps coming from outside the State from somewhere like Belgrade, for example, do alarm bells sound in Twitter? (Byrne, PLS, 19 May).

5. *SM Tech as Opaque*

The ‘SM Tech as Opaque’ frame (DETERMINIST) was activated 10 times (9.61% of SM Tech frames and 4.38% of all SM frames). It indicated that the innerworkings of SM technologies (i.e., algorithms and AIs) are largely unknown (e.g., ‘black boxed’). This frame often indirectly placed responsibility on government by suggesting the need for transparency regulation:

Ms Walsh spoke about algorithmic decision-making and the impact algorithms are having on children. We are looking for a code to make that transparent. I would be grateful to hear her views on that (Byrne, PLS, 2 June).

6. *SM Tech as Ubiquitous*

The ‘SM Tech as Ubiquitous’ frame (DETERMINIST) was activated 6 times (5.76% of SM TECH frames and 2.75% of all SM frames). It was used when legislators alluded to SM as pervasive, and, therefore blamed the nature of technology for online harm:

[I]t is exceptionally important for those who provide the ever-evolving array of social media platforms, reaching out and connecting to an ever-increasing number

of people, both here in Ireland and throughout the world, to act responsibly (Cannon, PLS, 19 May).

7. *SM Tech as Ineffective*

The ‘SM as Ineffective’ frame (NON-DETERMINIST) was utilised only 3 times (2.88% of all SM TECH frames and <1% of all SM frames). It was activated when legislators suggested that automated technologies were ineffective in combating harm:

What is TikTok doing because it seems to me that the algorithm is not working? I do not want transphobic content. I am a member of the LGBT community. What machine learning or training is being done to mitigate harm? (Hoey, PLS, 19 May).

6.3 Discussion

6.3.1 *Aggregate Technology Frames*

Technology Frame Comparisons

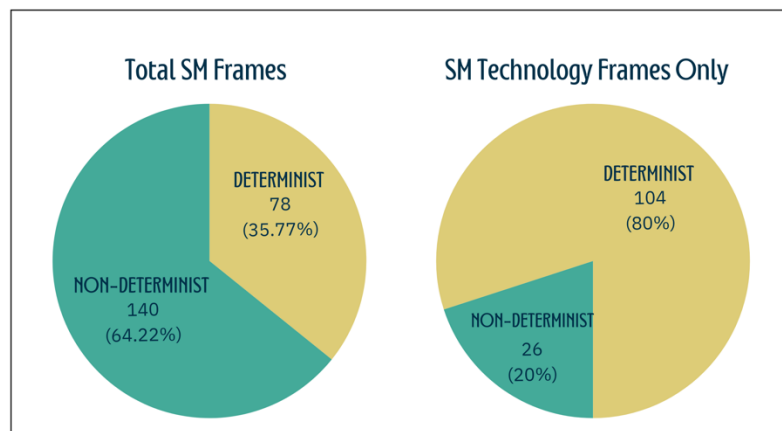


Figure 6.2: PLS Determinist vs. non-determinist ratios

Legislators framed SM 218 times during the PLS debates, sometimes as an industry and sometimes as a technology. 7 distinct SM frames emerged (see Table 7.2). 5 of the 7 SM TECHNOLOGY frames were DETERMINIST (i.e., ‘SM as Ubiquitous’, ‘SM as a Solution’, ‘SM as Opaque’) because they either afforded a high degree of agency to the technology itself or framed technology as being inaccessible or incomprehensible to users or regulators (Smith and Marx, 1994). An example of this belief in action was that the ‘SM as Opaque’ frame, which presented social media as a black box (see Bonezzi et al., 2020).

Finally, I labelled 2 SM TECHNOLOGY frames as NON-DETERMINIST, meaning they did not solely afford agency to technology itself. These were, ‘SM Tech as Needing Regulation’, as it acknowledged the possibility of SM technology regulation, and ‘SM Tech as Ineffective’, as it acknowledged the limits of technological solutions. Again, all the SM COMPANY frames were NON-DETERMINIST.

In terms of total SM frame activations (n=218), 140 (64.22%) were categorised as NON-DETERMINIST, which included frames such as ‘SM as Needing Governance’ and ‘SM as Ineffective’, and 78 were DETERMINIST (35.77%), which included frames such as ‘SM as Harmful’ and ‘SM as Ubiquitous’. However, when looking only at frames related to SM as a technology (i.e., the SM TECHNOLOGY category), 104 framing instances were DETERMINIST (80%), and 26 (20%) were NON-DETERMINIST (see Figure 7.2).

6.3.2 Aggregate User Frames

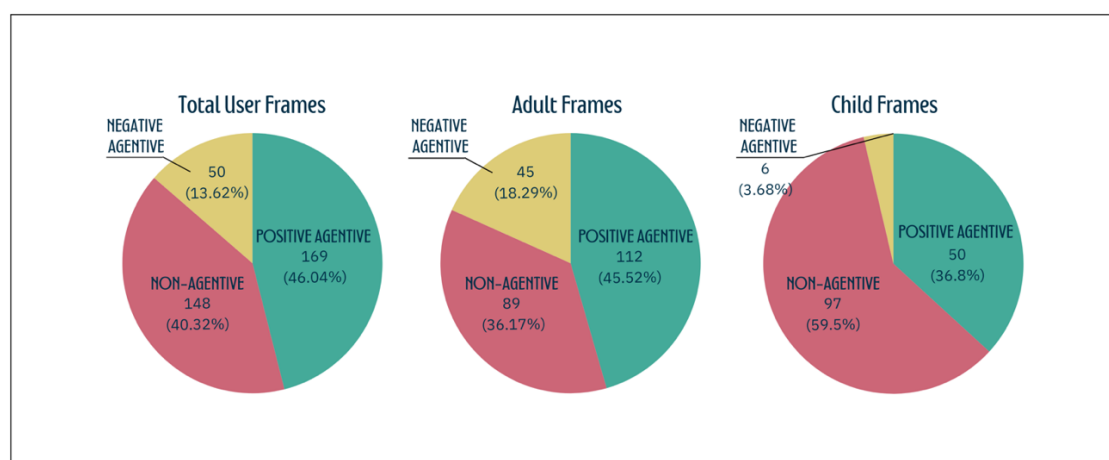


Figure 6.3: PLS user agency frame ratios

Legislators framed users a total of 367 times during the PLS debates. 169 or 46.04% framing instances were POSITIVE AGENTIVE and, therefore, afforded SM users some degree of agency. These agentive frames including ‘Users as Stakeholders’ (84 activations) and ‘Users as Rights Holders’ (54). In comparison, 148 frame activations (40.32%) presented SM users as NON-AGENTIVE, including ‘Users as Vulnerable’ (30 activations) and ‘Users as needing Protection’ (93). Finally, 50 framing instances (13.62%) positioned users as NEGATIVE AGENTIVE through the ‘Users as Perpetrators’ frame. Combined, POSITIVE and NEGATIVE AGENTIVE categories yielded three frames that were

activated more than 50 times: ‘Users as Stakeholders’ (84), ‘Users as Rights Holders’ (54), and ‘Users as Perpetrators’ (50). In contrast, the only commonly used frame in the NON-AGENTIVE category was ‘Users as Needing Protection’ (n=119).

In terms of the agency of adults versus children, legislators activated POSITIVE AGENTIVE frame(s) in 60 or 36.80% of child framing instances and 112 or 45.52% adult framing instances; NON-AGENTIVE frame(s) in 97 or 59.50% of child framing instances and 89 or 36.17% of adult framing instances; and NEGATIVE AGENTIVE frames in 6 or 3.68% of child framing instances and in 45 or 18.29% of adult framing instances.²⁹

6.4 Discussion:

6.4.1 Inconclusive View of User Agency

The CFA yielded a largely inconclusive view of legislators’ beliefs about user agency (RQ2). As figure 7.2 shows, the number and types of user frames generated suggested legislators were only slightly more likely to see users as POSITIVE AGENTIVE than NON-AGENTIVE (46.04% to 40.32% of user frame activations). Further, a sizeable minority of user frames were NEGATIVE AGENTIVE (50 framing instances/13.62%). Thus, looking at the data differently, legislators afforded user agency in 59.66% of user frame activations; however, 22.83% of those activations were NEGATIVE AGENTIVE. It follows that legislators did not always view user agency as positive, which further complicated the user agency narrative. This mix of agentive frame types seems to suggest a level of ‘frame ambiguity’ surrounding user agency (Dekker, 2017); it will be important to explore whether this pattern continues to exist in subsequent analyses. A final note is that legislators generally afforded adults more agency than children, as 45.52% of adult frames and 36.80% of child frames were POSITIVE AGENTIVE. Again, however, neither age group was framed POSITIVE AGENTIVE in a majority of instances.

The intra-analysis of the user frame types themselves (i.e., POSITIVE AGENTIVE, NON-AGENTIVE and NEGATIVE AGENTIVE) also yielded a mixed view of user agency, though there was a slightly broader spread of POSITIVE AGENTIVE frames (5 distinct frames) than NON-AGENTIVE (3 distinct frames). One reason for the narrower spread of NON-AGENTIVE frames could be that legislators were ‘primed’ (Scheufele and

²⁹ The discrepancy between the number of total user frame activations (n=367) and the number of framing instances between adults and children (n=399) arose because some frame activations mentioned both adults and children. I avoid this confusion in future chapters by naming specific ‘Adult’ and ‘Child’ frames.

Tewksbury, 2007) to see users as needing protection, meaning that making this point required less rhetorical nuance. Indeed, the fact that the Bill was named the “*Online Safety and Media Regulation Bill*” (italics for emphasis) supports this hypothesis. Conversely, it follows that a larger spread of POSITIVE AGENTIVE frames may have been needed because legislators were not primed to see users as agentive.

6.4.2 *Child vs. Adult Frame Ambiguity*

Legislators’ statements about users and their experiences were often convoluted and failed to provide a clear vision of who OSMR was meant to serve. The fact that legislators more often mentioned children (90 mentions) than adults (72 mentions) is perhaps unsurprising, as Minister Bruton officially launched OSMR at a primary school during which he outlined its remit as ensuring “children are safe online” (Merrion Street, 2019). However, the frequency of adult mentions was nonetheless significant, showing that adults were referenced more often than the official ‘child focus’ suggests. Indeed, the fact that legislators frequently mentioned both adults and children within the same frame underscores possible ‘frame ambiguity’ regarding OSMR’s legitimization (Dekker, 2017; Van Leeuwen, 2007). Exploring this pattern further will be a key goal in subsequent chapters.

Key differences in how legislators discussed adults versus children also emerged. Children were mostly invoked as a collective (i.e. ‘minors’, ‘teens’), a rhetorical pattern that may have resulted from a shared sentiment that children were vulnerable by default and that their susceptibility to harm required no further explanation. This theory may also explain why adults, though *mentioned* less often than children, were twice as likely to be *framed* as users than children (see CFA discussion below). Further, in contrast to mentions of children, legislators rarely discussed adults as a collective, instead categorising them into distinct vulnerable groups such as ‘politicians’, ‘women’, and ‘adults with disabilities’.

6.4.3 *Acknowledging vs. Advocating agency*

Less a finding than an analytical distinction was that some POSITIVE AGENTIVE activations only *acknowledged agency* while others advocated *enhancing agency*, which can also be termed ‘empowerment’ (Sato et. al, 2022). For example, 38 of the 84 (45.23%) Axial codes comprising ‘Users as Stakeholders’ frame mostly referenced the Individual Complaints Mechanism (ICM), which was a potential mechanism through which users

might field complaints to SM companies. Thus, when activating ‘Users as Stakeholders’ in reference to the ICM, legislators’ were presenting a harm mitigation solution to ostensibly increase user agency beyond the current level. In contrast, POSITIVE AGENTIVE frames such as ‘Users as Controllers’ or ‘Users as Rights Holders’ mostly acknowledged instances of user agency but did not call for augmenting it.

It will be important to differentiate between agency acknowledgement and advocacy throughout this project, as advocating future agency is a stronger normative policy position than simply acknowledging it exists. Indeed, advocating greater agency places a certain degree of responsibility on government to engender greater user control of and input into how SM platforms operate. At the same time, recognising agency through frames such as ‘Users as Controllers’ can be seen as a crucial first step, as it is only logical that legislators must first believe that agency is possible before they can work toward enhancing it. This idea is similar to how a positive ‘sense of agency’ can encourage agentic action (Moore, 2016; Nadelhoffer et al., 2014).

6.4.4 NON-DETERMINIST Orientation

Regarding RQ1, legislators activated DETERMINIST technology frames 78 times (35.77% of technology frames) and NON-DETERMINIST frames 140 times (64.22% of technology frames), suggesting a relatively balanced view of technological and user agency that leaned NON-DETERMINIST. This pattern suggests that legislators were not overtly influenced by technology determinist, as the nuanced discussion did not fit the definition of ideology as uncritical and taken-for-granted set of beliefs (Eagleton, 1979; Verschueren, 2012). This NON-DETERMINIST view was further supported by the high rate of SM Company frame activations, which, by default acknowledged SM as part of sociotechnical system involving human and other inputs. Such Company frames (e.g., ‘SM Companies Needing Regulation’ and ‘SM Companies as Exploiting Users’) often served dual roles of ‘blaming’ the industry for harms (Hansson et al., 2023) and ‘legitimizing’ government action (Van Leeuwen, 2007). Regarding legitimization, one of the most frequent frames, ‘SM Companies as Needing Regulation’ (22 activations), clearly placed responsibility on government to intervene against exploitative practices.

Framing patterns consistently blamed companies for SM harms and assigned government the responsibility to mitigate them. However, PLS debates were only one part of the OSMR policymaking process, special attention will be paid to discerning whether

this NON-DETERMINIST sentiment holds across the core debates and semi-structured interviews.

6.4.5 Legislator Self-References

A final notable finding was that legislators talked about their own experiences with online harm more than almost any other adult group. For example, when combined into an ‘elite’ category (Ostrander, 1993), journalists and politicians formed the most-referenced adult group with 27 mentions—nearly double the number of mentions of ‘women’, the next most-referenced group at 16 mentions (See Figure 7.1). These self-referential statements suggested that legislators partly legitimised OSMR (see Van Leeuwen, 2007) as a means of mitigating the effects of online harm on elites like themselves.

Self-referencing was further compounded by the fact that some legislators conflated their own SM experiences with those of the average SM user. For example, Deputy Mythen stated that users facing SM harm are “just normal people like ourselves” (Mythen, July 14). It goes without saying that Irish Senators and TDs are dissimilar to average social media users on many levels, not least because of their political influence and connections with the SM industry. Thus, legislators may have been dissuaded from advocating enhanced user agency, given their distorted view of the average user. Monitoring self-referencing will be a key analytical goal the subsequent research phases.

6.5 Conclusion

This first findings chapter served four critical roles: it 1) explored the nature of Oireachtas OSMR debates; 2) provided a comprehensive view of how Joint Committee Members discussed technology and users; 3) built a user and technology frame list to guide the deductive analysis of the remaining OSMR debates, user focus groups, and legislator interviews; and 4) addressed RQs 1 and 2 by showing that legislators mostly espoused NON-DETERMINIST beliefs about technology but relatively indeterminate views of user agency. This preliminary finding suggests that the presence or lack of technological determinist beliefs may not be a strong predictor of views on user agency. Non-frame-related findings, such as that legislators often spoke about themselves and were unclear about who users were, were also important and will help guide the analysis in subsequent chapters.

In the next chapter, the list of generated frames will be applied to the remainder of the OSMR debates (Core Debates). Thus, the proceeding chapter will continue to test this framing construct and assess whether patterns recognised at this exploratory stage were outliers or representative of broader trends.

CHAPTER 7: CORE DEBATES

7.1 Introduction

This chapter analyses the remaining 15 Oireachtas debates, which I call the ‘Core Debates’, on the Online Safety and Media Regulation Bill (OSMR). These debates were held over 15 days spanning from February to December 2022 and coincided with the five stages of Oireachtas debate (First, Second, Committee, Report, and Final stages) in both the Dáil and the Seanad.

Date	House	Stage
2 February	Seanad	Second
26 April	Seanad	Committee
28 April	Seanad	Committee
04 May	Seanad	Committee
11 May	Seanad	Committee
25 May	Seanad	Committee
26 May	Seanad	Committee
31 May	Seanad	Committee
11 July	Seanad	Report
21 September	Dáil	Second
22 September	Dáil	Second
25 October	Dáil	Committee
26 October	Dáil	Committee
30 November	Dáil	Report/Final
6 December	Seanad	Report/Final

Table 7.1: List of Core OSMR Debates

The Core Debates listed above were critical to the policy frame analysis because in contrast to PLS, participation was open to all Members of the Oireachtas (legislators). The open nature of these debates provided the potential assess beliefs about users and technology from across the legislative body. Further, there was a degree of continuity between PLS and the core debates, as government accepted a majority of the 33 PLS recommendations,

including those around definitions of harmful content, the educational remit of the Commission, and requirements for transparency of online services (TCAGSM, 2022). Though government did not accept the PLS recommendation for an Individual Complaints Mechanism (ICM) outright, Minister Martin agreed to form an expert group on the issue.

The influence of the PLS debates on the Core Debates underscores the importance of situating frames within the legislative process as a whole. Indeed, understanding when frames originate and whether they continue to be activated may help answer the RQ2 sub question regarding improvements to the policymaking process.

7.2 Adjustments to CFA Framework

It is important to first outline the adjustments made to the CFA approach in this chapter. Indeed, as this was the first application of the frame list generated from the PLS debates, it was also an opportunity to improve on the pilot study, especially in terms of increasing analytical clarity between frame types and enhancing frame validity. The key changes were as follows:

1. I predicated user frame titles with ‘Adult’ or ‘Child’ to remove the analytical step of coding general user frames by age attribute. Similarly, I added specific frames for journalists, politicians, and moderators to better indicate when frames referenced average users rather than platform moderators (workers) or elites.
2. I also created new frames. For example, I added a ‘Non-SM Tech’ frame predicate (e.g., ‘Non-SM Tech as Complex’). This addition was important because even though this project directly concerns SM, understanding how legislators frame other technologies might yield insight into their broader ‘technological ideologies’ (RQ1). I also added ‘Adult’ or ‘Child Users Needing Empowerment’ to acknowledge when legislators advocated enhancing agency, such as through education and the Individual Complaints Mechanism (ICM), rather than when they simply acknowledged agency, such as through ‘control’ or ‘ownership’. Although I originally included such initiatives in the ‘Users as Stakeholders’ frame, I felt that they better aligned with the definition of empowerment than stakeholderhood (Feste and Anderson, 1995; Sato et al.,

2022). Importantly, all changes made to frames between the research phases are outlined in the entire chart of OSMR frame activations found in Chapter 11.

3. I delineated a broader unit of analysis than in the pilot study in effort to enhance frame validity. As a result, most frame activations in this and subsequent chapters are comprised of one to several paragraphs, though I generally only provide excerpts of these activations in the text to save space. I broadened the frame unit of analysis 1), to streamline the analysis of my large corpus of text, and 2) to better account for frame salience and the concept of competing policy frames (Robbins, 2017; Schön and Rein, 1994), an insight I felt was missing from the PLS analysis.
4. I employed a ‘strong’ vs. ‘weak’ frame dichotomy (Chong and Druckman, 2007b), considering ‘strong’ frames as those most frequently activated and broadly used across debates. I provide specific detail on the criteria for ‘strong’ vs. ‘weak’ in each findings chapter.
5. I considered a frame activation as any case where users and/or technology were the subject and at least three framing devices were present (see Gamson and Lasch, 1983); I colour-coded these devices in framing activation excerpts below (see Figures 8.1 & 8.2 below).
6. I identified only one user and/or technology frame per speaking event. For example, if a legislator activated ‘Adult Users as Needing Empowerment’ at two different points during a single question or answer, I counted that as one activation (whereas in the pilot study I would have considered it two activations). This decision helped streamline the process to more accurately reflect when new frames arose.

7.3 CFA Operationalisation

Though I only analysed PLS debates only in Nvivo, I decided to first analyse the Core Debates using Notability on an iPad. I then recorded the resulting frames in Nvivo to aid quantitative analysis. Notability is a program that allows users to digitally highlight, write,

and draw on PDF files. Using Notability allowed me to more easily and visually operationalise framing devices such as ‘metaphors’, ‘exemplars’, and ‘catchphrases’ (see Creed et al., 2002; Gamson and Lasch, 1983). I used Tol’s (2021) ‘muted’ qualitative colour scheme to present these findings, a palette that is intelligible and distinguishable for readers with colour blindness

Figure 7.1 below is a table of micro-level framing devices, their definitions, and the colours I used to distinguish them:

Micro-framing Device Definitions and Colours

Device	Definition	Colour
Problem/ Solution	An issue that needs solving/ The fix for that issue	Wine (Problem) Dark Green (Solution)
Exemplar	Example (positive or negative) used to make a point	Purple
Consequence	The outcome of the problem, often arising from a failure to act	Olive
Appeal to Principle	A statement of shared values	Teal
Depiction	Assumption about the nature of other people or things	Rose
Metaphor/ Analogy	A creative conflation of dissimilar things/ A logical comparison of different things	Cyan
Catchphrase	Two or more words that represent a known concept	Sand

Figure 7.1: Micro-frame devices and colouring

Figure 7.2 below is an example of a ‘Users as Rights Holders’ frame activation that I first identified in Notability. Note that the colouring schemes do not exactly match between the chart and the screenshot, as Notability has only limited colour options:

Notability CFA Screenshot



Figure 7.2: Notability CFA Screenshot

Though Creed et al. (2002) did not define their framing device categories, I composed my own definitions by drawing from Gamson and Lasch's (1983) original framing work and from common linguistic terminologies (Figure 7.1). Further, I adapted Creed et al.'s matrix by changing the 'Root' or the source of a problem to 'Problem', by adding a 'Solution' device, and by including analogies in the 'Metaphor' category as they are similar linguistic tools. Finally, I simplified the definition of 'exemplar' to also mean example (i.e., not necessarily a normative example as in Gamson's conception).

I will now analyse each debate by first outlining the quantitative elements, such as which frames occurred and how often. I will then focus on the qualitative aspects of framing, such as the progression of frames, the relationship between frames, the framing habits of certain legislators, and micro-analytic devices used to signify power relations (e.g., legitimation, blame, and responsibility). I will conclude by focusing on how user and technology frames were employed throughout the legislative process and what such patterns mean in terms of the RQs and the project's critical lens.

7.4 Findings

7.4.1 Seanad Second Stage Debate

The Second Stage was the chance for Government, represented by Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media (TCAGSM), Catherine Martin, to reiterate its legislative agenda and for individual legislators to do the same. Second Stage was the first opportunity for legislators not involved in the PLS to state their positions, meaning it could potentially yield a broader set of opinions and frames than PLS debates.

7.4.1.1 Tuesday, 22 Feb 2022

Context:

This preliminary meeting was less a debate than a series of position statements. Given the constraints, speakers spent only a limited time discussing various aspects of the Bill they deemed important. Speakers covered a range of topics in a short time span, meaning many mentions of users or technology were not enough robust to constitute frame activations as explicated at the beginning of this chapter.

Quantitative:

The CFA of the Second Stage debate yielded 43 frame activations (31 user and 18 technology) across 23 distinct frames (12 user and 10 technology). Of user frame activations, 17 concerned adults and 14 children. The top three most-activated user frames were: 'Adult Users as Needing Protection' (6 activations), 'Child Users as Vulnerable' (5), 'Child Users as Needing Protection' (4), and 'Adult Users as Rights Holders' (4). The top three most-activated technology frames were: 'SM Companies Needing Regulation' (5 activations), 'SM Tech as Fast-Moving', 'SM Tech as Double-Edged', 'SM Companies as Profit-Driven', 'SM Companies as Opaque' (2 activations each). 14 user frame activations (45.16%) were POSITIVE-AGENTIVE, 15 (48.38%) were NON-AGENTIVE, and 2 (6.45%) were NEGATIVE AGENTIVE. 10 (55.55%) of 'SM Tech' frames were NON-DETERMINIST, and 8 (44.44%) were DETERMINIST.

Qualitative:

Minister Catherine Martin began the Second Stage debate with an overview of the Bill from Government's position, presenting the legislation as a 'modernisation' of Ireland's media regulation and a means of rolling back the 'self-regulatory approach' to SM. She referenced children as the primary beneficiaries of the legislation (see framing excerpt below). However, she soon thereafter referenced users without specifying children, stating that the Bill will ensure that "an individual person will be exposed to far less harmful online content." Also notable was the Minister's discussion of the Individual Complaints Mechanism (ICM), during which she reiterated her commitment to honour the expert group's findings but stressed that one of its tasks was to assess "whether it [the ICM] is practicable," thereby injecting doubt into the approach.

Regarding frames, the Minister employed a mix of user and technology devices. In her first minute of speaking, she activated ‘Child Users as Vulnerable’, ‘SM Companies as Needing Regulation’, and ‘Non-SM Tech as Double-Edged’. This last frame was new and acknowledged that technology (in this case, the internet in general) has both positive and negative implications. The following excerpt includes parts of both a ‘Non-SM Tech as Double-Edged’ and ‘Children as Vulnerable’ frame:

While the Internet has had a broadly positive impact, there are risks, however, especially to children. Some of these risks are online extensions of existing problems, such as bullying. Others represent new challenges in our digital age, such as image-based abuse (Martin, CD, 22 February).

Legislators’ activations of user frames tended to be evenly balanced between adults and children and between being POSITIVE AGENTIVE and NON-AGENTIVE. Most prominent among these frames were ‘Children’ and ‘Adults Needing Protection’ and ‘Children’ and ‘Adults Needing Empowerment’. In fact, nearly every speaker activated the ‘Protection’ frame (6 of these framing instances related to adults and 4 to children). Below is an excerpt from Senator Fintan Warfield’s activation of ‘Child Users Needing Protection’:

I would like to raise the issue of the ban on advertising to children. I remember the Connemara film-maker, Bob Quinn, always fought against advertisements during children’s programming when he was on the RTÉ authority. In 1970, he called for a complete ban on all advertising directed at children (Warfield, CD, 22 February).

The following is a similar excerpt from Senator John McGahon’s use of ‘Adult Users Needing Empowerment’, through which he advocated the inclusion of the ICM to provide an ‘avenue’ through which users can make complaints:

[I]f someone is able to make a direct complaint to the commission about an individual who is clearly targeting a certain section of society or so on, then that individual can be blocked from a platform or sanctions of some sort can be applied. Importantly, this would provide people with reassurance that there is an avenue to make such complaints and that they would be backed up in doing so (McGahon, CD, 22 February).

A final observation about user frames was that POSITIVE AGENTIVE and NON-AGENTIVE frames often occurred in the same speech act. For example, in their first statements, Senator Cassells activated both the ‘Children as Rights Holders’ and ‘Children as Vulnerable’ frames; Senator McGahon activated ‘Users as Victims’ and ‘Users Needing Empowerment’ frames; and Senator Warfield activated ‘Users as Vulnerable’ and ‘Users as Rights Holders’. One NEGATIVE AGENTIVE activation that stood out was Senator Sharon Keogan’s activation of ‘Parents as Irresponsible’, which framed parents as not adequately monitoring their children’s usage of SM:

Parents are not doing their job at protecting their children from the Internet. That is a fact. This will not be a very popular statement, because we do not like to criticise parents, but this is too important, and we must call it out. That, of course, is the role of the parent; to raise, nurture and protect their child. It is less so the relationship between the Government and its citizens (Keogan, CD, 22 February).

It is important to note that several Members took issue with Senator Keogan’s views. As Senator Emer Currie bluntly stated, “I have an issue with a Senator saying we are here because parents are not doing their job” (Currie, CD, 22 February).

In terms of technology framings, there was significant continuity between the Minister’s initial criticisms of social media companies and legislators’ subsequent framings. For example, ‘SM Companies as Needing Regulation’ frame was also echoed by Senators Martin, McGahon, and Murphy. Legislators also frequently framed SM companies as ‘Exploiting Users’, ‘Opaque’, and ‘Uncooperative’. Indeed, Senator Cassells used all three of these frames in his first speaking event. It follows that there were relatively few framings of SM as a technology in comparison to those as an industry; thus, most frame activations were NON-DETERMINIST by default. A new, clearly NON-DETERMINIST frame was used by Senator Alice-Mary Higgins, ‘Technology as Regulatable’, which presented technology being effectively regulated by and thus placed a degree of responsibility on government. Below is the single instance of that frame in this debate:

For a long time, there was a little bit of complacency among some of the major players in the tech industry around the idea that they would always be slightly ahead of Government and regulation and that this was an area of such complexity. I remember being in a situation once when I was told that it is maths and that was used to say these areas are not in the scope of appropriate regulation. We have seen that they

[major players in the tech industry] are in the scope of appropriate regulation and that they are areas of responsibility for us as national and European legislators (Higgins, CD, 22 February).

7.4.2 Seanad Committee Stage Debates

As the main debate stage, the Committee Stage provided an opportunity for me to explore individual Members' framing consistencies and whether certain frames were collectively held. Members of the Seanad ultimately put forward 228 amendments in preparation for the Committee Stage, which were compiled into a single document (Seanad Éireann, 2022). I consulted this amendment document as a preliminary guide for understanding where user and technology frames were most likely to occur. However, I soon realised that legislators often mentioned SM users and SM technology even in relation to amendments that were ostensibly focused on other topics. Thus, I conducted a close reading of the entirety of Committee Stage debates.

7.4.2.1 26 April 2022 Debate

Context:

This debate addressed amendments 1-29, which dealt with a variety of issues related to foundational aspects of both the broadcast and SM elements of the Bill, as well as the general functioning of the Coimisiún na Meán. Topics covered included the Irish-language naming of the future CNM and definitions of 'algorithm' and 'harmful online conduct'. There was also repeated discussion of both protecting and promoting user rights, including through digital literacy mechanisms.

Quantitative:

There were 30 frame activations (24 user and 6 technology) spread across 12 distinct frames (9 user and 3 technology). 5 user frames concerned children and 19 concerned adults. The top three most-activated user frames were: 'Adult Users as Needing Protection' (5), 'Child Users as Needing Protection' (4), 'Adult Users as Victims' (3), and 'Adult Users as Needing Empowerment' (3). The top three technology frames were: 'SM Technology as Harmful' (3), 'SM Companies as Exploiting Users' (2), and 'SM Technology as Regulatable' (1). 7 user frame activations were POSITIVE AGENTIVE (29.16%), 16 were NON-AGENTIVE

(66.66%), and 1 was NEGATIVE AGENTIVE (4.16%). 3 Technology Frames were DETERMINIST (50%) and 3 were NON-DETERMINIST (50%).

Qualitative:

The first aspect of the debate relevant to the RQs came during Minister Martin's second speaking instance in which she echoed much of her opening statement from 22 February. This time, however, her primary frame was 'Adult Users Needing Protection'. As part of this frame, she stated, "the Bill will ensure that we are all exposed to far less harmful online content," suggesting the Government saw the Bill serving children and adults.

Regarding subsequent NON-AGENTIVE user frame activations, several senators employed 'Adult Users as Vulnerable', including Senators Cassells, Higgins, and Sherlock, and 'Child Users as Vulnerable', including Senators Carrigy and Higgins. Similarly, Senator Cassells once activated 'Journalists as Victims', and Senator Niall Ó Donnghaile discussed content moderators as 'vulnerable', though this last mention was not robust enough to constitute a frame. Finally, the 'Adult Users as Needing Protection' frame was also broadly utilised, reiterated a second time by Minister Martin, and also used by Senators Higgins, Murphy, Sherlock, and O'Reilly. Below is an excerpt from Senator O'Reilly's activation in which she appears to use a 'hedge' by overtly emphasising children yet adding 'all of us'. I labelled this frame activation as both 'Adult' and 'Child Users as Needing Protection':

This Bill is well overdue and we can all acknowledge that. It is also one of the most comprehensive legislative measures in the world when it comes to dealing with social media. Too often we come into the Seanad Chamber and say that the law is not in the same place as people are. This Bill acts as a vanguard when it comes to online safety for children and, indeed, all of us (O'Reilly, CD, 26 April).

It is important to mention that POSITIVE AGENTIVE frames did feature throughout the debate, though there were approximately 20% fewer POSITIVE AGENTIVE than NON-AGENTIVE overall. Senator Higgins framed 'Children as Rights Holders' when she spoke of the need to uphold their 'freedom of expression'. Another common user frame was 'Adult' and 'Children as Needing Empowerment', which was employed by Senators Alice-Mary Higgins and Lynn Ruane to advocate media literacy, including at the community level. As part of this frame activation Senator Ruane stated:

Again, that is placing it [the Bill] in a particular framework in terms of people accessing education and training and having awareness of online digital safety. That does not bring it right down to a community level where people are not engaging in gaining accreditation or undertaking a curriculum in this stuff. They might only be involved in a local centre, an old folks' home or any of these other places into which this actually needs to go (Ruane, CD, 26 April).

An especially POSITIVE AGENTIVE frame activation was Senator Higgins' normative claim that legislators should protect user rights while promoting engagement, thus acknowledging and advocating agency. The following is an excerpt of her employing the 'Children Needing Empowerment' frame (children were explicitly mentioned in the preceding sentences):

It is very important that in the functions of the commission, when its members consider the interests of the public, they talk about those interests being protected and promoted. The amendment outlines that idea. It is also in tune with some later amendments we will come to, for example, those relating to public duty and equality in human rights. It is not simply a protective duty but a duty of active promotion (Higgins, CD, 26 April).

Relatively few technology frames were activated in this debate, though Senator Higgins again activated 'SM Tech as Regulatable' in the context of training algorithms. Further, Senator Ruane activated 'SM Companies as Exploiting Users' (NON-DETERMINIST), and also activated 'SM Tech as Harmful' (DETERMINIST) by problematising algorithms.³⁰ In the following 'SM Tech as Harmful' excerpt, Senator Ruane at several points refers to algorithms using the third-person pronoun 'it', thus further underscoring a DETERMINIST sentiment:

The Minister spoke about a jumping-off point in the modernisation and regulation of online safety, yet we have a Bill without any definition of "algorithm". It [algorithm] is perhaps one of the most harmful aspects, in many ways, of the online worlds, and one that we struggle sometimes to comprehend and understand (Ruane, 26 April, 2022).

³⁰ Though I would usually label frames referencing 'algorithms' as 'Non-SM Tech', this frame was 'SM Tech' because Ruane specifically discussed algorithms in the context of SM.

7.4.2.2 28 April 2022

Context:

This debate addressed amendments 29-53, which mostly dealt with the issues such as the rights of human moderators and the makeup of Coimisiún na Meán's board. Legislators activated relatively few user or technology frames compared to the 26 April debate. The user frame activations that did appear were 'Adult Users as Producers' (POSITIVE AGENTIVE), but they mostly referenced Coimisiún board members or contractors as 'influencers' and not other types of users (i.e. non-elites).

Quantitative:

There were 5 frame activations spread across 3 distinct frames (4 user and 1 technology). All user frames concerned adults; these were: 'Adult Users as Producers' (3 activations) and 'Moderators Needing Protection' (1). There was 1 SM Technology frame activation, 'SM Companies as Fast-Moving', which was notably the first framing instance of *companies* as 'fast-moving' as opposed to SM technologies. 75% of user frames were POSITIVE AGENTIVE and 25% were NON-AGENTIVE. The single technology frame was DETERMINIST.³¹

Qualitative:

Minister Martin began by responding to Amendment No. 29 on "the protection of workers' rights." She acknowledged Senator Ó Donnghaile's concern about platform employment by mentioning a moderator's testimony in conjunction with another piece of legislation through the 'Moderators Needing Protection' (NON-AGENTIVE) frame:

The evidence pointed to issues regarding the pay and conditions of content moderators and some of the dangers inherent in the practice of hiring employees through outsourcing firms. In particular, one of the witnesses, a former content moderator, set out the very difficult nature of the work involved and the types of distressing content she was required to view as part of the role (Martin, CD, 28 April).

In contrast to this single protection frame, legislators activated the 'Adult Users as Producers' (POSITIVE AGENTIVE) frame on three occasions, mostly in relation to

³¹ This is the only 'SM Company' frame that I labelled as DETERMINIST. I made this decision because the idea of constant industry growth readily fits with the 'linear progress' theme common in technological determinist thought (see Misa, 1988).

concerns that future Coimisiún board members might be SM influencers and, thus, hold a conflict of interest. The following excerpt from Senator Byrne is representative of this sentiment:

If we appoint somebody as a commissioner who has 100,000 Twitter followers, he or she has significant influence on that platform, albeit it is not being used for monetary purposes. I am not going to push this but we need further debate on how we determine what having an interest in a particular platform means (Byrne, CD, 28 April).

The single technology frame in this debate came from Senator Higgins when she again activated ‘SM Companies as Fast-Moving’ (DETERMINIST) (also in relation to Coimisiún conflicts of interest):

The issue on shares is important, though, especially in some of the more fast-moving providers. How many times have these companies split? How many times have the value of shares changed, with companies splitting four, five or six times? That question of what gets boosted in its potential, or the early actor, is a concern (Higgins, CD, 28 April).

7.4.2.3 4 May 2022

Context:

This debate covered amendments 54-72, which dealt with topics including establishing a Youth Advisory Panel to inform the Coimisiún’s work, the need to regulate Bitcoin and other ‘speculative’ financial activities, and ways of ensuring Coimisiún transparency. Senator Alice-Mary Higgins was the most vocal legislator in this debate.

Quantitative:

There were 14 frame activations (9 user and 5 technology) spread across 9 distinct frames. 7 frames concerned adults and 2 children. The top three user frames by frequency were ‘Child Users as Stakeholders’ (2 activations), ‘Child Users as Needing Empowerment’ (2), and 1 activation each of ‘Child Users as Vulnerable’, ‘as Rights Holders’, ‘as Needing Protection’, ‘as Informants’, and ‘Adult Users as Needing Empowerment’. ‘Children as Informants’ was a new frame in which children were presented as useful sources for SM intelligence gathering. Although user-focused, the ‘informant’ frame did not directly

invoke judgements about user agency and, therefore, was NON-AGENTIVE. 6 or 66.66% of user frames were POSITIVE AGENTIVE, and 3 (33.33%) were NON-AGENTIVE. There were no NEGATIVE AGENTIVE frames. The two technology frames were ‘SM Companies as Powerful’ (3 activations) and ‘Non-SM Technology as Harmful’ (2), meaning that 60% of technology framing instances were NON-DETERMINIST and 40% were DETERMINIST.

Qualitative:

The need to engage youth in the future of the Coimisiún comprised a significant part of this debate. Senator Byrne first introduced this topic in relation to Amendment No. 54, which sought to establish an advisory panel of which 40% of members were under 30 years of age. Though this discussion ultimately generated a variety of child frames, Senator Byrne primarily relied on the POSITIVE AGENTIVE ‘Children as Stakeholders’ frame:

We found the engagement with young people, their representatives and the schools very useful. Many of the issues the new media commission will be engaging with will have an impact directly on young people and are of direct concern to young people. Indeed, young people would be to the fore in adapting to new technologies. Therefore, it is important that a very clear mechanism is found within the legislation to allow the commission to consult with young people and for this to be recognised at a statutory level (Byrne, CD, 4 May).

Importantly, not all child frames were POSITIVE AGENTIVE. A new, NON-AGENTIVE frame, ‘Children as Informants’, was also identified. Though this frame advocated child participation, it did so from a utilitarian standpoint rather than the normative position of involving children as stakeholders in effort to enhance their agency. Below is an excerpt in which Senator Higgins metaphorically compares the Youth Advisory Council to an ‘early warning system’:

Something like a youth advisory council would be almost an early warning system whereby, separate from individual complaints, and we will discuss the individual complaint mechanism as the Bill evolves and it will be crucial to its operation, there would be a way for young people to talk, in practical effect, about what is happening, what are the trends and, if there are new regulations, what ways are being found around them (Higgins, CD, 4 May).

In addition to ‘Children as Stakeholders’ and ‘Children as Informants’, ‘Children as Needing Empowerment’ (POSITIVE AGENTIVE) was also activated by both Senators Higgins and Byrne. In fact, Senator Higgins balanced the ‘informant’ frame above with an ‘empowerment’ frame in the same speaking instance:

A large number of the concerns of civil society about this Bill relate to young people, how they are targeted online, how they engage online, how their data are used and what kind of messaging is sent to them. However, there is also an empowerment message. This audiovisual directive is also about positive empowerment.³² The general data protection regulation went some way towards this with the idea of people owning their own data. In a similar way this has the spirit that people should feel empowered to help shape the online spaces which we share and on which people spend so much of their time (Higgins, CD, 4 May).³³

Discussion of technology in this debate did not involve SM but cryptocurrencies. Senator Higgins was the dominant voice on this topic. Using the ‘Non-SM Tech as Harmful’ (DETERMINIST) frame, in which she included the metaphor “the creep of cryptocurrency,” Higgins built the case for a proactive ban on speculative digital financial activities. However, this determinism was balanced by her activation of the NON-DETERMINIST ‘SM Companies as Powerful’ frame, which she used on three separate occasions. For example, she at one point stated:

We know that the decisions that the media commission in Ireland makes will have extremely significant ramifications for extraordinarily wealthy companies which have a massive lobbying architecture (Higgins, CD, 4 May).

³² Here, Senator Higgins alludes to AVMSD, suggesting that it calls for ‘positive empowerment’. She ultimately clarifies this point in her interview by stating that her consistent empowerment focus throughout the OSMR debates stemmed from wanting to honour the terms of the AVMSD (Higgins, Int., 2024). As will be later discussed, Higgins’ admission suggests that empowerment frames originated at EU level.

³³ Notable here is Senator Higgins’ use of ‘Young People’ as the primary subject and ‘People’ as the secondary subject in this frame, again suggesting a degree of ‘hedging’ regarding who OSMR is designed for.

7.4.2.4 11 May 2022

Context:

This debate covered amendments 72-123, the majority of which addressed broadcast-related issues stemming from the AVMSD. However, there was some discussion related to the RQs, including the protection of complainants' data and the need to regulate advertising, especially regarding infant milk formula. There was also deliberation about the level of appropriate cooperation between the Coimisiún and media services and designated online services.

Quantitative:

There were 27 frame activations in this debate (13 user and 14 technology) spread across 14 distinct frames. All user frames concerned adults. The top three user frames by frequency were 'Adult Users as Vulnerable' (3 activations), 'Adult Users as Rights Holders' (3), and 2 activations each of 'Adult Users as Stakeholders', 'Adult Users as Needing Protection', and 'Adult Users as Needing Empowerment'. The top three technology frames by frequency were 'SM Companies Needing Regulation' (4 activations), 2 activations each of 'SM Companies as Stakeholders', 'SM Companies as Profit-Driven', and 'SM Companies as Exploiting Users', and 1 activation each of 'Non-SM Tech as Needing Regulation', 'Non-SM Tech as Harmful', 'SM Companies as Irresponsible' and 'SM Companies as Ineffective'. The 'SM Companies as Irresponsible' frame was new and presented SM companies not taking reasonable precautions to protect users. 8 or 61.53% of user frames were POSITIVE AGENTIVE, and 5 (38.46%) were NON-AGENTIVE. There were no NEGATIVE AGENTIVE frames. 13 or 92.85% of technology frames were NON-DETERMINIST, and 1 (7.14%) was DETERMINIST.

Qualitative:

The first half of this debate mostly related to broadcast issues, including how the data of people lodging complaints about streaming programs would be handled by the Coimisiún. Senator Higgins' interjection on this topic was an exception, in that she alluded to the rights of all complainants and appeared to invoke SM users. She activated the 'Adult Users as Rights Holders' (POSITIVE AGENTIVE) frame about complainants having the right to know how their information will be used:

For many whistleblowers and individuals highlighting their personal experiences can have a significant negative impact. Everything we can do to ensure people are aware

is important. Much of this would be addressed if we have an individual complaints mechanism that is very clear. Part of the problem is that there is almost an element of preparing for an individual complaints mechanism, but we have not received the proper expert group guidance on such a mechanism (Higgins, CD, 11 May).

Similarly, Senator Marie Sherlock activated the ‘Adult Users as Stakeholders’ (POSITIVE AGENTIVE) frame regarding amendment No. 83 on regulating online advertising. She presented users as ‘a vigilant public’ who have until now filled the regulatory gap:

The clear issue in this country is that online advertising is, effectively, self-regulated. Television advertisements are not. It is telling that we have clearance system for advertisements for television whereby they must go through the Advertising Standards Authority for Ireland in advance. For online advertising we are dependent on citizens bringing complaints in respect of breaches of the code after the advertising has happened. We are dependent on a vigilant public speaking out (Sherlock, CD, 11 May).

Although Senator Higgins activated more agentive frames in this debate than other legislators, she was the only legislator to use ‘Adult Users as Vulnerable’ (NON-AGENTIVE) and did so 3 times. Her views on user vulnerability were particularly evident when she spoke of new mothers being targeted with infant formula advertisements:

[W]e are seeing marketing practices such as the creation of baby clubs where persons are going to access information about some other aspect of having a new baby and are effectively entering a space where there is commercial intent and where there are provisions in respect of online chats with expert mums. There is targeting by way of competitions whereby pregnant people are encouraged to put in their names, details and due date so they can get week-by week email updates (Higgins, CD, 11 May).

Senators O’Reilly and Sherlock also discussed the negative impacts of infant formula adverts. However, Senator O’Reilly explicitly underlined the need for regulation, thus activating the ‘Adult Users Needing Protection’ frame. Both O’Reilly and Sherlock also approached the issue from an industry angle by activating the ‘SM Companies as Profit-Driven’ frame. Importantly, each of these legislators referenced their own experiences as mothers for driving their strong convictions.

Regarding framings of technology, all but one was NON-DETERMINIST. The single DETERMINIST activation, 'NON-SM Technology as Harmful', came from Senator Higgins regarding crypto and digital currencies; however, Higgins was also the most vocal user of NON-DETERMINIST frames in this debate. She activated the 'SM Companies as Powerful' frame to highlight industry lobbying and 'SM Companies as Exploiting Users' in relation to infant formula advertisements. Most other legislators' technology framings also tended to blame companies for harm. However, by activating 'SM Companies as Stakeholders', Senator Byrne twice pushed back on the idea that the Coimisiún should distance itself from the SM industry. The following excerpt of this frame is one of the few instances in all of the OSMR debates where companies were framed in a positive light:

I would certainly hope it [Coimisiún na Meán] would not regulate behind an Iron Curtain. If a sector wants to set up its own system to try to address some of the problems at an early stage, the commission should work quite closely with the sector to try to allow that to happen (Byrne, CD, 11 May).

7.4.2.5 25 May 2022

Context:

This debate dealt with amendments No. 103-141, the majority of which concerned broadcast elements of the Bill, such as the need for transparency surrounding the Media Service Codes. Statements relevant to this dissertation related exclusively to targeted SM advertising of gambling, infant formula, and alcohol. Notably, this was the first debate after the Expert Group on the Individual Complaints Mechanism published (Expert Group, 2022). However, the broadcast focus of this session precluded discussion of the ICM.

Quantitative:

There were 12 frame activations in this debate (9 user and 4 technology) spread across 6 distinct frames. 7 user frame activations concerned adults and 2 children. The top three user frames were 'Adult Users as Vulnerable' (3 activations), 'Adult Users as Needing Protection' (3), and 'Child Users as Needing Protection' (2). The two technology frames were 'SM Companies as Exploiting Users' (3 activations) and 'SM Companies as Needing Regulation' (1). All user frames were NON-AGENTIVE and all technology frames were NON-DETERMINIST.

Qualitative:

Senator Sherlock began this session by addressing Amendment No. 123 on banning infant milk formula advertising, primarily by activating ‘Adults as Needing Protection’ (NON-AGENTIVE) to highlight what she saw as the “manipulative marketing tactics that exploit parents’ anxieties.” It is important to note that she sometimes used seemingly empowering language within this frame. For example, she explained that the amendment was about “helping families who have decided they want to breastfeed their babies and to allow them to do that without being aggressively targeted.” However, despite using the verb ‘helping’, Senator Sherlock did not advocate empowering parents, instead focusing on protective measures such as marketing bans. As part of this activation, she also suggested that infants were the targets of Amendment No. 123, though companies market to parents not babies. As she stated, “I do not see why it [OSMR] would not include outlawing the marketing of infant formula to babies up to the age of 36 months.”

Senators Higgins and O’Reilly continued by also activating ‘Adults Needing Protection’ in reference to banning infant milk formula. Like Senator Sherlock, Senator Higgins presented the initiative as being aimed at children, equating it with the need to protect against junk food advertising: “We have in the Bill a provision that mentions high-fat and salty foods as something with a direct effect on children. We know breast milk substitutes, and certainly their promotion, has an impact on children.” However, Senators Black and Carrigy then shifted from the veiled discussion of adults by overtly activating the ‘Child Users in Need of Protection’ frame (NON-AGENTIVE) regarding banning alcohol advertisements. Below is an excerpt from Senator Carrigy’s activation:

We put forward in our recommendations a proposal to ban the advertising of alcohol. There was a group of students in the House today and they are the young people of 13 and 14 years of age who are on social media. They are being bombarded with this advertising and it is assumed to be cool to be drinking (Carrigy, CD, 25 May).

In comparison to user frames, legislators only activated 4 technology frames; Senator Higgins activated 3 of these by focusing blame on SM companies. For example, when outlining the dangers of “recommender system algorithms” in relation to Amendment No. 144, Senator Higgins argued that the Bill should not only address ‘harmful content’ but also the ‘harmful conduct’ of companies, stating “there are mechanisms around how the content is purveyed and that that may be encompassed by the definition of harmful content.”

Amendment No. 144 sought to add harmful 'conduct' alongside harmful 'content'." It is clear that Higgins sought to shift blame from users' content to SM companies' conduct through this activation.

7.4.2.6 26 May 202

Context:

This debate dealt with Amendments Nos. 142-186, which predominately focused on protecting children from online harm. Legislators discussed issues ranging from the definition of 'harmful online content' and the related concepts of 'bullying' and 'harassment', to the definition of 'age-inappropriate' content and related issues of 'age of consent' and the banning of gambling and alcohol advertisements to minors.

Quantitative:

There were 29 frame activations in this debate (18 user and 11 technology) spread across 8 distinct frames. 7 user frame activations concerned adults and 11 children. The top three user frames by frequency were 'Child Users as Needling Protection' (7 activations), 'Adult Users as Rights Holders' (5), and 'Child Users as Vulnerable' (4). The top three technology frames by frequency were 'SM Tech as Harmful' (5), 'SM Companies as Exploiting Users' (4), 'SM Tech as Fast-Evolving' (1) and 'SM Tech as a Solution' (1). 5 (27.77%) of user frame activations were POSITIVE AGENTIVE and 13 (77.22%) were NON-AGENTIVE. 7 of the technology frames were DETERMINIST (63.63%), while 4 were NON-DETERMINIST (36.36%).

Qualitative:

The first relevant frame activation came from Senator Ruane when she employed 'Adult Users as Rights Holders' to support Amendment No. 145 to advocate removing the requirement for platforms to address 'humiliating' content. Ruane argued that the term 'humiliating' was too vague and might encourage platforms to 'overreach'. As part of this activation she stated, "It would be reckless of us as policymakers to include such provisions in important legislation, which will grant powers to social media providers to limit the free speech of users". The 'Adult Users as Rights Holders' frame was also twice activated by Senator Higgins to ensure that OSMR complied both with the UN Declaration of Rights of Persons with Disabilities and the EU Web Accessibility Directive.

Although adults were the first to be framed in this debate, children comprised the most-framed group overall (61.66% of user activations). Indeed, ‘Child Users as Needing Protection’ was the most frequent frame (7 activations). Senator Ruane first used this frame to present Amendment No. 163 on defining ‘age-inappropriate content’; however, Senators Warfield and Black also activated this frame. Below is an excerpt from Senator Ruane's preliminary framing in which she distinguishes between adult and child vulnerability:

In the Bill, it [age-inappropriate content] is defined as including pornography or representations of violence. This is a very helpful category to define within the Bill. We need to acknowledge that there are some types of content to which adults can be safely exposed, while children cannot. It is strange to me then that this category of content is defined but is barely used at all in any of the later mechanisms set up by the Bill (Ruane, CD, 26 May).

While most user framings in this debate were NON-AGENTIVE, most technology framings were DETERMINIST. For example, Senator Warfield activated the ‘SM Tech as Harmful’ frame in the context of the Metaverse, explaining that the use of a headset makes using it a “completely different physical and psychological experience.” Senator Byrne also invoked the Metaverse to accentuate the speed of technological change through overlapping ‘SM Technology as Fast-Evolving’ and ‘SM Tech as a Solution’ frames:

The age of digital consent is a separate question which we may not wish to get into, but it is something the online safety commissioner is going to have to be aware of. As Senator Warfield says, the question of ensuring the legislation is technology-neutral for whatever new technologies come down the line, including devices that, through machine learning and AI, will monitor exactly what children and young people are doing online to make sure that those protections are in place (Byrne, CD, 26 May).

Other instances of DETERMINIST framing included Senator Ruane’s activation of ‘SM Tech as Solution’ to explain how harmful content could be ‘automatically limited’ and Senator Frances Black's use of ‘SM Tech as Harmful’ to show how “big data, artificial intelligence, and machine learning” create an “immersive digital environment that is harming children’s health.” The only NON-DETERMINIST frame used in this debate was ‘SM Companies as Exploiting Users’, which was activated 4 times in reference to advertising targeted at children. A NON-DETERMINIST speech act, though one not

sufficiently robust to constitute a frame, was Minister Martin’s problem statement that children are “*accessing online services that simply were not designed with them in mind*” (italics added for emphasis). Here, the word ‘designed’ acknowledged the role that human decisions play in platform outcomes.

7.4.2.7 31 May 2022

Context:

This was the final Committee Stage debate in the Seanad, and it addressed Amendments Nos. 187-228. These amendments mainly covered procedural aspects of the Coimisiún. However, amendments relevant to SM included Amendment No. 191 on holding individuals at SM companies criminally liable for safety code breaches, Amendment No. 194 on addressing the environmental costs of social media, and Amendment No. 206 on funding ‘media literacy’ and ‘digital empowerment’ initiatives.

Quantitative:

There were 19 frame activations in this debate (7 user and 12 technology) spread across 12 distinct frames. 6 user frames concerned adults and 1 children. The top three user frames by frequency were ‘Child Users as Vulnerable’ (2 activations), ‘Adult Users as Vulnerable’ (2), and ‘Adult Users as Needing Empowerment’ (2). The top three technology frames by frequency were ‘SM Executives as Needing Legal Punishment’ (3), ‘SM Tech as Harmful’ (2), and ‘SM Companies as Exploiting Users’ (2). The ‘SM Executives as Needing Legal Punishment’ frame was new and was activated when legislators advocated holding SM leaders criminally liable for failing to comply with OSMR. 2 (28.57%) of user frame activations were POSITIVE AGENTIVE, and 5 (71.42%) were NON-AGENTIVE. 3 of the technology frames were DETERMINIST (25%), and 9 were NON-DETERMINIST (75%).

Qualitative:

Legislators discussed SM companies much more often than users in this debate. Only Senator Higgins consistently framed users, and when she did so, it was often in NON-AGENTIVE terms. For example, Senator Higgins twice activated ‘Adult Users as Vulnerable’ in reference to epilepsy, stating “*the use of flashing images, which could provoke a risk of seizure or could have a negative physical impact on the viewer at home.*”

She also activated the ‘vulnerability’ frame reference to the lack of digital knowledge, citing EU research finding that “over 45% of persons in Ireland lack basic digital skills.”

It is important to note, however, that Senator Higgins did suggest a degree of plurality between NON- and POSITIVE AGENTIVE beliefs about users. For example, she activated ‘Adult Users Needing Empowerment’ alongside ‘Adult Users as Vulnerable’ by advocating the development of media literacy initiatives. As part of this frame she stated, “I am concerned that Ireland is pushing ahead strongly on the digital space without properly empowering a large proportion of our citizens,” thus suggesting a dual recognition of the need for both protection and empowerment. Finally, Senator Higgins and Senator Warfield also discussed children’s vulnerability in the context of manipulative advertising.

This debate’s predominately industry-level technology focus suggested a shared NON-DETERMINIST view of technology that blamed SM companies for harms. For example, Senator Higgins and Byrnes led discussion on changing corporate culture by using the ‘SM Executive as Needing Legal Punishment’ frame, which suggested that companies would try to act in the best interest of users if their leaders were held criminally liable. In fact, there were 25 mentions of the need to ‘change company culture’ in this debate, making it a key ‘catchphrase’ (Gamson and Lasch, 1983). Representative of this trend was the following ‘Legal Punishment’ framing excerpt from Senator Byrne:

We want to ensure there is a change in culture. We believe the only way we will see a change in culture is by making individual directors of the companies responsible. This provision would not be applied in a very light way. It would apply where the company is made aware of problems with its algorithms or allows its algorithms to perpetuate online harms (Byrne, CDA, 31 May).

Importantly, while discussion of problematic company culture placed blame on companies, it also clearly placed responsibility on government as the agent that should bring about that culture change.

Other framings of SM companies included ‘SM Companies as Exploiting Children’, which was activated twice by Senator Higgins, and ‘SM Companies as Irresponsible’, which was activated once by Senator Byrne. One of the few DETERMINIST frames within this debate was Higgins’ use of ‘SM Technology as Harmful’ by analogising algorithm training as having an environmental impact equivalent to “a number of transatlantic jumbo jet flights.” Similar to NON-DETERMINIST user frames, legislators appeared to partly use SM company frames to justify the need for OSMR and thus to legitimate their action.

7.4.3 Seanad Report Stage

The Report Stage is the final opportunity for legislators to make changes to a Bill. Government can put forward new amendments at this point, but other amendments discussed must have already been placed during the Committee Stage. The fact legislators cannot present additional areas of concern naturally limits the occurrence of new frames. Further, legislators can only speak twice regarding an amendment, meaning the opportunity to measure frame continuity among speakers is also reduced.

7.4.3.1 11 July

Context:

In addition to the Committee Stage amendments, Government added 62 new amendments for debate, including about expanding the Bill's remit from video to all content and the core responsibilities of the Online Safety Commissioner. Many of these amendments resulted from points that were raised by legislators at the Committee Stage and in behind-the-scenes discussions between those legislators, the Minister, and her team (Civil Servant, 2024). Given the broad nature of the Report Stage discussion, more frames were activated in this debate than in most Committee Stage debates.

Quantitative:

There were 28 frame activations (19 user and 9 technology) across 14 distinct frames. 11 user frame activations concerned adults and 8 children. The top 3 most-activated user frames by frequency were 'Child Users as Needing Protection' (4 activations), 'Adult Users as Victims' (3), and 2 activations each of 'Adult Users as Needing Empowerment', 'Adult Users as Needing Protection', 'Adult Users as Vulnerable', 'Child Users as Stakeholders', and 'Child Users as Vulnerable'. The top three most-activated technology frames were 'SM Companies as Needing Regulation' (3 activations), 'Non-SM Tech as Harmful' (2), and 1 activation each of 'SM Companies as Exploiting Users', 'SM Companies as Uncooperative', 'SM Tech as Harmful', and 'Non-SM Tech as Needing Regulation'. 26.31% of user framings were POSITIVE AGENTIVE, 68.42% were NON-AGENTIVE, and 5.26% were NEGATIVE AGENTIVE. 44.44% of technology framings were DETERMINIST and 55.55% were NON-DETERMINIST.

Qualitative:

Although the Minister and legislators frequently mentioned users and technology, the broad nature of the Report Stage debate meant that such references were often brief and not accompanied by three or more framing devices. It follows that although there were many mentions of users and technology, there were significantly fewer frames. The first user frames to emerge were Senators Byrnes' and Higgins' use of 'Adult Users Needing Empowerment' regarding media literacy. The following is from Higgins' activation:

More than 40% of the population lack basic digital skills. The media literacy point is really important but it is layered on a requirement for a lot more investment in digital literacy and empowerment. Quite a lot of people who engage actively in the digital space, indirectly and through others, lack those independent skills of engagement (Higgins, CDA, 11 July).

However, the discourse quickly transitioned to a NON-AGENTIVE tone. For example, Senator Cassells employed 'Adult Users as Victims' in reference to a GAA player being subjected to a "trial on social media," and Senator Higgins twice activated the 'victim' frame in relation to SM users being targeted by cryptocurrency ads. Indeed, nearly all legislators who spoke during this session activated the 'Adults' or 'Children as Vulnerable' at some point. A representative child vulnerability activation came from Senator Carrigy, who suggested notably 'non-use' of platforms as the best option: "A significant part of this Bill is about child safety, and the best way of protecting our younger children is to not have them on some of these platforms."

Only 9 (32.14%) of framing instances in this debate related to technology. The most-activated frame was 'SM Companies Needing Regulation' (3 activations). Below is an excerpt from Senator Higgins' use of this frame in which she proposes governance mechanisms for the CNM:

One of the powers is around the content limitation notice whereby the commission can request that certain content be limited or removed, or that access be disabled. This is a very important provision with regard to harmful online content. I urge that my suggestion might be considered in Dáil Éireann (Higgins, CDA, 11 July).

In terms of industry-level frames, Senator Byrne also activated 'SM Companies as Uncooperative' when speaking about companies possibly not taking the legislation 'seriously'. In speaking of technologies themselves, Senator Higgins once used the 'SM

Tech as Harmful’ frame to highlight the ‘energy intensive’ nature of the SM sector, using the pun that data centres produce ‘hot air.’ Finally, Senator Byrne once activated ‘Non-SM Tech as Harmful’ in relation to cryptocurrencies and financial risk.

7.4.4 Dáil Second Stage

After the Seanad Report Stage, the debate moved to the Dáil, where it commenced with the ceremonial First Stage and then moved on to the Second Stage. The second stage began with an overview of the Bill from Minister Martin, who outlined the amendments made during the Seanad debates and items she hoped to address (mostly relating to broadcast). Legislators then responded to the Minister’s statements while outlining their own ambitions for the Bill. 20 legislators spoke during the two days of the Dáil Second Stage debate.

7.4.4.1 21 September

Context:

This first day of the Second Stage debate had both the broadest range of frames (31 distinct frames) and the highest number of frame activations (78) of any debate in either house. In contrast to most other debates, child frames outnumbered adult frames.

Quantitative:

There were 68 frame activations on 21 September (35 user and 33 technology) across 31 distinct frames. 15 user frames concerned adults and 20 children. The top three activated user frames were ‘Child Users as Vulnerable’ (8 activations), ‘Child Users as Needing Protection’ (7), and 3 activations each of ‘Adult Users as Perpetrators’ and ‘Adult Users as Needing Protection’. The top three technology frames were ‘SM Companies as Needing Regulation’, ‘SM Companies as Exploitative’, and ‘SM Technology as Harmful’ (3 activations each). In terms of user agency, 4 (11.42%) of user frame activations were POSITIVE AGENTIVE, 25 were NON-AGENTIVE (71.42%), and 6 (17.14%) were NEGATIVE AGENTIVE. 13 (39.39%) of technology frame activations were DETERMINIST, while 20 (60.60%) were NON-DETERMINIST.

Qualitative:

The frame activations of technology and users tended to be more evenly distributed during this debate than in other debates, with mentions of users and technology appearing

throughout the discussion rather than in clusters. For example, Minister Martin began her overview of the Bill and its aims by first activating the ‘SM Tech as Fast-Moving’ and ‘SM Tech as Double-Edged’ frames. However, she also activated ‘Child Users as Needing Protection’, though with the hedge that the Bill is for everyone but predominately for children: “this Bill creates a regulatory framework for online safety, in which online services will be held to account when the public, and children in particular, are not appropriately shielded from harmful online content.”

Deputy Imelda Munster, who was also a Member of the Joint Committee, followed the Minister’s statement by also activating the ‘SM Tech as Fast-Moving’ frame: “It will be an enormous challenge for regulation to keep up with the pace set by the technology giants.” She also activated ‘SM Companies as Needing Regulation’ by stating that such companies are “purely profit-driven corporations that are happy to profit from content that promotes hatred, conflict, bullying and misinformation.” In addition to using ‘Child Users as Needing Protection’, Munster was also one of the few legislators in any debate to activate ‘Moderators as Needing Protection’:

This Bill Needs to include a section on the well-being of content moderators. Their work can involve viewing very distressing content, and tech giants and their subsidiaries must be compelled to protect the mental health and well-being of workers in these roles (Munster, CD, 21 September).

The remainder of the speakers continued to alternate between activating user and technology frames. Deputies Alan Kelly, Gary Gannon, Barry Kenny and Marc Ó Cathasaigh each activated ‘Child Users as Vulnerable’. Further, Deputies Ciarán Cannon, Cathal Berry, Alan Kelly, and Thomas Gould activated ‘SM Companies as Exploiting Users’. However, a few framing instances stood out from this trend. For example, Deputy Ó Cathasaigh employed the ‘Non-SM Tech as Fast-Evolving’ frame by using some of the most overtly DETERMINISTIC frame activations seen in the debates in reference to phones ‘rewiring’ human brains:

I was thinking about smartphones like the yoke I am holding in the context of this debate. The iPhone only went on sale first in 2007. It is difficult to conceive of a technology that has rewired all of our brains in such a short space of time (Ó Cathasaigh, CD, 21 September).

Several legislators' statements also stood out because they seemed to present users as POSITIVE AGENTIVE but were actually espousing NON-AGENTIVE views. For example, Deputies Johnny Mythen and Pauline Tully often invoked the need to protect users' 'safety rights', a catch-phrase that appears to conflate protection and empowerment.³⁴ According to Deputy Mythen, "The Minister must ensure there are ample options for recourse to protect people's safety rights online, including the individual complaints mechanism." Similarly, Deputy Gannon spoke about the importance of having a 'youth advisory council' yet used the 'Child Users as Informants' frame in this discussion, which suggested he advocated youth involvement for intelligence gathering rather than to facilitate agency. As part of this frame, he stated:

No matter how much research we [policymakers] conduct about social media we will never achieve the level of online fluency those born in the past 25 years have achieved just by growing up in a digital age [...] It is for this reason the commission's work on social media should be shaped by experts in that field. Those experts should be aged under 25 and the membership should constantly evolve to keep people of a young age on it (Gannon, CD, 21 September).

Finally, Deputy Cannon introduced two new frames: 'Adult Users as Communicators', which presented users as sharing information on social media, and 'SM Tech as Beneficial', which presented SM technology as predominately positive for society. It is important to note that he underscored the rarity of this positive SM framing by predicating that he "will offer a slightly contrarian view."

7.4.4.2 22 September

Context:

This is a continuation of the Second State debate and only includes statements from Deputies Emer Higgins and Richard Bruton. It is important to note that Deputy Bruton was Minister for Communications, Climate Action and Environment between 2018 and 2020, during which time he initiated the OSMR Bill (see Merrion Street, 2019).

³⁴ There is relatively little use of this phrase in human rights literature (see Discussion section below).

Quantitative:

There were 9 frame activations in this debate (4 user and 5 technology) spread across 9 distinct frames (each frame was activated once). 2 frames concerned adults and 2 children. The user frame activations were: ‘Adult Users as Perpetrators’, ‘Child Users as Needing Protection’, ‘Child Users as Vulnerable’, ‘Child Users as Perpetrators’. The technology frame activations were: ‘SM Companies as Irresponsible’, ‘SM Tech as Double-Edged’, ‘SM Tech as Powerful’, ‘SM Technology as a Solution’, and ‘SM Technology as Fast-Moving’. No user framings were POSITIVE AGENTIVE, and 2 (50%) were NON-DETERMINIST and 2 NEGATIVE AGENTIVE. 3 technology frame activations were DETERMINIST (60%) and 2 were NON-DETERMINIST (30%).

Qualitative:

The only two frames used in this debate that were not used on 21 September were ‘Non-SM Tech as Powerful’ and ‘SM Tech as a Solution’. It is important to highlight that Deputy Richard Bruton, who as Minister initiated OSMR, tended to activate DETERMINIST technology frames in this debate. For example, he employed ‘SM Tech as Fast-Evolving’ when speaking of the need to quickly enact OSMR:

The reality is that much of this [policy] has to be reinvented in the digital space, but we do not have the luxury of waiting hundreds of years for that to evolve. *It is changing the way in which people live so dramatically and quickly that we need to collectively develop approaches* (Bruton, CD, 22 September).

Bruton also invoked this frame ‘SM Tech as Powerful’ using historical materialist language:

Looking back through history, the *printing press* was a *revolution* that transformed society in terms of education, freedom of expression, research, scientific endeavour, and political debate. The *Internet and social media platforms* are another such *revolution* (Bruton, CD, 22 September).

Further, when using the ‘SM Tech as Harmful’ frame, Deputy Bruton repeatedly used the pronoun ‘it’ in reference to SM technology, thus appearing to frame technology itself as an agent. The following are excerpts from his use of this frame: *It is very different from traditional publishing...*,” “*It can target people...*,” “*It can create the impression of equality between fact-based science and fiction*” (active verbs italicised for agentive

emphasis). Senator Emer Higgins also used a DETERMINIST frame, ‘Non-SM Tech as a Solution’; however, she focused much of her statement on children, activating ‘Child Users as Perpetrators’ (NEGATIVE AGENTIVE), ‘Child Users as Vulnerable’, and ‘Child Users as Needing Protection’ (NON-AGENTIVE).

7.4.5 Dáil Committee Stage Debates

There were only two days of Committee Stage debate in the Dáil compared to the 7 days of Committee Stage debate in the Seanad, as the bulk of debate tends to take place in the House in which the Bill originated (Civil Servant, 2024).

7.4.5.1 25 October

Context:

This debate discussed amendments 1-75, almost all of which dealt with technical or broadcast issues. An exception was the discussion surrounding Amendment No. 43 on the specifics of the individual complaints mechanism (ICM).

Quantitative:

6 frames were activated during this debate (2 user and 4 technology) across 5 distinct frames. The 2 user activations (50%) were ‘Adult Users as Perpetrators’ (NEGATIVE AGENTIVE) and ‘Adult Users as Victims’ (50%) (NON-AGENTIVE). The 3 technology frames were ‘SM Companies Needing Regulation’ (1 activation), ‘SM Tech as Double-Edged’ (1), and ‘SM Companies as Uncooperative’ (2). All tech frames were NON-DETERMINIST.

Qualitative:

The vast majority of this debate was irrelevant to the RQs, though Minister Martin did activate the ‘SM Tech as Double-Edged’ frame in her opening statement: “It [OSMR] is important for our society in providing safety and security for people as they seek to benefit from the considerable opportunities provided by the Internet.” She also activated ‘Adult Users’ and ‘Child Users as Vulnerable’ as a justification for the Bill.

The other relevant section of the debate, including Deputy Denis Naughten’s questioning of the mechanisms behind the ICM and whether the CNM would have adequate power over SM companies. For example, he activated ‘SM Companies as Needing

Regulation’ and ‘SM Companies as Uncooperative’. The following is an example of the ‘Uncooperative’ frame in action, which includes a self-reference to ‘all of us here’:

In terms of a complaint, going to the big tech companies in relation to the provision of advice or guidance is far too weak. All of us here and many of our constituents have had personal experience of dealing with the tech companies. Any individual who is unfortunate enough to have had a run-in with a tech company knows they are not that interested in what a complainant has to say (Naughten, CD, 25 October).

7.4.5.2 26 October

Context:

This debate dealt with Amendments Nos. 79-321, most of which related to broadcast and Irish language programming. The most relevant section of the debate centred on the need to protect children and moderators and was largely led by Deputies Mythen and Munster.

Quantitative:

There were 14 frame activations (11 user and 3 technology) spread across 8 distinct frames. The top three user frames were ‘Child Users Needing Protection’ (3 activations), ‘Adult Users as Perpetrators’ (3), and ‘Moderators as Needing Protection’ (2). The top three technology frames were ‘SM Tech as Fast-Evolving’, ‘SM Tech as Harmful, and ‘SM Companies as Beneficial’ (1 activation each). 63.63% of user frame activations were NON-AGENTIVE, 9.09% were AGENTIVE, 33.33% were NEGATIVE AGENTIVE, and 27.27% were NEGATIVE AGENTIVE. 66.66% of technology frame activations were DETERMINIST, and 33.33% were NON-DETERMINIST.

Qualitative:

This debate predominately focused on SM users rather than SM technology. Deputy Munster activated the first user frame, ‘Adult Users as Perpetrators’ (NEGATIVE AGENTIVE) when she put forward Amendment No. 101, which advocated including the category, “online content by which a person makes available disinformation or false information which is intended to mislead,” as a type of harm. ‘Adult Users as Perpetrators’ was also later activated by Minister Martin and Deputy Clarke. Deputy Munster also activated ‘Children as Needing Protection’ (NON-AGENTIVE) in relation to Amendment No. 102 on minimum age requirements, stating, “It is a function of the media commission

to regulate the appropriate minimum age.” Deputy Mythen also activated this frame while outlining differences between adult and child vulnerability:

This should be regarded as one of the most important issues in the Bill as it is about protecting children. Adults can make an informed decision but very often children are influenced. Even young women are influenced regarding their body stuff. It is important that children are protected and this [OSMR] would give them protection (Mythen, CD, 26 October).

Discussion also included NON-AGENTIVE frames of adults. Deputy Mythen twice invoked the ‘Moderators as Needing Protection’ frame and Minister Martin voiced her agreement by activating ‘Moderators as Vulnerable’ in response.

There was relatively little discussion of technology in this debate. However, one activation that stands out is Deputy Gannon’s activation of ‘SM Companies as Beneficial’ (NON-DETERMINIST) to counter the proposal of criminal liability for high-level staff:

A lot of these tech companies and social media companies are based here so it could potentially create a hostile environment. I am referring to future technologies that do not exist yet. If we have directors of these companies here, I would like to believe we could have Irish directors on their boards. What is to stop them just relocating elsewhere? (Gannon, CD, 26 October).

This activation was notable, as it was one of the few positive framings of SM companies in all the debates. It also pushed back a proposal first arising in the PLS debates, that of holding company leaders accountable for harms.

7.4.6 Dáil Report/Final Stage

The Report and Final Stages are often taken together. The Report Stage is the final opportunity for legislators to make changes to a Bill; however, only government can put forward new amendments at this point. The chamber then moved to a vote in the Final Stage.

7.4.6.1 30 November Debate

Context:

The majority of amendments discussed in this debate related to broadcast elements of the bill, though Amendment No. 10 compelled SM companies to share data with researchers and Amendment No. 14 dealt with online gambling advertisements.

Quantitative:

There were 3 frame activations, all of which concerned technology: ‘SM Companies as Opaque’ (1 activation) and ‘SM Companies as Needing Regulation’ (2). All activations were NON-DETERMINIST.

Qualitative:

Deputy Johnny Mythen was the only legislator to activate frames in this debate. Below is an excerpt from his single activation of ‘SM Companies as Opaque’:

In a democratic society, the common good must be sacrosanct before the private interests of big business. Currently, independent academic researchers, digital analysts and policy experts cannot access the data from social media companies they need to do their job to protect the interests of the public (Mythen, CD, 30 November).

Deputy Mythen also twice activated ‘SM Companies as Needing Regulation’, once in relation to the governance mechanisms needed to compel companies to provide data, and once for compelling companies to produce an annual report on gambling on their platforms.

7.4.7 Seanad Report Stage/Final Stage

Amendments made in the Dáil were reviewed by the Seanad (the house in which the Bill commenced).

7.4.7.1 6 December

Context:

The Bill went back to the Seanad for another Report stage to review amendments made in the Dáil (known as the ‘cream list’). The chamber then moved to the Final Stage for a vote.

Quantitative:

There were 3 frame activations in these combined debate stages: 'Child Users Needing Protection' (2 activations) and 'SM Companies as Needing Regulation' (1). Both user frames were NON-AGENTIVE and the technology frame was NON-DETERMINIST.

Qualitative:

Most of this discussion was a rehashing of the Bill by the Minister and various other legislators. At one point, Senator Warfield introduced the topic of the ICM and Minister Catherine Martin then spent several minutes explaining how the trial complaints process, as recommended by the expert group, would work. Senators Shane Cassells and Micheál Carrigy then voiced their support for the ICM. However, the language used in this discussion remained predominately descriptive and did not include 'Users as Stakeholders' activations as in earlier discussions of the ICM.

The three frame activations that did take place arose after the debate moved to the Final Stage. Soon after this stage began, Senator Carrigy activated the 'Children as Needing Protection' frame with a self-reference to being a parent, stating "The number one priority is to protect our children. As a parent of young kids coming to an age with technology, we need it [OSMR] put in place." Similarly, Minister Martin reiterated the Bill's importance by activating 'Children in Need of Protection', but again used the linguistic hedge of mentioning 'society' but placing the emphasis on children: "The Bill is of fundamental importance to protecting our society, particularly our children, from serious forms of harmful online content."

The only technology frame came from Senator Cassells, who activated 'SM Companies Needing Regulation' using metaphorically compared to the OMSR to a 'light': "There were some very terse exchanges between members of the committee and the tech giants who came as witnesses because the Bill shone a light on the manner in which they do business and earn money."

7.5 Discussion

7.5.1 Aggregate User Frames

Core Debate User Frames

* Indicates New Frame	22-Feb	26-Apr	28-Apr	04-May	11-May	25-May	26-May	31-May	11-Jul	21-Sep	22-Sep	25-Oct	26-Oct	30-Nov	06-Dec	# Activations	# Debates
* Journalists as Victims	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Adult Users as Controllers	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
* Adult Users as Not Needing Protection	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Adult Users as Owners	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1	1
Moderators as Right Holders	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1	1
* Parents as Irresponsible	1	0	0	0	0	0	0	0	0	1	0	0	0	0	0	2	1
Adult Users as Communicators	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1	1
* Child Users as Informants	0	0	0	1	0	0	0	0	0	1	0	0	0	0	0	2	2
Child Users as Victims	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1	1
Adult Users as Stakeholders	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	2	1
* Politicians as Victims	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	2	1
* Moderators Needing Protection	2	0	1	0	0	0	0	0	0	2	0	0	0	0	0	5	3
Child Users as Perpetrators	0	0	0	0	0	0	0	0	0	2	1	0	0	0	0	3	2
Adult Users as Producers	0	0	3	0	0	0	0	0	0	1	0	0	0	0	0	4	2
Child Users as Rights Holders	2	1	0	1	0	0	0	0	0	0	0	0	0	0	0	4	2
* Child Users as Needing Empowerment	1	2	0	2	0	0	0	0	0	0	0	0	0	0	0	5	2
Child Users as Stakeholders	2	0	0	2	0	0	0	0	0	2	0	0	0	0	0	6	3
Adult Users as Victims	0	3	0	0	0	0	0	0	3	0	0	1	0	0	0	7	2
Adult Users as Perpetrators	1	1	0	0	0	0	0	0	1	3	1	1	3	0	0	11	7
* Adult Users as Needing Empowerment	3	3	0	0	2	0	0	2	2	1	0	0	0	0	0	13	6
Adult Users as Vulnerable	0	0	0	0	3	3	2	2	2	1	0	0	1	0	0	14	7
Adult Users as Rights Holders	4	2	0	1	3	0	5	0	1	0	0	0	0	0	0	16	6
Child Users Vulnerable	5	1	0	1	0	0	4	2	2	8	1	0	0	0	0	24	8
Adult Users as Needing Protection	6	5	0	0	2	3	0	1	2	3	0	0	4	0	0	26	8
Child Users as Needing Protection	4	4	0	1	0	2	7	0	4	7	1	0	3	0	1	34	10
Activations by date →	32	24	4	9	13	8	18	7	19	35	4	2	11	0	1	187	

Table 7.2: Core Debate aggregate user frames

*Also included in Appendix 5 for readability

As shown in Table 7.2 above, 187 user frame activations were recorded across the Core Debates, representing 59.23% of all frame activations (128/40.76% were technology activations). Among the user frame activations, 107 (57.52%) concerned adults and 79 (42.47%) children. There were 25 distinct user frames overall. The top three most activated were ‘Child Users as Needing Protection’ (34), ‘Adult Users as Needing Protection’ (26), and ‘Child Users as Vulnerable’ (24).

In terms of frame ‘salience’ (Dekker, 2017), 7 user frames were ‘strong’, which I defined as being activated across at least five of the debate days and in the top third (33.33%) of total frame activations. These frames were: ‘Child Users as Needing Protection’, ‘Adult Users as Needing Protection’, ‘Child Users as Vulnerable’, ‘Adult Users as Rights Holders’, ‘Adult Users as Vulnerable’, ‘Adult Users as Needing Empowerment’, and ‘Adult Users as Perpetrators’. Of these ‘strong’ frames, 5 concerned adults and 2 children. 2 were POSITIVE AGENTIVE, 4 were NON-AGENTIVE, and 1 was NEGATIVE AGENTIVE.

User Agency Framing Ratios

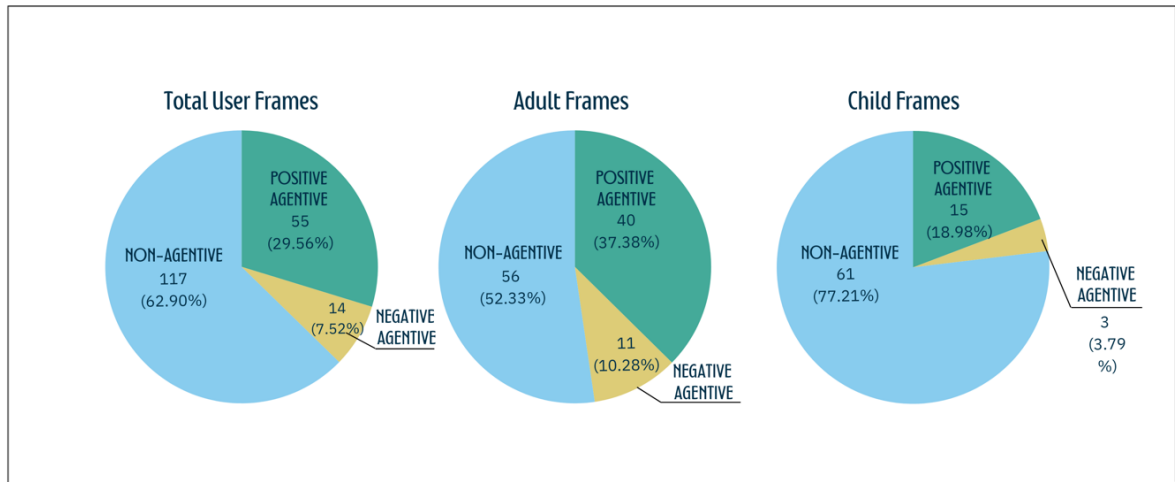


Figure 7.3: Core Debate user agency framing ratios

Of the user frames, 55 (29.56%) were POSITIVE AGENTIVE, 117 (62.90%) were NON-AGENTIVE, and 14 (7.52%) were NEGATIVE AGENTIVE. 107 frame activations concerned adults and 79 children. 40 or 37.38% of adult frames were POSITIVE AGENTIVE, 56 (52.33%) were NON-AGENTIVE, and 11 (10.28%) were NEGATIVE AGENTIVE. 15 or 18.98% of child frames were POSITIVE AGENTIVE, 61 (77.21%) were NON-AGENTIVE, and 3 (3.79%) were NEGATIVE AGENTIVE.

7.5.2 Aggregate Technology Frames

Core Debate Technology Frames

* Indicates New Frame	Technology Frames																# Activations	#Debates
	22-Feb	26-Apr	28-Apr	04-May	11-May	25-May	26-May	31-May	11-Jul	21-Sep	22-Sep	25-Oct	26-Oct	30-Nov	06-Dec			
* SM Companies as Fast-Moving	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1	1	
SM Tech as Complex	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1	1	
SM Tech as Powerful	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	1	
SM Tech as Ubiquitous	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1	1	
SM Companies as Ineffective	0	0	0	0	1	0	0	0	0	1	0	0	0	0	0	2	2	
SM Companies as Stakeholders	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	2	1	
* Non-SM Tech as Fast-Evolving	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	2	1	
* SM Tech as Beneficial	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	2	1	
SM Tech as a Solution	0	0	0	0	0	0	1	0	0	0	1	0	0	0	0	2	2	
* SM Tech as Regulatable	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	2	2	
SM Companies as Powerful	0	0	0	3	0	0	0	0	0	0	0	0	0	0	0	3	1	
* SM Executives as Needing Legal Punishment	0	0	0	0	0	0	0	3	0	1	1	0	0	0	0	5	3	
* Non-SM Tech as Needing Regulation	0	0	0	0	1	0	0	0	1	1	0	0	0	0	0	3	3	
SM Companies as Opaque	2	0	0	0	0	0	0	0	0	1	0	0	0	1	0	4	3	
* Non-SM Tech as Harmful	0	0	0	2	0	0	0	0	2	0	0	0	0	0	0	4	2	
* Non-SM Tech as Double-Edged	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1	
SM Companies as Profit-Driven	2	0	0	0	2	0	0	1	0	1	0	0	0	0	0	6	4	
* SM Tech as Double-Edged	2	0	0	0	0	0	0	0	0	2	1	1	0	0	0	6	4	
* SM Companies as Irresponsible	0	0	0	0	1	0	0	1	0	3	0	0	0	0	0	5	3	
SM Companies as Uncooperative	1	0	0	0	0	0	0	1	1	2	0	2	0	0	0	7	5	
SM Tech as Fast-Moving	2	0	0	0	0	0	1	1	0	3	1	0	1	0	0	9	6	
SM Tech as Harmful	1	3	0	0	1	0	5	2	1	4	0	0	1	0	0	18	8	
SM Companies as Exploitative	1	2	0	0	2	3	4	2	1	4	0	0	0	0	0	19	8	
SM Companies as Needing Regulation	5	0	0	0	4	1	0	1	3	4	0	1	0	2	1	22	9	
Activations by date →	18	6	1	5	14	4	11	12	9	33	5	4	2	3	1	128		

Weak Frames

Strong Frames

Table 7.3: Core Debate aggregate tech frames

*Also included in Appendix 2 for readability

As shown in Table 7.3 above, of 128 technology frame activations, 41 (32.28%) were DETERMINIST and 87 (67.96%) were NON-DETERMINIST. Technology frames were spread over 24 frames, and the top three frames by activation were ‘SM Companies as Needing Regulation’ (22 activations), ‘SM Companies as Exploiting Users’ (19), and ‘SM Tech as Harmful’ (18). 5 tech frames were ‘strong’: ‘SM Companies as Needing Regulation’, ‘SM Companies as Exploiting Users’, ‘SM Tech as Harmful’, ‘SM Tech as Fast-Moving’, and ‘SM Companies as Uncooperative’. Of these strong frames, 3 were NON-DETERMINIST and 2 were DETERMINIST.

7.5.3 Qualitative Insights

7.5.3.1 Predominate NON-DETERMINIST framing of Technology

Similar to the PLS debates, legislators consistently blamed SM harms on what they saw as a profit-driven, reckless SM industry rather than on SM technology itself. As Senator Higgins stated during the 4 May debate, OSMR is aimed at “extraordinarily wealthy companies which have a massive lobbying architecture” (Higgins, CD, 4 May). Evidence for a shared belief in company blame was also supported by the fact that the top two most-

activated technology frames were 'SM Companies Needing Regulation' (22 activations) and 'SM Companies as Exploiting Users' (18).

Another important finding was that legislators clearly saw reigning in company behaviour as a core part of their remit, as evidenced by the high number of 'SM Companies as Needing Regulation' frames (22 activations). This finding seems to corroborate (Epstein et al.'s (2011) contention that policymakers are centrally concerned with communicating that a policy issue is "government's problem" and with building "support for their intervention" (p. 101). Again, this dissertation contends that policy frames can emerge from both intentional and latent thought processes (Hawkins and Holden, 2013; Schön and Rein, 1994), yet considering Epstein's work, the 'Companies Needing Regulation' frame may have been strategic legitimisation.

While most frames were NON-DETERMINIST, the sizeable minority of DETERMINIST framings (32.3%) should not be discounted. Indeed, it is important to note that Deputy Bruton, who as Minister for Education launched OSMR in 2019, made some of the most DETERMINIST statements of the debates. His historical materialist view of technological power from the printing press to social media was a textbook example of determinist thinking (Giddens, 1995). Thus, while it appears that legislators mostly held NON-DETERMINIST beliefs, these views were not held by all members of the Oireachtas. A final note about DETERMINIST versus NON-DETERMINIST frames was that legislators often activated them in proximity, thus suggesting a certain level of frame plurality or coexistence, though one that still leaned NON-DETERMINIST.

7.5.3.2 Blaming Company 'Culture'

A phenomenon unique to the Core Debates and a further indication that legislators placed blame on companies rather than users (Hansson, 2018), was frequent mentions of the need to address 'company culture'. Though mostly occurring in the 31 May debate and employed by Senators Byrne and Higgins, the new 'SM Companies as Irresponsible' frame further bolstered the NON-DETERMINIST pattern and undermined the possibility of 'strong' TD ideology. Importantly, the frequent references to problematic 'culture' clearly blamed harmful practices on human decision-making rather than faceless companies. In this way, legislators understood the sociotechnical system similarly to constructivist theories such as social shaping of technology (SST). Just as Schwartz Cowan (1985) explored how General

Electric’s management decisions ‘gave the refrigerator its hum’, OSMR legislators focused on how the ‘culture’ among SM leaders contributed to SM user harms.

Mentions of ‘company culture’ also helped legitimate calls for stricter legislative outcomes. Indeed, there was a sustained focus, especially from Senators Byrne and Cassels, on the need to change ‘company culture’ by making company leaders personally liable for SM harm (see 31 May debate). As Senator Byrne stated, “...until somebody at the company takes the responsibility seriously and there is a change in culture, we will not see a change” (Byrne, May 31). The Senator’s use of ‘SM Executives Needing Legal Punishment’ was not adopted by other legislators. This outcome was perhaps due in part due to the extreme nature of the liability proposal, but also industry lobbying. Senator Byrne will later state in his interview: “What surprised me most was the vehemence of opposition to when we proposed making directors criminally liable...” (Byrne, Int., 2023). Thus, the possibility that external stakeholder pressures influenced debate highlights the limitations of policy frame effects.

7.5.3.3 Predominate NON-AGENTIVE framing of users

Regarding RQ 2, legislators framings were equally revealing in that they tended to frame users in NON-AGENTIVE terms. Indeed, only 29.56% of activations were POSITIVE AGENTIVE. Further, the top two ‘strong’ frames by activation were ‘Child’ and ‘Adult Users as Needing Protection’ (34 and 26 activations, respectively). The ‘needing protection’ frame was NON-AGENTIVE in that it painted users as needing legislators to operate safely online. Thus, like many NON-AGENTIVE frames, the ‘needing protection’ framed legitimated OSMR but in protective rather than empowering terms (Sato et al., 2022).

Even though ‘Child’ and ‘Adult Users as Needing Protection’ were the most-activated frames, legislators were approximately twice as likely (194.38%) to frame Adults as POSITIVE AGENTIVE than children, and 267.70% more likely to frame adults as NEGATIVE AGENTIVE than children. This finding shows that legislators viewed adults as having agency much more often than children, further suggesting they subscribed to the traditional view of inherent agentive differences between children and adults (Haring et al., 2019). Indeed, the common hedging language seen throughout the debates—that OSMR is for everyone but mostly children—implied that the Bill primarily focuses on children because of their inherent lack of agency. It will be important to understand whether the

POSITIVE AGENTIVE framing ratios between adults and children are also reflected in the legislator interviews (Chapter 10).

Although technological determinist ideology did not appear to significantly influence legislators' views of user agency, legislators still did not predominately frame users as agentive. This finding was surprising because, to have been labelled NON-DETERMINIST, a frame must have recognised some form of non-technical (and often human) agency. Thus, the NON-DETERMINIST frame activation majority suggests that legislators did often recognise agency in the context of SM but not that of users. Determining which actors legislators believed have agency will be an important consideration going forward.

7.5.3.4 Legislator Self-Referencing

An important non-framing pattern that continued from the PLS Debates was legislators' tendencies to reference themselves regarding SM harm. Indeed, they continued to provide anecdotes of their experiences receiving online abuse as politicians, implying that these experiences helped them understand what other users were subjected to. A few examples include Senators Higgins and Sherlock referencing their positionalities as 'mothers' for driving their push for a ban on infant formula advertisements (CD, 11 May) and Senator Cassells alluding to being a 'former journalist' before advocating the alignment of online and offline advertising laws (Cassells, CD, 26 April). The frequency of self-referencing across all the OSMR debates calls into question the degree to which proposals or amendments were guided by legislators' own needs rather than those of citizen users.

As mentioned in the PLS Debates chapter, legislators' levels of agency and their online experiences differ greatly from those of most other social media users. It stands to reason that legislators by default possess more agency than average users, simply by virtue of their tech industry connections and knowledge of the justice system. By conflating themselves with other users, legislators risk overlooking key opportunities for enhancing user agency that may not reflect their own experiences. Further, the tendency to self-reference raises concerns from the normative position that legislators should legislate with citizens (in this case, users) in mind. As noted by scholars of democracy, the ongoing trend of decreasing public faith in democracy is partly driven by a widespread belief that elected officials are self-serving elites (Foa et al., 2020). Failing to properly advocate for citizens' needs through a consequential piece of legislation like OSMR risks exacerbating this crisis.

7.5.3.5 User Frame Ambiguity

As in the PLS debates, legislators continued to use hedging language when naming users (see Lakoff, 1973), meaning that they did not clearly articulate who OSMR was meant to serve. For example, legislators often invoked subjects such as ‘society’, ‘all of us’, ‘vulnerable people’, while adding the caveat that OSMR was ‘especially for children’. This tendency was even shown during Minister Martin’s closing statement: “*The Bill is of fundamental importance to protecting our society, particularly our children...*” (Martin, CD, 6 December).

The above hedging language contributed to a considerable level of frame ambiguity throughout the Core Debates. While legislators clearly acknowledged that company practices often caused SM harm, they were often unclear about who was being harmed. As Dekker (2017) explains, frame ambiguity complicates the problem versus solution policy dichotomy by resulting in ‘incoherence’ regarding the issue at hand and what ought to be done. Thus, the lack of clear user frames complicated the focus of the OSMR debates and reduced the possibility of effective outcomes. Perhaps most importantly, the effects of this frame ambiguity may reverberate well into the future, especially because one of OSMR’s main remits is establishing the Coimisiún na Meán. It follows that unclear user frames may inject uncertainty into the future policy direction at CNM, thus impacting user agency in the years ahead. Although understanding the long-term policy frame effects of OSMR is beyond the scope of this project, it is a worthwhile area for future study.

7.5.3.6 Individual Legislator Framing Tendencies

A final notable pattern was that although legislators activated POSITIVE AGENTIVE frames in 29.56% of user frame activations, these POSITIVE AGENTIVE frames were predominately used by certain vocal individuals. For example, ‘Adult’ and ‘Child Users as Needing Empowerment’ frames were activated a combined 18 times but were mostly used by three legislators: Senators Alice-Mary Higgins (7 activations) and Malcom Byrne and Lynn Ruane (3 activations each). This framing pattern somewhat undermines the already minority ratio of POSITIVE AGENTIVE framings of users.

7.6 Conclusion

This critical frame analysis (CFA) of OSMR Core Debates complemented the PLS pilot study by testing the *a priori* frame list and by yielding a more comprehensive picture of how legislators discussed technology and users. Importantly, this chapter also marked significant progress toward answering RQ1 concerning technological ideology and RQ2 regarding user agency. Similar to PLS findings, there was a clear NON-DETERMINIST consensus among the legislators. Indeed, the frequent focus on changing ‘company culture’ was a clear manifestation of NON-DETERMINISM, as it placed blame on corporate human influences for harms and responsibility on government to address the situation. However, in contrast to the mixed view of user agency presented in the PLS Debates, legislators activated mostly NON-AGENTIVE user frames (62.90%) during the Core Debates.

Similarities were also detected between the PLS and Core Debates. Legislators continued to leverage their own SM experiences to legitimate OSMR, including their roles as parents, former journalists, or members of the LGBTQ community. Another continued pattern was consistent hedging language concerning users, resulting in ambiguity about who OSMR was mean to serve. For example, OSMR was ostensibly framed as for protecting children; however, speakers in both the PLS and Core Debates often referenced broader society benefitting from the legislation. Further, legislators framed adults more than children in the Core Debates (107 adult activations versus 79 child). The semi-structured interviews with legislators will be a further test of whether these patterns hold at the level of the individual legislator.

The next chapter pivots from exploring legislators’ beliefs about technology and users to discerning the beliefs of users themselves. It presents findings from three focus groups with users as a means of balancing perspectives and ultimately informing the theoretical contributions to the ‘democratisation of technology’ presented in the Conclusion Chapter.

CHAPTER 8: SOCIAL MEDIA USER FOCUS GROUPS

8.1 Introduction

This chapter presents a critical frame analysis (CFA) of transcripts of 3 focus groups with social media (SM) users of different age groups and educational backgrounds. These groups were conducted in the normative spirit of providing users with some degree of agency via the project (in this case a voice). Participants' views also proved useful for informing the interview schedule for the legislators and recommendations in the final chapter. Finally, the focus groups provided a starting point for comparing policymaker and user views on agency and technology. While a systematic comparison of user and policymaker views is beyond the scope of this dissertation, it is an important area for future study.

The qualitative nature of user focus group discourse necessitated slight methodological adjustments over the approach for debates. Whereas legislators often presented fully developed ideas and spoke for several minutes at a time, focus group participants were more conversational, frequently speaking in sentence fragments and through rapid-fire exchanges with others. This more informal style of conversation sometimes required grouping multi-person conversations into a single frame activation. This approach was often used when acknowledging a brief conversation in which participants activated the same frame in quick succession.

I will now present the frame findings related to users and technology, first by group and then as an aggregate whole. I will also compare framing patterns between groups. Key findings include a mixed view of user agency and a slightly DETERMINIST view of technology. Unlike legislators, participants tended to blame other users for harm rather than companies. Participants were also broadly sceptical of, and in many instances actively against, government intervention.

8.2 Data Collection

Table of Focus Groups

FOCUS GROUP	DATE	DURATION	ATTENDEES	GENDER	AGE
Undergraduate (DCU)	14/02/23	1h 22min	7	3 women, 3 men 1, non-binary	18-19 years
Dublin Adult Learning Centre (DALC)	23/02/23	1h 30min	9	6 women 3 men	24-67 years
Age Friendly University (DCU)	28/03/23	1h 38min	11	7 women 3 men	62-80 years

Table 8.1: Table of three user focus groups

I strategically chose the three SM user groups listed in Table 8.1 above with the aim of including voices of users who were not represented in the OSMR public consultation or Oireachtas debates, particularly older adult users, users with varying levels of higher education, and users from underrepresented socioeconomic areas. The motivation for including each group was as follows:

Focus Group 1 (DCU Undergraduate Students): 7 first-year, undergraduate international relations majors. Participants were aged 18-19, including 3 men, 3 women, and 1 non-binary person. I included this group to provide a young adult perspective to compare with the two other groups. I purposefully chose international relations students to minimise the bias that might arise from formal legal or communication education.

Focus Group 2 (Age-Friendly University): 11 students of retirement age enrolled in Dublin City University's (DCU) Age-Friendly University program (AFU). According to their website, AFU is an organisation that "...welcomes older people (50+) and recognises their contribution to the research agenda and the university's social, cultural and economic capital" (Age Friendly University, 2024). Participants were aged 62-80, and included 4 men and 7 women. I included this group as a way of capturing the viewpoints of the oldest cohort of social media users.

Focus Group 3 (DALC students): 9 mature students enrolled in the Dublin Adult Learning Centre (DALC) in North Dublin. According to their website, DALC mostly serves “early school leavers,” or students who did not complete secondary education. The majority of DALC students reside in the economically disadvantaged area of North Inner-City Dublin (DALC, 2023). I held this focus group to provide educational and socioeconomic diversity. Indeed, as most Irish adults aged 25-64 (56%) do not have a bachelor’s degree or higher (Gov.ie, 2022), this group’s participants were some ways more representative of the average Irish citizen than the others. Participants were aged 24-67 and included 3 men and 6 women.

8.2.1 Recruitment

The recruitment approach for the groups varied. Although I initially aimed to have gender and age balance across the groups, few students registered interest and employing selection criteria was not possible. Ultimately, participation skewed female (59.25%) and individuals in their 50s and 60s were slightly overrepresented in the DALC and AFU groups (comprising 45% of that cohort). All focus group participants received a 20-euro One4All voucher funded by a DCU Faculty of Humanities and Social Sciences Faculty Research Award.

To recruit undergraduate students, I pitched to a first-year international relations class at DCU and invited interested students to complete a Google Form containing a Plain Language Statement (PLS). Only 7 students registered, so I could not use selection criteria. For AFU students, I liaised with their programme director to arrange an initial introductory presentation about my research and for an email to be sent to all AFU students with a link to a Google form and PLS. Only 11 AFU students registered. For DALC students, I liaised with their programme director who then purposefully sampled students who were SM users, who were comfortable in social settings, and who had a strong command of English. The director identified 9 potential students.

I recorded the focus groups with an audio recorder and manually transcribed the files, saving audio and the transcriptions in a Google Drive folder. As noted in the Methodology Chapter, I followed the purposeful approach to transcription advocated by Kowal and O’Connell (2014) and Ochs (1979), meaning that I recorded verbal and paralinguistic features of the text while excluding superficial detail. In terms of

paralinguistics, I noted pauses of 3 seconds or more with ellipses (...) and elements such as [laughter] and [sigh] in brackets. I also followed the ‘lightly edited verbatim’ transcription approach advocated by (Powers, 2005), which allows for a ‘smoothing out’ of “the oral qualities of a text” (p. 41). Most of my editing in this regard was to standardise word spellings, as I did not wish to draw attention to differences in speech patterns between groups with varying levels of education. Indeed, my focus was not on participants’ literal delivery but on their framings. An example of a common change of this nature was “me ma” to “my mom.”

To ensure anonymity, I randomly assigned all participants a number referred to them as such in the text. I also only included aggregated demographic information at a group level. I made this decision because comparisons between gender and age were not required by the RQs and because I needed to further ensure anonymity, as associating age and gender with certain participants might lead to identification.

8.3 Findings

8.3.1 Focus Group 1 (DCU Undergraduate Students)

Context:

This focus group took place in a lecture room in the Henry Grattan building on DCU’s Glasnevin campus. On the day, I arranged chairs in a circle with a microphone in the middle. I provided pizza and snacks, paid for by the Faculty Postgraduate Student Journal Publication Scheme. The atmosphere was relaxed, and students were generally engaged and interested.

Quantitative:

There were 90 frame activations (59 user and 30 technology) spread across 41 distinct frames.³⁵ The top three user frames by activation were a new frame, ‘Adult Users as Responsible for Themselves’ (11 activations), as well as ‘Adult Users as Victims’ (5) and ‘Adult Users as Communicators’ (5). As this data hints, participants framed adults much more often than children (45 and 15 activations, respectively). Overall, 30 user frame activations (50.84%) were POSITIVE AGENTIVE, 19 (32.20%) were NON-

³⁵ A likely reason for the increased number of frames relative to most Oireachtas debates was because each focus group discussion focused broadly SM technology or users while debates generally concentrated on specific amendments.

DETERMINIST, and 10 (16.94%) were NEGATIVE AGENTIVE. When separated by age, 26 adult frame activations (57.77%) were POSITIVE AGENTIVE, 12 (26.66%) were NON-AGENTIVE, and 7 (15.55%) were NEGATIVE AGENTIVE. 5 child frame activations (33.33%) were POSITIVE AGENTIVE, 7 (46.66%) were NON-AGENTIVE, and 3 (20%) were NEGATIVE AGENTIVE.

In terms of technology frames, I recorded 30 frame activations across 19 distinct frames. When discussing SM, undergraduates overwhelmingly activated ‘SM Technology’ frames (23 activations or 76.66%). The top three technology frames by activation were ‘SM Tech as Double-Edged’ (4), ‘SM Tech as Anti-Social’ (3), ‘SM Companies as Profit-Driven’ (3), ‘SM Tech as Useful’ (2), ‘SM Tech as Extension of Society’ (2), ‘SM Tech as Exploiting Users’ (2), ‘Non-SM Tech as Complex’ (2). 13 or 43.33% of technology frame activations were DETERMINIST, while 17 (56.66%) were NON-DETERMINIST.

Qualitative:

I first asked each person to write down three adjectives to describe SM.³⁶ Most of their adjectives held negative connotations. For example, Participant 2 wrote ‘dangerous’, ‘rapid’, and ‘polarised’, and Participant 5 wrote ‘controversial’, ‘unavoidable’, and ‘routine’. The remaining participants generally used two negative adjectives and one positive one. Participant 3 wrote ‘useful’, ‘toxic’ and ‘addictive’. The only outlier was Participant 4, who worked professionally as a social media manager. They shared only positive words: ‘promotion’, ‘education’, and ‘communication’. We spent much of the first half of the focus group unpacking why participants chose their words what they meant.

Likely because of my leading exercise, most frames activated at the beginning of the discussion related to technology and exhibited a certain degree of plurality between DETERMINIST and NON-DETERMINIST beliefs. For example, a new frame ‘SM Tech as Useful’ (NON-DETERMINIST) was activated twice. This frame presented SM as a tool that users could employ to achieve their ends.³⁷ An example is the following excerpt from Participant 2:

³⁶ I decided did not ask other groups to write down adjectives because I realised that I could not assume students’ writing abilities.

³⁷ It is important to note that utilitarian view of technology as a ‘tool’ is often associated with a technological determinist, value-neutral view of technology. In this case, however, students are suggesting technology as a tool through which they achieve agency.

If you take WhatsApp, the main purpose is for connecting with each other, even if far away. That is useful or brilliant because, of course, you can keep up or keep in touch with the people you love, for example (Participant 2, FG, 14 February).

A balanced view of technology was also corroborated by ‘SM Tech as Double-Edged’ being the most frequently activated technology frame (5 activations). As Participant 4 states, SM allows both positive and negative information to travel quickly:

I think what is a good and bad aspect is how quickly information can travel. For example, sometimes there’s a world event or something that happens in The States or in Europe, and the whole world can know about it very, very quickly, which maybe wouldn’t have happened as much [before]. But also, negative information so fast is that people who have a life online who are influencers want to keep aspects of their life private, and then it can be leaked and the whole world knows (Participant 4, FG, 14 February).

Another new NON-DETERMINIST frame, ‘SM Tech as Extension of Society’, was activated 2 times but only by Participant 7. This frame is notable in that it challenges the popular dichotomy between online and offline harm by instead suggesting a degree of continuity across those contexts. Below is an excerpt of this frame in action in which a participant bridged ‘real life society’ and ‘social media society’:

[L]ike real life society has its issues that manifested from what people were able to do with it and the structures that were in place. I think social media society or online society has also been influenced in the same way. It feels like a lot of the problems were things that were already problems with society in general (Participant 7, FG, 14 February).

At the 20-minute mark, I pointed out that there seemed to be an expressed ‘tension’ between social media’s benefits and drawbacks, and then asked participants whether they could definitively conclude whether SM was mostly ‘good or bad’. This prompting launched a instrumentalist discussion in which human ‘use’ determined positive or negative outcomes. These responses were not enough robust to constitute frames, yet they were notable because they presented the DETERMINIST belief that technology is a neutral tool.

In terms of DETERMINIST frames, the new ‘SM Tech as Anti-Social’ frame was activated 3 times, which presented SM tech as damaging to human relationships and

societal cohesion. For example, Participant 2 used this frame to blame negative societal outcomes (e.g., polarisation or decreased social skills) on SM Tech itself rather than companies or other users:

There are lots of people who use social media, so polarised means that you can have very distant or opposite opinions or views on different topics. That can be very useful to have...to not like fall into the same perspective. But as well as it can go to extremes (Participant 2, FG, 14 February).

While undergraduate participants rarely framed SM as an industry, ‘SM Companies as Profit-Driven’ did appear among most-activated technology frames, with 3 activations. The fact that participants activated SM company frames in only 23.33% of technology framing instances showed that they rarely placed blame or responsibility on the industry. In fact, only Participant 4 activated ‘SM Companies as Needing Regulation’, though they immediately questioned that possibility by stating “Regulating social media is so difficult because there are millions or billions of words produced every day...”. Participant 4 also seemed unsure of placing responsibility on government: “Maybe the government being harsher on what social media companies are allowed to do I suppose...that’s kind of vague. I can’t think of a proper example.” These findings stand in stark contrast to legislators’ overwhelming tendency to blame SM companies for harm.

Participants activated a mix of POSITIVE (51.66%) versus NON- and NEGATIVE AGENTIVE (48.32% combined) user frame activations. For example, while undergraduates often framed adult users as ‘Communicators’ (6 activations) and as ‘Having Some Control’ (4 activations) (POSITIVE AGENTIVE), they also frequently activated frames such as ‘Adult Users as Irresponsible’ (2) (NEGATIVE AGENTIVE), and ‘Adult Users as Victims’ (5) (NON-AGENTIVE).

Although participants were slightly more likely to activate POSITIVE AGENTIVE frames, this tendency was undermined by the fact that they often used agency to blame users for harms and hold them solely responsible for protecting themselves. For example, the most frequently activated user frame was ‘Adult Users as Responsible for Themselves’ (POSITIVE AGENTIVE, 11 activations). This frame clearly placed responsibility on users to ‘choose’ how they prepare for and respond to online harm. As Participant 2 stated, “Of course, without the users, social media would not be social media. I think it is in the hand of the user to really understand and acknowledge the good and bad...”.

Another frame that implied user responsibility was ‘Parents as Irresponsible’ (NEGATIVE AGENTIVE), which was activated 3 times in this focus group alone (but only twice in all of the OSMR debates). An example of students placing blame and responsibility on parents came when I asked, “Whose responsibility is it to fix the problem of kids being on social media when they’re too young?”. Participants responded, “the parents!”, almost in unison. Participant 7 then stated, “The video game systems, the tablets and the phones, kids can’t pay for that,” thereby insinuating that parents were to blame for children having access to those technologies. Similarly Participant 4 also activated the ‘Parents as Irresponsible’ frame:

[I]t’s so hard to regulate every single post that’s made. I guess it’s a mixture of being up to the parents of children because I do know some children who definitely kind of have Instagram or maybe even use YouTube but there’s a kid’s version but that’s totally new (Participant 4, FG, 14 February).

The theme of user responsibility continued after I asked participants to reflect on whether their social media experiences were inside or outside of their control. Participants responded by using even modest examples of user agency to support the claim that social media users are solely responsible for their online experiences. For example, 4 participants activated the ‘Adult Users as Having Some Control’ (POSITIVE AGENTIVE) frame, which presented users as having agency but only in certain cases. As part of this frame, Participant 3 suggested that responsible users must learn to game algorithms, exclaiming, “Beat the Matrix!”. Similarly, Participant 4 presented themselves as an exemplar who manages their friends/followers:

I had a good few followers [on Instagram], like in the 900s, but I was so aware of what I was posting that I removed like 500 people. Now I really enjoy it. Something that helped me use it in a healthier way was...literally, people I didn’t know or didn’t like I stopped following (Participant 4, FG, 14 February).

Similarly, Participant 1 activated ‘Adult Users as Having Some Control’ to outline how they use ‘incognito mode’ to keep from being tracked, implying that it is up to users like themselves to find workarounds to platform exploitation:

Sometimes when I want to search something and I don’t want to get a billion ads about it, I just search it in incognito mode. It sounds really bad but it’s not...it’s

random things I don't want to get ads about [all participants laugh] (Participant 1, FG, 14 February).

In terms of NON-AGENTIVE frames, undergraduates activated a new frame, 'Adult Users Not Having Control', in reference to automated user profiling. They also activated 'Adult Users as Victims' (5 activations), 'Adult Users as Vulnerable' (3) and 'Child Users as Vulnerable' (3) and 'Child Users as Victims' (3). Importantly, supporting examples in 'victim' frames often differed from those provided during the Oireachtas debates. For example, participants at several points discussed others being 'cancelled'.³⁸ Similarly, when activating vulnerability frames, undergraduates tended to discuss weakness in human psychology. For example, when discussing the non-consensual sharing of intimate photos Participant 7 said, "Like with the nude thing...when you have feelings for somebody, it's the whole 'love is blind' thing. People can often do very stupid things when they feel they're in love." Similarly, Participant 2 highlighted children's susceptibility to fear of missing out (FOMO) and even implied that it was an issue for adults as well:

[A] little girl like 6 or 7 died and asphyxiated herself because of a TikTok challenge because of this pressure or the fear of missing out. Children even not children...you want to be in the centre of the attention or people will like you more if a lot of people follow you ... (Participant 2, FG, 14 February).

Another important user framing pattern was a relatively high occurrence of NEGATIVE AGENTIVE frames compared with the Oireachtas Debates. While agentive, these frames presented users as behaving badly. For example, a new 'Users as Disingenuous' frame arose near the beginning of the discussion, which presented users as knowingly fabricating untrue images of themselves for their followers. Below is an example of this frame in action in which Participant 7 explained that even their father exhibits this behaviour:

I've noticed even with my own Dad...he gets kind of a similar desire for status even when it's just your own family you're talking to. He's like, 'Ooo, let's get picture for the WhatsApp so that everybody knows that we're having a good time' and it's just for our family. My dad's over 60. Even he has kind of gotten into the fever as well, which is really bizarre for me to see (Participant 7, FG, 14 February).

³⁸ An SM phenomenon in which a person or group is named and shamed online for a perceived transgression (Norris, 2023). See also Samoilenko (2021) regarding 'character assassination'.

Though not new, undergraduates activated the NEGATIVE AGENTIVE frame, ‘Adult Users as Perpetrators’, 1 time regarding sexual grooming and 2 times about users cancelling others. The following excerpt is from a brief conversation about cancelling that was coded as a single ‘Adult Users as Perpetrators’ frame activation:

Participant 1: Obviously that [cancelling] is good...if someone does something wrong everyone knows about it...like if it’s ‘bad, bad’. But it just makes you think, ‘What if that person didn’t actually do anything and it’s a huge rumour?’. But everyone is so quick to gang up on the person and post it on everyone’s story.

Participant 7: It’s a bit like social media being your judge, jury and executioner at the same time.

Participant 1: Yeah, Cancel Culture is ridiculous.

A final notable pattern, though one not involving user or technology frames, was that undergraduate participants expressed a shared nihilism about the possibility of mitigating online harm. In nearly every instance where participants presented a solution, they or other participants undermined the possibility of change. The following exchange is representative of this dynamic. Participant 7 first alluded to the idea that children might abstain from using harmful platforms, but then outlined the suggestion as futile:

Participant 7: So do [children] you really have a choice though?

Participant 3: Exactly.

Participant 7: Is it really a choice when the other option is something that is awful for you?

Participant 3: I think it’s already too late anyway.

Conclusion:

This focus group of DCU undergraduate students yielded a nuanced view of the SM technology and user agency. While participations framed users as POSITIVE AGENTIVE in 30 out of 60 user frame activations (50.84%), they often used agency as an excuse for placing responsibility on users and, therefore, indirectly absolved companies and governments of responsibility. This pattern was evidenced by the fact that the ‘Child’ and ‘Adult Users as Responsible for Themselves’ frames, combined with ‘Parents as Responsible for Children’ frame, accounted for 15 out of the 30 (50.38%) POSITIVE AGENTIVE user frames. This group also often saw users as the source of online harm (i.e., blamed users), a tendency evidenced by the fact that they activated two new NEGATIVE AGENTIVE frames that did not exist in the debates: ‘Adult Users as Irresponsible’ and ‘Disingenuous’.

Undergraduates activated technology frames 50% fewer times than user frames. When they did discuss technology, they activated DETERMINIST and NON-DETERMINIST frames at roughly the same rate (13 and 17 activations, respectively). At the same time, students mostly discussed SM technology rather than SM companies, only framing SM companies 8 times or in 26.66% of technology frame activations. The relative absence of industry discussion further suggested a lack of blame on companies for contributing to online harm and marked a radical difference with OSMR legislators. A critical finding was that no participant mentioned companies as either sources of harm or having a responsibility to address harm. This pattern stands in stark contrast to legislators’ tendency to frame companies as ‘exploitative’, ‘uncooperative’, and ‘profit-driven’.

8.3.2 Focus Group 2 (Age-Friendly University (AFU) Students)

Context:

This focus group was conducted in partnership with Age Friendly University (AFU) at DCU and was held on 28 March 2023 at approximately 11:00 a.m. Although AFU does not keep data on the educational backgrounds of its students, the fact that these students elected to enrol in a learning opportunity at a university suggested that they were comfortable in a higher-level learning environment. On the day, I arranged desks in a circle with a microphone in the middle. I also provided tea, coffee, and sandwiches, which were funded via a Faculty Postgraduate Student Journal Publication Scheme grant. Most participants were highly engaged, knowledgeable about the subject, and eager to share their views.

Quantitative:

I identified a total of 75 frame activations (37 user and 38 technology) spread across 35 distinct frames. 30 (81.08%) of user frames referenced adults and 7 (18.91%) referenced children. The top three most activated user frames were ‘Adult Users as Having Some Control’ (6 activations), ‘Adult Users as Communicators’ (6), and ‘Adult Users as Perpetrators’ (5). 19 or 51.35% of user frame activations were POSITIVE AGENTIVE, 12 or 32.43% were NON-AGENTIVE, and 6 or 16.21% were NEGATIVE AGENTIVE. When separated by age, 17 (56.66%) of adult user frame activations were POSITIVE AGENTIVE, 8 (26.66%) were NON-AGENTIVE, and 5 (16.66%) were NEGATIVE AGENTIVE. For child frames, 2 (28.57%) were POSITIVE AGENTIVE, 4 (57.14%) were NON-AGENTIVE, and 1 (14.28%) was NEGATIVE AGENTIVE.

The top three technology frames were ‘SM Tech as Useful’ (10 activations), ‘SM Tech as Anti-Social’ (6), and ‘SM Companies as Needing Regulation’ (6). 15 or 39.47% of technology frame activations were DETERMINIST and 23 (60.52%) were NON-DETERMINIST. 26 Frame activations (68.42%) concerned technology and 12 (31.57%) concerned companies.

Qualitative:

I first asked students to introduce themselves and share which SM they use and why. The prevailing narrative about SM in these introductions was ‘usefulness’. In fact, the NON-DETERMINIST ‘SM Tech as Useful’ frame was the most-activated tech frame of the entire focus group at 10 activations. 6 participants activated this frame in their opening statements. Below are three representative excerpts:

WhatsApp is brilliant. I can ring my son in New York; I can videocall and see my grandchildren. It’s brilliant, WhatsApp. My mother, 95, who is still alive in Roscommon, is able to use WhatsApp, so it’s great (Participant 10, FG, 23 February).

I can ring America. I can ring anywhere. I use it for phones, for chats...that’s the big user for me. Facebook, I’m often on Facebook. Like you [referencing another participant], I don’t engage anymore. I do go in to be nosey (Participant 2, FG, 23 February).

I probably use [Twitter](#) the most because of research papers in psychology and neuroscience. Also, I come from Northern Ireland, so I have big interest in [politics](#). Also, I'm in 185 groups on [MeetUp](#) (Participant 8, FG, 23 February).

Though participants continued to focus on SM's utility throughout the focus group session, they also frequently painted SM in a negative light, suggesting a double-edged conception of the technology. Indeed, the frames 'SM Tech as Anti-Social' and 'SM Companies as Needing Regulation' (6 activations each) were the second most-activated behind 'SM Tech as Useful'. The following is an excerpt of an 'SM Tech as Anti-Social' activation in which Participant 7 talked about how SM negatively affects human connection (often using the pronoun 'it'):

I find definitely [it](#) [SM] has [taken over social interaction](#) in groups when you do get together. [It](#) has prevented groups getting together also and having the [human contact](#) and actually knowing people rather than knowing their profile. I have ten grandchildren and they're all using [it](#). That's what I observe among their friends (Participant 7, FG, 23 February).

Similarly, Participant 3 activated the 'anti-social' frame in relation to algorithmic curation of human relationships by using a bakery as a metaphor for platform practices:

You're almost smelling the bread when [they're](#) trying to sell bread. I sound very negative. I do see the positives, but I would worry about the generation of [secondary school children](#) currently and maybe even the previous lot—that they don't know this [isn't normal life](#). Is this what it's going to become? They won't really fall in love. They won't meet someone across the room. They won't go off hiking for a day and find out what these people are really like (Participant 3, FG, 23 February).

Like undergraduate students, AFU students activated technology frames more than twice as often as SM company frames (26 and 12 times, respectively). However, unlike the undergraduates, AFU students regularly activated 'SM Companies as Needing Regulation' (6 activations). The tendency to frame companies as needing oversight suggested a shared NON-DETERMINIST view that SM companies and not SM technology were to blame for online harm. At the same time, it also placed a degree of responsibility for solving harms on government. Again, this was a divergence from the undergraduate group, as participants in that group were actively mistrusting of government intervention.

I allowed a discussion of the need for regulation to progress for approximately seven minutes, at which point I noted that no one had yet mentioned SM companies as having a role to play. I asked whether anyone would like to comment on this observation. However, instead of shifting to discuss companies, participants quickly returned to the need for government regulation. Several participants re-activated the ‘SM Companies as Needing Regulation’ (NON-DETERMINIST) frame. As Participant 7 said, “It’s the government really. I think the governments of all lands have a big role to play in it...to have some sort of policy around social media. A really, really decent one.” Participant 5 highlighted GDPR as an example of effective technology regulation, explaining it as the first step toward ‘disciplining’ tech companies. ‘SM Companies as Stakeholders’ was only activated once by this group, suggesting they did not see companies as reliable partners in combatting online harm.

In a similar pattern to the undergraduate group, AFU participants activated 19 distinct user frames that were relatively balanced in terms of affording agency. 19 or 51.35% percent of activations were POSITIVE AGENTIVE, while the combined 18 NON- and NEGATIVE AGENTIVE activations comprised 48.64%. Although participants often activated POSITIVE AGENTIVE frames, they tended to only afford agency to themselves and not necessarily to others. For example, in ‘Adult Users as Having Some Control’ (POSITIVE AGENTIVE) excerpts below, speakers only discussed *their* control strategies, including dedicating specific uses for platforms, critically evaluating information, and adjusting platform settings:

Participant 6: When I started using YouTube, I really, really; I couldn’t put my phone down. Stupid bloody things. I think of the time I wasted. Now I use YouTube to listen to different songs that maybe I’m learning for choir or something (FG, 23 February).

Participant 10: I would always be aware of conspiracy theories out there, you know the ‘fake news’. I would be sceptical about what is real and what isn’t real (FG, 23 February).

Participant 8: Maybe it is a sign of getting older, but I have less time in my life for people who believe the earth is square and not round. I’ve started using two buttons on button: the mute button and block button (FG, 23 February).

Although AFU students often advocated a role for government in combatting SM harm, especially by employing the ‘SM Companies Needing Regulation’ frame, only one frame activation in the entire discussion implicated a role for government in enhancing user agency. In the following excerpt, Participant 11 activated ‘Adult Users as Needing Empowerment’ (POSITIVE AGENTIVE) regarding need for user digital literacy education initiatives:

I think also that education or learning about this—it’s a bit like the gentleman there said, you can drive a car, but you don’t know how it works. Like the lady who posted something—you only have certain limited knowledge, and without having more knowledge, you’re actually walking yourself into danger and getting scammed or ripped off because you don’t understand (Participant 11, FG, 23 February).

In contrast to most POSITIVE AGENTIVE sentiments, in which participants presented themselves as exemplars, participants directed their NEGATIVE and NON-AGENTIVE frame activations toward other users. For example, each of the 5 ‘Adult Users as Perpetrators’ (NEGATIVE AGENTIVE) activations referenced other users behaving badly. Of the 8 NON-AGENTIVE activations, no dominate frame emerged, as most were only activated once. The following single activation of ‘Adult Users as Addicted to SM Tech’ from Participant 4 is representative of how participants predominately presented others as lacking agency:

When I was at work when I was younger, I didn’t have time to spend on it. You’re on the phone organising this and organising that, you don’t have time to be looking at girls undressing and things like that. But now because you have all the time, it’s the only contact you get. I remember doing Meals on Wheels a few years ago, and every young person I see is like [gestures as if he is staring into a phone] (Participant 4, FG, 23 February).

A notable NEGATIVE AGENTIVE development was the new ‘Adult Users Needing Legal Punishment’ frame, which both blamed users for harm and but also recommended legal action against such users. Although this frame was only activated once, it is notable for further advocating a strong role for government, though this time against users. In the single instance below, Participant 4 invokes the historical analogy of banning indoor smoking in Ireland:

They kept at it for years and years and years, but it didn't stop it. The only way they said, 'Total ban, no smoking—You can't do that. You can't ban smoking.' You go to a pub now and have a meal there's no smoking (Participant 4, FG, 23 February).

Finally, like the undergraduate group, the AFU students often exhibited a shared nihilism regarding combatting SM harm. Yet unlike the undergraduates, who focused on the power of social media companies and technologies, AFU students focused their nihilism on the futility of government regulation. For example, when I asked if anyone was familiar with OSMR, only one participant raised their hand (though they said they were unsure). I then explained the main outcomes of the Act, including the enforcement of safety codes and company fines of up to 10% of annual revenue.

Upon learning about the Act's outcomes, participants immediately questioned its efficacy. For example, Participant 8 activated 'SM Tech as Fast-Evolving' (DETERMINIST) when imagining himself as a policymaker: "You identify the problem, then all of the sudden, the technology moves on way beyond you." Further, Participant 6 activated 'SM Companies as Powerful' (NON-DETERMINIST) when discussing the futility of financial penalties, exclaiming "Is 10% anything to these millionaires, billionaires, whatever the hell they are!?". Two participants used 'wind' as a metaphor for regulating SM. As Participant 8 said of policymakers, "They are trying to catch the wind. It's very hard to do anything...you can't catch the wind." Similarly, Participant 4 equated the possibility of changing organisational culture to "pissing in the wind." The very last statement of the session (not a frame activation) came from Participant 1, who rarely spoke. While they were not as dismissive of government intervention, they were doubtful of immediate progress:

I think it's going to be a slow process. Every year they make a few changes and make a few changes. In about 20 years' time that solves the problem. I don't see any quick solutions (Participant 1, FG, 23 February).

Conclusion:

The AFU focus group held a mostly NON-DETERMINIST of technology in which they predominately saw SM tech as 'useful' and blamed SM companies and other users for harms. At the same time, they considered government responsible for addressing SM harm but were skeptical about the possibility of effective regulation. In terms of user agency, AFU students framed adults significantly more often than children. Further, they held

balanced view of adult agency but not child agency, as 56.66% of adult user frames versus 28.57% of child frames were POSITIVE AGENTIVE. At the same time, the finding that more than half of adult frames were POSITIVE AGENTIVE requires qualification because respondents tended to frame their own actions as POSITIVE AGENTIVE yet did not extend such agency to others.

8.3.3 Focus Group 3 (Dublin Adult Learning Centre (DALC) Students)

Context:

This focus group was conducted on 28 March 2023 in the DALC building on Mountjoy Square in Dublin at approximately 10:00 a.m. Guided by the project aims, the DALC director strategically sampled and contacted students who had social media accounts, conversational English skills, and who would likely to enjoy participating. The discussion took place in a large computer lab around a long table. I did not provide drinks or snacks due to the lab setting. Most students were highly engaged, while a few remained relatively quiet.

Quantitative:

There were 88 total frame activations (55 user and 33 technology) spread across 46 distinct frames. Of the user frame activations 39 or 70.90% concerned adults and 16 (29.09%) children. The top three most-activated user frames were ‘Adult Users as Perpetrators’ (NEGATIVE AGENTIVE) (8 activations), ‘Adult Users as Having Some Control’ (POSITIVE AGENTIVE) (5), and ‘Adult Users as Disingenuous’ (NEGATIVE AGENTIVE), ‘Adult Users as Not Having Control’ (NON-AGENTIVE), ‘Parents as Responsible for Children’ (POSITIVE AGENTIVE), ‘Child Users as Needing Legal Punishment’ (NEGATIVE AGENTIVE), and ‘Child Users as Victims’ (NON-AGENTIVE), all with 4 activations. Overall, 15 or 27.27% of user frames were POSITIVE AGENTIVE, 23 (41.81%) were NON-AGENTIVE, and 17 (30.90%) were NEGATIVE AGENTIVE. When broken down by age, 15 (38.46%) of adult activations were POSITIVE AGENTIVE, 10 (25.64%) were NON-AGENTIVE, and 14 (35.89%) were NEGATIVE AGENTIVE. 0 child activations were POSITIVE AGENTIVE, 13 (81.25%) were NON-AGENTIVE, and 3 (18.75%) were NEGATIVE AGENTIVE.

The top three most-activated technology frames were ‘SM Tech as Useful’ (NON-DETERMINIST) with 4 activations, Non-SM Tech as Addictive (DETERMINIST) (4),

and ‘SM Companies as Profit-Driven’ (NON-DETERMINIST) (4). 11 of the technology frame activations (33.33%) concerned technology itself and 23 (69.69%) were about tech companies. 18 frame activations or 54.54% were NON-DETERMINIST and 15 (45.45%) were DETERMINIST. Finally, 13 (39.39%) of technology frame activations concerned non-SM technologies such as mobile phones, suggesting that participants had difficulty discerning what constituted SM and what did not.

Qualitative:

When asked to introduce themselves and the SM they used, DALC students did not activate technology frames like other groups but instead led with NEGATIVE AGENTIVE user frames. In fact, they were significantly more likely to frame users as NEGATIVE agentive than the other groups. For example, the first speaker (Participant 1) briefly mentioned that they used WhatsApp and Facebook; however, they quickly activated ‘Adult Users as Irresponsible’ (NEGATIVE AGENTIVE) in reference to other users sharing too much personal information:

When someone is born, put there and...all life in Facebook! This is very dangerous.
The more you talk to these people and try to give them advice, the more they post and post. I can know everything you’re doing (Participant 1, FG, 28 March).

Similarly, the second person to speak activated ‘Adult Users as Disingenuous’ regarding others posting untrue stories about themselves:

I use WhatsApp for family and friends and the DALC group. I do find that with Facebook, a lot of people put stuff up that could have happened two years ago and they’re pretending that it happened like yesterday, which is ridiculous (Participant 2, FG, 28 March).

DALC participants were also more likely than any other group to activate NON-AGENTIVE user frames. A slight majority of their NON-AGENTIVE frames concerned children (56.52%). Among these, ‘Child Users as Victims’ and ‘Child Users as Needing Legal Punishment’ were the most activated (4 activations each). Importantly, ‘Child Users as Needing Legal Punishment’ (NEGATIVE AGENTIVE) was unique to this focus group and suggested the need to criminalise child bullies, thus blaming children for online harm and placing responsibility on government (in the case below, law enforcement) to address it:

If there is a law stating that... If these three girls here [speaking of other participants] were bullying in school, and I'm the principal. Let's say after six months, they should automatically be expelled from school. "We are going to look into it, and if there is stink, we're going to call the police and let them take it from there" (Participant 6, FG, 28 March).

When I directly asked participants about their level of SM control, responses were balanced between 'Adult Users as Having Some Control' (5 activations) (POSITIVE AGENTIVE) and 'Adult Users as Not Having Control' (4) (NON-AGENTIVE). To outline yet another data outlier, this was the highest number of 'Not Having Control' activations for any focus group, suggesting that DALC students were the most nihilistic about the possibility of user agency. For example, when asked whether SM was inside or outside their control, Participant 1 stated, "Never is it in your control. You need to take pictures to remember and things like that but if you take profile picture, then you are going to see on the Google. What control do you have with that?". This a sentiment was further reflected in nihilistic 'solutions' such as "Just throw the phone away" (Participant 7) or, "Turn off the phone" (Participant 8).

Only 27.27% of user frames were POSITIVE AGENTIVE, all of which were adult frames. However, 40% of POSITIVE AGENTIVE activations directly placed the responsibility to mitigate harm on adult users, a ratio that was similar to that of the other focus groups. For example, DALC students activated 'Parents as Responsible for Children' 4 times, which, although POSITIVE AGENTIVE, suggested that parents should bear all the burden for protecting children and were to blame for allowing harm to occur. Also similar to other groups, DALC students often presented themselves as exemplars when activating POSITIVE AGENTIVE frames. As the following excerpt shows, this trend was often evident when participants activated the parental responsibility frame:

You're supposed to supervise kids on shit like that. My young one is 6. She wouldn't be allowed on my phone or anything, but she watches YouTube, but I make sure I know what she is watching. She watches it in the same room as me, so I know what the fuck she's watching and that it's not something stupid (Participant 3, FG, 28 March).

Ultimately, the DALC students were the least likely to afford users agency. 72.73% of all user frame activations were either NEGATIVE AGENTIVE or NON-AGENTIVE. The

DALC group also never framed children as POSITIVE AGENTIVE, though the other two groups did in a limited number of cases.

DALC students' activations of DETERMINIST (18 activations) and NON-DETERMINIST (15) technology frames were roughly balanced and coexisting. For example, they often activated NON-DETERMINIST frames such as 'SM tech as useful' (4 activations) and 'SM Companies as Profit-Driven' (4) alongside DETERMINIST frames such as 'Non-SM Tech as Addictive' (4) and 'SM Tech as Irresponsible' (2). Similar to other focus groups, DALC students spoke about technology more than about tech companies (22 versus 11 frame activations, respectively). However, they more often discussed non-SM tech (e.g., mobile phones) than other groups. For example, 'Non-SM Tech as Addictive' (DETERMINIST) was the most common DETERMINIST technology frame, with 4 activations. In the excerpt below, Participant 6 uses this frame to describe their daughter's phone use:

I have a young one that works in IT and her phone's the Bible. It's never out of her hand. She's eating her dinner and it's beside her...all of the sudden, 'ping'. It keeps going on, so I asked her to turn it off, so she turns it off when I'm at the table. This thing just never stops pinging. It's annoying...just keeps pinging, pinging, pinging, pinging (Participant 6, FG, 28 March).

Other DETERMINIST frames were 'Non-SM Tech as Unavoidable' (2 activations) (DETERMINIST) and 'Non-SM Tech as Fast-Moving' (2). The following is a brief conversation in which 4 participants collectively activated the 'fast-moving' frame:

Participant 4: Who would have ever thought that we'd have mobile phones? We used to have to go down to the phone box.

Participant 9: Electric scooters

Participant 4: You could sit here, and someone is in America, and you're able to go on the phone and talk to them. That's fantastic.

Participant 7: Now you have electric cars.

Participant 6: You can get a battery now and fix it down to a bicycle. You don't have to pedal anymore. Great!

The top NON-DETERMINIST frames were 'SM Tech as Useful' and 'SM Companies as Profit-Driven', with 4 activations each. Conversations around the utility of SM often centred on communicative affordances. For example, as part of 'SM Tech as Useful' frames participants mentioned social media as helping them find recipes, send photos, and keep up with fashion. They also referenced non-social media technology as helpful for booking tables in restaurants, transferring money, and hailing taxis. The following is an excerpt from Participant 6's activation of 'Non-SM Tech as Useful' in which they again discuss their daughter's phone use but this time in a positive light:

The things she can do on it [her phone] is unbelievable. She's the one that books the holiday. She's the one that transfer money. She'll do it in less than half a day or something. I would say, "that's amazing" (emphasis). Transfer money to one country to another and then all of the sudden you get there and it's ready for you (Participant 6, FG, 28 March).

References to profit-seeking often concerned companies' reliance on viral content and marketing. As Participant 4 explained, "They are never going to take it [harmful advertising] offline. Never. That's where they're making their money." Indeed, it is important to point out that DALC students were more likely than the other two groups to argue that SM companies were responsible for mitigating harm. For example, the frame, 'SM Companies as Stakeholders', was activated 5 times. The following is an example of Participant 7 activating 'SM Companies as Stakeholders' and 'SM Companies as All Knowing' in reference to child bullying:

They [SM Companies] know everything that is going on, so when they see something that is not right, they should do something about it. You know what I mean? Shut the child's phone down who is being a bully (Participant 7, FG, 28 March).

Participant 1 activated the same frames, stating:

The companies, they have all these photos. The company is the one who has to stop all of this. They don't do anything. No matter what you say or report. It still happens

all the time. He is the one [SM company] who has to fix, who has to stop. If they don't do anything, then we can't do anything (Participant 1, FG, 28 March).

Conclusion:

In contrast to the other groups, DALC students held predominately NON- and NEGATIVE AGENTIVE beliefs about users. Only 27.72% of user frames were POSITIVE AGENTIVE. Further, child users were almost exclusively framed as NON-AGENTIVE (80.12%) and never as POSITIVE AGENTIVE. DALC students mostly placed the responsibility for solving online harm on users, and, in contrast to the other groups, also companies. For example, 'Adult Users as Responsible for themselves' was activated 2 times and 'Parents as Responsible for Children' (4). Participants also often used these frames (as well as 'Adult Users as Having Some Control' frame (5)) to argue that users should bear sole responsibility for protecting themselves against harm. In terms of company responsibility, participants often expressed that companies should and could combat online harm if they wanted to; however, this sentiment was often expressed alongside frames such as 'SM Companies as All Knowing', suggesting that such views stemmed from the belief that companies are omniscient and all-powerful rather than equitable stakeholders.

8.4 Discussion

Aside from analysing each focus group separately, it is also important to aggregate these findings and assess their implications for the project. I will first present user and technology frame activations across all groups and, as with the Oireachtas debate frames, divide frames into 'weak' and 'strong' categories. I will then explore qualitative framing patterns that may help inform future areas for research.

8.4.1 Aggregate User Frames

Aggregate Focus Group User Frames

*Indicates New Frame	Undergraduate	AFU	DALC	Activations	Groups
Adult Users as Needing Empowerment	0	1	0	1	1
* Adult Users as Not Understanding SM Tech	1	0	0	1	1
Adult Users as Stakeholders	1	0	0	1	1
Adult Users Needing Protection	0	1	0	1	1
Moderators as Victims	1	0	0	1	1
* Parents as Having Some Control	0	0	1	1	1
Politicians as Victims	0	1	0	1	1
* Child Users as Addicted to Non-SM Tech	0	0	1	1	1
* Child Users as Addicted to SM Tech	0	1	0	1	1
Child Users as Needing Protection	0	0	1	1	1
* Child Users as Responsible for Themselves	1	0	0	1	1
Adult Users as In Control	0	1	1	2	2
* Adult Users as Needing Legal Punishment	0	1	1	2	2
Child Users as not Having Control	1	1	0	2	2
Child Users as Stakeholders	2	0	0	2	1
* Adult Users as Irresponsible	1	0	2	3	2
Adult Users as Rights Holders	2	1	0	3	2
Child Users as Needing Empowerment	2	2	0	4	2
* Child Users as Needing Legal Punishment	0	0	4	4	1
* Adult Users as Addicted to SM Tech	1	2	2	5	3
* Adult Users as Disingenuous	2	0	4	6	2
* Adult Users as Not Having Control	1	1	4	6	3
Adult Users as Vulnerable	3	1	2	6	3
Adult Users as Victims	5	1	1	7	3
* Parents as Irresponsible	3	0	4	7	2
* Child Users as Perpetrators	3	1	3	7	3
Child Users as Victims	3	0	4	7	2
Child Users as Vulnerable	3	2	3	8	3
Adult Users as Communicators	5	6	2	13	3
* Adult Users as Having Some Control	4	6	5	15	3
* Adult Users as Responsible for Themselves	11	2	2	15	3
Adult Users as Perpetrators	3	5	8	16	3
Activations by focus group →	59	37	55	151	

Table 8.2: Aggregate Focus Group user frames

Table 8.2 above quantifies all user frame activations for all focus groups. 59 user frames were activated during the undergraduate group, 37 during Age Friendly University (AFU), and 55 during the Dublin Adult Learning Centre (DALC), for a total of 151 user frame activations overall. When analysed by degree of user agency, 64 or 42.38% of user frames were POSITIVE AGENTIVE, 54 (35.76%) were NON-AGENTIVE, and 32 (21.19%) were NEGATIVE AGENTIVE. Participants across all focus groups framed adults more often than children (only 38 (25.16%) of user frame activations concerned children). Like legislators, focus group participants were significantly more likely to frame adults as POSITIVE AGENTIVE than children. While only 7 (18.42%) of child frames were POSITIVE AGENTIVE, 58 (51.32%) of adult frames were POSITIVE AGENTIVE.

Focus Group Agency Comparison

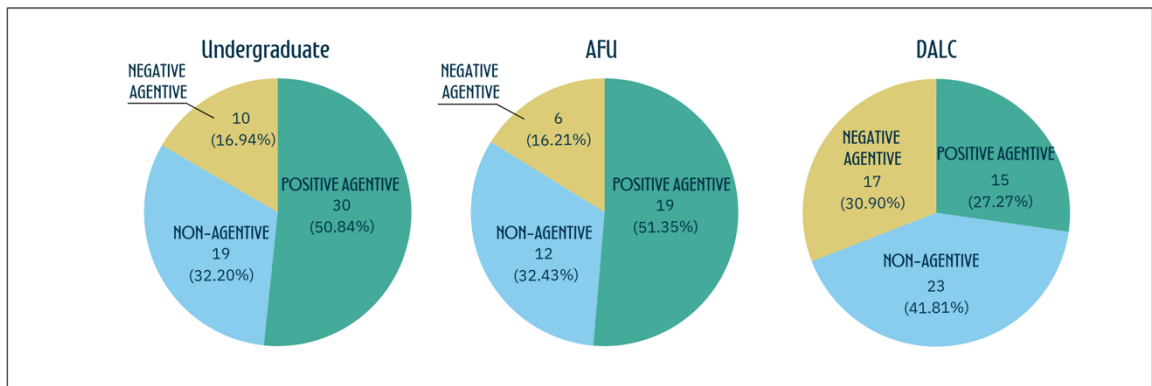


Figure 8.1: Focus Group user agency framing ratios

As the graphs above show, when comparing the user frames across groups, undergraduate and AFU participants activated a nearly identical ratio of POSITIVE, NON-, and NEGATIVE AGENTIVE frames. A key finding was that DALC participants were outliers in every category. They were approximately 46% less likely to frame users as POSITIVE AGENTIVE, 10% more likely to frame users as NON-AGENTIVE, and 15% more likely to frame users as NEGATIVE AGENTIVE than the other two groups. These framing patterns suggest a possible correlation between lower socioeconomic status and reduced perceptions of agency.

8.4.2 Qualitative Insights

8.4.2.1 A mixed view of user agency

Focus group participants presented mixed user agency frames, making it difficult to clearly discern their agency beliefs, including their sense of agency (SoA) (Moore, 2016). First, participants were much less likely to use POSITIVE AGENTIVE frames than legislators. Nonetheless, ‘strong’ POSITIVE AGENTIVE frames across all groups included ‘Adult Users as Communicators’ (13 activations), ‘Adult Users as Responsible for Themselves’ (15), and ‘Adult Users as Having Some Control’ (15). Indeed, the Undergraduate and AFU groups began by discussing how users leveraged social media affordances, such as by communicating with family and friends. Groups also acknowledged agency through ‘responsibility’ and ‘control’ frames, such as when discussing gaming algorithms or

adjusting privacy settings; however, as discussed below, a commonality among focus groups was that they used these frames to blame and/or hold users responsible for harm.

‘Strong’ NON-AGENTIVE frames were detected across all focus groups and tended to invoke vulnerability or victimhood, especially regarding children. ‘Child Users as Vulnerable’ was the most common NON-AGENTIVE frame (8 activations across all groups), followed by ‘Child Users as Victims’ (7/all), and ‘Adult Users as Victims’ (7/all). The DALC group activated by far the highest ratio of NON-AGENTIVE frames (41.81%). Indeed, they were the most likely group to activate ‘Adult Users as Not Having Control’ (4 activations), which framed users as not at all in command of their SM experiences.

A significant framing difference between focus group participants and legislators was their tendency to frame other users as NEGATIVE AGENTIVE or as wilfully employing agency to harm others. In fact, participants expanded the NEGATIVE AGENTIVE frame category by 2 new frames: ‘Users as Disingenuous’ and ‘Users as Irresponsible’, thus espousing a broader view of user harm than held by legislators. Further, every group activated NEGATIVE AGENTIVE frames in more than 15% of user their frame activations. This relatively strong NEGATIVE AGENTIVE framing pattern was further evidenced by the fact that ‘Adult Users as Perpetrators’ was the most-activated frame across all groups (16 activations total). Again, DALC participants stood out as outliers in their tendency to frame users as ‘perpetrators’ (8 activations compared to only 3 activations for the Undergraduate group).

8.4.2.2 Blame and Responsibility on Users

In contrast to legislators, users tended to place blame and responsibility on other users and almost never on companies. A case in point was the expansion of the list of NEGATIVE AGENTIVE frames from only ‘Child’ and ‘Adult Users as Perpetrators’ in the debates, to ‘Adult Users as Irresponsible’ (‘weak’, activations), and ‘Adult Users as Disingenuous’ (‘strong’, 6 activations), and ‘Adult Users as Perpetrators’ (‘strong’, 16 activations). A shared ‘Perpetrator’ example that all groups used was ‘cancelling’. As undergraduate Participant 7 stated, “It’s a bit like [social media](#) being your judge, jury and executioner at the same time” (Participant 7, FG, 14 February).³⁹

³⁹ Although all groups used this harm example, Senator Cassells was the only legislator to reference so-called ‘cancelling’ and did so when speaking about online conjecture about GAA players.

Aside from blame, participants also used POSITIVE AGENTIVE frames to place responsibility on other users. This tendency was evidenced by the addition of new, ‘strong’ frames such as ‘Adult Users as Responsible for Themselves’ (15 activations) and ‘Parents as Responsible for Children (7). Similarly, the ‘strong’ frame ‘Adult Users as Having Some Control’ (POSITIVE AGENTIVE) also asserted user responsibility. As Participant 3 of the Undergraduate Group stated, users who understand algorithmic manipulation must “[Beat the Matrix!](#)” (Participant 3, FG, 14 February).

While it may seem counterintuitive that POSITIVE AGENTIVE frames could blame users, this dynamic occurred because speakers framed themselves as agentive but not others. In other words, they saw themselves as exemplars of responsible SM users. This finding appears to fit with neoliberalism’s emphasis on individual rather than government or corporate responsibility (Kitchin et al., 2012).

8.4.2.3 Little Discussion of Empowerment

Even though the Undergraduate and AFU groups activated a slight majority of POSITIVE AGENTIVE user frames (approximately 51%), there was general lack of agency-enhancing or ‘empowerment’ frame activations across all groups. The AFU group activated ‘Adult Users as Needing Empowerment’ (1 activation) and the Undergraduate and AFU groups each twice activated ‘Child Users as Needing Empowerment’ in relation to media literacy. The DALC participants did not activate any empowerment frames. Thus, while all groups used POSITIVE AGENTIVE frames at various points, they only rarely advocated enhancing agency such as through greater control over platform settings or representation in decision-making bodies. Indeed, only the Undergraduate group activated ‘Adult Users as Stakeholders’ (2 activations) and ‘Child Users as Stakeholders’ (1) regarding possible user input into SM policy. Notably, however, these stakeholder frames were only activated after I directly asked participants how they thought OSMR should have been formed.

8.4.2.1 Positive View of One’s Own Agency

Through groups presented a mixed view of agency that was sometimes POSITIVE AGENTIVE, speakers tended only frame themselves as POSITIVE AGENTIVE and not others. This finding suggests a degree of ‘optimistic bias’, or “[T]he tendency for people to report that they are less likely than others to experience negative events” (Cho et al., 2010,

pp. 987–988). Similarly, the Dunning Kruger Effect may also be at play, which holds that people tend to overestimate their abilities at a given task like driving a car (Kruger and Dunning, 1999). However, no matter the cognitive mechanism at work, users’ consistent positive assessment of their abilities suggested they have an unrealistic view of their agency and of overall SM harm.

These findings invite further study, as SM users who overestimate their level of control may take more risks and be less likely to seek ways to enhance their agency. In other words, just as Kruger and Dunning (1999) found that drivers’ incorrect self-assessments made them less safe on the road, users’ unfounded beliefs may make them less safe and less agentic on SM. Additional research in this area may help inform future user empowerment initiatives. For example, programs that help users correctly evaluate their digital abilities and susceptibility to harm may encourage safer SM engagement. It follows that a media literacy curriculum that presents balanced view of agency in which users see themselves as having ‘some’ but imperfect control may be ideal.

8.4.3 Aggregate Technology Frames

Aggregate Focus Group Technology Frames						
*Indicates new frame	Undergraduate	AFU	DALC	Activations	Groups	
SM Companies as Powerful	0	1	0	1	1	1
SM Companies Unregulatable	1	0	0	1	1	1
* Non-SM Tech as All-Knowing	0	0	1	1	1	1
Non-SM Tech as Anti-Social	1	0	0	1	1	1
Non-SM Tech as Powerful	0	1	0	1	1	1
SM Tech as a Solution	0	1	0	1	1	1
SM Tech as Complex	0	1	0	1	1	1
SM Tech as Fast-Moving	1	0	0	1	1	1
SM Tech as Not a Solution	1	0	0	1	1	1
SM Tech as Unregulatable	1	0	0	1	1	1
* SM Companies as All-Knowing	1	0	1	2	2	2
* SM Tech as Addictive	1	0	1	2	2	2
* SM Tech as All-Knowing	1	0	1	2	2	2
SM Tech as Extension of Society	2	0	0	2	2	1
* SM Tech as Untrustworthy	0	0	2	2	2	1
Non-SM Tech as Complex	2	1	0	3	3	2
* Non-SM Tech as Unavoidable	1	2	3	6	3	3
Non-SM Tech as Useful	0	0	3	3	3	1
SM Companies as Exploiting Users	1	3	0	4	4	2
SM Companies as Stakeholders	1	1	5	7	3	3
* Non-SM Tech as Addictive	0	0	4	4	4	1
Non-SM Tech as Fast-Moving	0	2	2	4	4	2
SM Tech as Exploiting Users	2	1	1	4	4	3
SM Tech as Double-Edged	4	1	0	5	5	2
SM Companies as Needing Regulation	1	6	0	7	7	2
SM Companies as Profit-Driven	3	1	5	9	9	3
SM Tech as Anti-Social	3	6	0	9	9	2
SM Tech as Useful	2	10	4	16	16	3
Activations by focus group →	30	38	33	101		

Table 8.3: Aggregate Focus Group technology frames

Table 8.3 above quantifies all technology frame activations for all focus groups. 30 technology frames were activated during the undergraduate group, 38 during Age Friendly University (AFU), and 33 during the Dublin Adult Learning Centre (DALC), for a total of 101 technology frame activations across all groups. When assessed for elements of determinism, 43 or 42.57% of technology frames were DETERMINIST and 58 (57.42%) were NON-DETERMINIST. 31 (30.69%) of technology frame activations concerned companies while 70 (69.30%) concerned SM or non-SM technology.

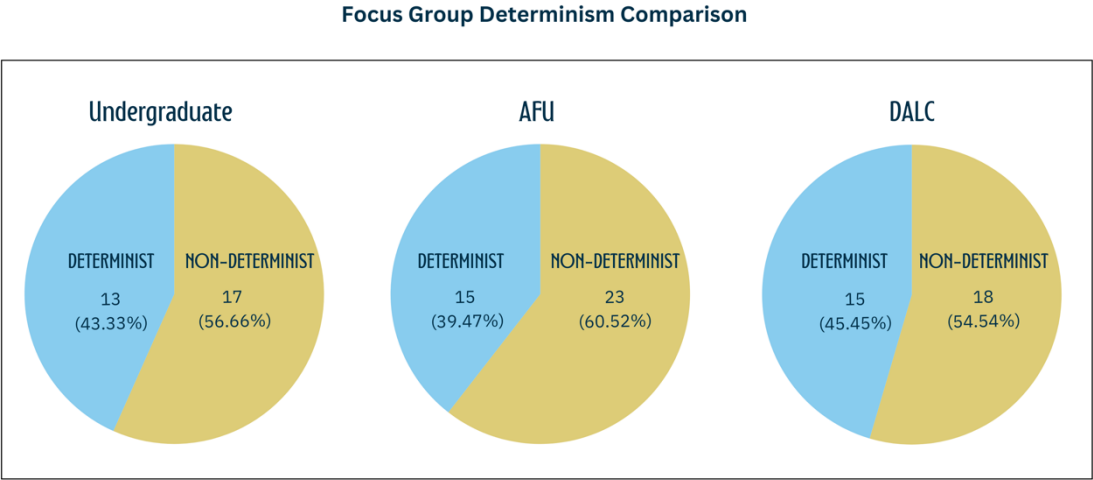


Figure 8.2: Comparison of focus group technology frames

As the Figure 8.2 above shows, the ratio of DETERMINIST versus NON-DETERMINIST frame activations was mostly constant across the focus groups, suggesting a slightly NON-DETERMINIST view of technology that held despite changes in age, education, and socioeconomic variables. This finding contrasts with the debates, as legislators overwhelmingly activated NON-DETERMINIST frames.

8.4.4 Qualitative Insights

8.4.4.1 Balanced View of Technology

An analysis of the ‘strong’ frames in Figure 9.3 corroborates the balanced though slightly NON-DETERMINIST leaning across groups. The strongest frame by far was ‘SM Tech as Useful’ (NON-DETERMINIST) with 16 activations across all 3 groups, suggesting a shared belief in the benefits of technology and the ability to orient technical tools to fit one’s needs. However, the second most-activated frame was ‘SM Tech as Anti-Social’

(DETERMINIST, 2 groups, 9 activations), which suggested that technology was, in essence, damaging to social cohesion. As these contrasting frames show, participants held a view of technology that was roughly balanced by NON-DETERMINIST and DETERMINIST thought.

‘SM Company frames’ were also common across all groups, comprising 4 of the 9 ‘strong’ frames. ‘SM Companies as Profit-Driven’ was the 3rd most activated ‘strong’ frame with 8 activations across all 3 groups. But although participants acknowledged SM companies as profitable businesses, they often avoided blaming or holding them responsible for SM harms. For example, although ‘SM Companies as Needing Regulation’ was a ‘strong’ frame, it was only activated 1 time by the undergraduate group, 6 times by the AFU group, and 0 times by the DALC group, suggesting that most participants (aside from AFU students) did not see the SM industry as either a source or solution for SM harm. It is important to mention the possible connection here with neoliberal ideology (Neubauer, 2011). While legislators seemed to reject the neoliberalist consensus of the past by consistently framing SM companies as ‘Needing Regulation’, users seemed share the view that the pursuit of profit trumped other concerns. As an AFU participant stated, “*You can go back to the legislators tomorrow and say, ‘This is what I think that should be done. ‘The advertisers are going to say, ‘No, we’re making our money. We have 370 people working here. If we put that out, and 70 people lose their jobs. No way.’ That’s what’s going to happen*” (Participant 4, FG, 23 February).

8.4.4.2 Socioeconomic status and decreased SoA

A key intergroup difference was that DALC participants were significantly more likely to view users as NON- and NEGATIVE AGENTIVE than the other groups. In fact, DALC participants were the only group to activate more NEGATIVE than POSITIVE AGENTIVE frames, and they activated three times as many ‘Adult Users as Not Having Control’ frames than the other groups. That DALC was an agency outlier suggests a possible correlation between lower socioeconomic status and decreased SoA because DALC participants were the least likely to have higher education training and most likely to experience financial insecurity.

Future study regarding the relationship between socioeconomic status and decreased SoA is necessary because, just as overestimation of one’s abilities may lead to decreased agency, underestimation may lead to the belief that exercising agency is impossible

(Bandura, 2002). Further, studies have found that users of lower socioeconomic status may be especially vulnerable to harms such as misinformation (Kim et al., 2022) and predatory gambling (Petruselka et al., 2020). Taken together, these findings suggest that that one of the most vulnerable online groups may be least likely to take agentive action against SM harm. It follows that targeted engagement with marginalised socioeconomic groups through media literacy programs and policy input mechanisms is needed.

8.4.4.3 Solution → Nihilism

Aside from the especially NON- and NEGATIVE AGENTIVE outlook of the DALC group, there was a common tendency amongst all groups to present solutions to online harm and then immediately undermine those options, a phenomenon I call the Solution → Nihilism Pattern. Discussing media literacy, Participant 11 of the AFU group stated, “Of course, how do you convince how many people use a website at any given point of time to say, ‘take more responsibility for yourself’. It’s like throwing a grain of sand onto a beach.” Participant 3 of the DALC group presented a similar argument for criminal punishment of bullies: “Just saying, ‘If you’re bullying someone, you’re going to get arrested’ is not going to stop them from doing it, especially if they don’t think they’re going to get caught either.” The fact that focus group participants frequently made comments along these lines suggests they saw little hope for combatting SM harm, even when presenting concrete actions.

8.4.4.4 Resistance to Government Intervention

As mentioned, all focus groups tended to place the responsibility for addressing SM harm on users themselves, yet no group, aside from AFU (the oldest cohort), spontaneously suggested that government had any role to play in mitigating the problem. When directly queried about government’s role, Undergraduate and DALC students’ views exhibited weariness of government intervention that bordered on mistrust. For example, in relation to governments regulating speech promoting eating disorders, Undergraduate Participant 5 activated ‘Adult Users as Responsible for Themselves’:

People have a right to say those things, but I think you have to, as a person, look at yourself and be like, “I don’t know who’s going to see this.” That’s not something a government can...it’s like your own digital literacy...” (Participant 5, FG, 14 February).

The degree of mistrust in government seemed to correlate with age. For example, the ‘Undergraduate Group’ was the least likely to advocate government intervention. In fact, they never activated ‘Adult’ or ‘Child Users as Needling Protection’. However, the AFU and DALC groups did activate 2 new frames that advocated at least a punitive role for government: ‘Child Users as Needing Legislative Punishment’ (DALC, 4 activations) and ‘Adult Users as Needing Legal Punishment’ (1 activation each for DALC and AFU).

Importantly, these age-related findings appear to align with contemporary studies on growing public deficits in trust in governments, especially among youth in democratic countries (Foa et al., 2020). They also corroborate events in the Irish regulatory context. For example, individual citizen responses to the public consultation on Ireland’s National Counter Disinformation Strategy (NCDS) overwhelmingly rejected a role for government in addressing disinformation (NCDS, 2023). Such trends are worrying because SM platform business models often target user vulnerabilities. Given this exploitative relationship, it seems that governments must take some responsibility for reigning in business practices and protecting and empowering users.

8.5 Conclusion

This CFA of user focus groups provided preliminary insight into SM users’ views of user agency and technology by exploring framing patterns among different age and socioeconomic cohorts. Like the Oireachtas debates, the focus group frames yielded a mixed view of user agency and a slightly NON-DETERMINIST belief in technology. However, framings patterns between the debates and focus groups differed qualitatively. In contrast to legislators, FG participants did not advocate user empowerment and tended blame other users rather than SM companies for harm. The fact that participants avoided blaming on companies suggests possible adherence to the neoliberal belief that, in the pursuit of profit, ends justify means. Other notable findings included that only the oldest participants favoured government intervention and that there seemed to be a relationship between a low socioeconomic status and user’s decreased sense of agency (SoA).

The insights presented above helped form the interview schedule for the semi-structured interviews with legislators. The next chapter presents the findings from these interviews and tests whether frames activated during the debates continued to be used by individual legislators when outside the formal Oireachtas setting.

CHAPTER 9: LEGISLATOR INTERVIEWS

9.1 Introduction

This chapter presents the analysis of the final data set: four semi-structured interviews with legislators and one semi-structured interview with a civil servant in the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media (TCAGSM). The primary reason for conducting these interviews was to further test validity the OSMR debate frames by 1), helping determine whether collectively held beliefs about users and technology (i.e., ‘strong’ frames) still held outside of the more formal Oireachtas setting, and 2) to assess the consistency of individual legislators’ framing tendencies over time. Analysing these patterns contributed to answering RQs 1-2 about technological ideology and user agency by establishing whether debate framings still held more than 1.5 years later.

I rely more on qualitative analysis in this chapter than quantitative for two reasons: First, most interviews were approximately 30 minutes in duration, meaning the number of frame activations and likelihood of meaningful quantitative data was reduced. Second, although I used the same general interview schedule for each interview, I sometimes asked different follow-up and clarification questions, thereby also reducing the validity of quantitative comparison. As a result of these limitations, I mainly assessed whether interview frames reflected overall debate frames and whether interviewees’ individual frames reflected their previous framing patterns. The findings show strong continuity between debate and interview frames, thereby strengthening the validity of the Core Debates CFA.

9.2 Interview Approach

9.2.1 Sampling

As noted in the methodology chapter, ‘policymakers’ is a broad term that includes legislators and their staff, as well as ministers, advisors and other civil servants (Heidelberg, 2020). Since it would have been impossible to analyse data from each of these actors, I chose to predominately interview Members of the Oireachtas (legislators) who were most active in the debates. I considered an ‘active’ legislator as one who spoke at least once during three different debates. Because most legislators spoke only during the Second Stage

(the initial point at which they could state their positions) there were fewer than 10 ‘active’ legislators. I emailed each of these legislators using their public email addresses and attached the Plain Language Statement. If I did not receive a response within two weeks, I emailed the legislator once more. I considered the legislator unwilling to participate if I did not receive a reply after the second attempt.

I initially aimed to have at least six interviewees—three from the Seanad and three from the Dáil—and preferably three women and three men. However, few legislators responded to my email and only four agreed to take part. Thus, I could not apply sampling criteria. The only woman interviewee was Senator Alice-Mary Higgins and the only member of the Dáil was Deputy Richard Bruton. That said, the legislators who sat for an interview happened to play key roles during OSMR’s formation.

Senator Higgins was one of the legislators most likely to activate POSITIVE AGENTIVE frames, and Deputy Bruton officially launched OSMR in 2019 as Minister for the Environment, Climate, and Communications. Interviewees also tended to stand out from other Oireachtas members in other ways. For example, Senator Higgins is part of the Civil Engagement Group of independent senators who caucus to advance a “meaningful progressive agenda” (Higgins, 2025); Senator Byrne was one of the first openly gay members of the Oireachtas (Lynch, 2020); and Deputy Bruton hails from a political family (his brother, John Bruton, was a former Taoiseach (Irish prime minister)). The unique backgrounds of these legislators further suggests that personal experience rather than partisanship influenced legislators’ approaches to OSMR.

I interviewed one civil servant in the Department of TCAGSM to learn about the policymaking process at the government department level and to strengthen the discussion of the lawmaking process provided earlier in the dissertation. I used this interview for background information and insights into future research areas but did not include it in the CFA. As the department team working on OSMR was small, I contacted only one mid-level civil servant who was highly involved in drafting the Bill’s General Scheme and incorporating subsequent amendments. All legislators agreed to be referenced by name. The civil servant remained anonymous.

Legislator Interviews

Legislator	Location	Date	Time	Duration
Civil Servant	Zoom	17/04/23	3:30 p.m.	46:20
Senator Shane Cassells	Office at Leinster House	06/12/23	10:30 a.m.	25:40
Senator Malcom Byrne	Lobby at Leinster House	13/12/23	1:00 p.m.	29:19
Deputy Richard Bruton	Zoom	08/03/24	4:00 p.m.	33:39
Senator Alice- Mary Higgins	Phone	29/02/24	1:00 p.m.	54:07

Table 9.1: List of legislator Interviews

9.2.2 Elite Interview Preparation

I followed established best-practices in elite interviewing, using Mikecz's (2012) guidance on 'pre-interview preparation' and Aberbach and Rockman's (2002) suggestions on presenting effective open-ended questions. I also consulted more interview-based empirical studies involving policymakers (Gustafsson, 2021; Hewitt, 2009; Nielsen, 2020). I constructed an interview schedule of 7 open-ended questions informed by the frame list generated from the Oireachtas debates and user focus groups. Questions were expressly designed to test the robustness of framing patterns related to technological ideology and user agency.

The interviews were semi-structured, meaning that although I used pre-determined questions, I sometimes asked follow-up or clarification questions. Further, I posed questions in the order that felt most natural in the context of each interview, which resulted in some variation in sequencing. The following is an overview of my interview schedule and the research motivation behind each question.

9.2.3 Interview Schedule

Q1. "When you hear the words 'Social Media', what comes to mind?"

This question asks interviewees for their candid reaction to the term ‘social media’ to assess whether they adhere to DETERMINIST ideology (RQ1). For example, interviewees may discuss SM as technology and/or industry (SM companies) and may or may not acknowledge user agency as part of the technological process.

Q2. “What is OSMR and why is it important?”

This question is designed to help answer RQ2 concerning policymakers’ views of user agency by soliciting an explanation of OSMR and why it is needed (i.e., whether it is meant to ‘protect’ or ‘empower’ users).

Q3. “What would you say to citizen who asked you how OSMR will impact them?”

This is in some ways a disguised question, as it invites the legislator to outline who they believe the Bill serves without explicitly asking them. There are several reasons for including this question: First, it may help settle the frame ambiguity as to whether OSMR is expressly for children or for children and adults. Further, it may also shed light on the types of child and/or adult users policymakers envisioned.

Q4. “Did you have a certain type(s) of users in mind when debating the Bill? If so, whom?”

This question is meant as a follow-up if interviewees did not outline specific user types in their previous response.

Q5. “Where did the balance fall between adults versus children in the debates and final Bill?”

Related to Questions 3 and 4, this question explicitly asks whether policymakers see OSMR as serving adults and/or children. It directly addresses the problem of frame ambiguity and may also help assess the degree to which interviewees differentiate between adult and child agency.

Q6. Was there a development that surprised you over the course of the policymaking process? Was there anything that you didn't think was initially important than became relevant or vice versa?

This question was included in hopes that interviewees might give insight into how shifts in frame usage or the emergence of core concepts such (e.g., the Individual Complaints Mechanism) arose.

Q7. "Going forward, what will the most significant challenge be for the Coimisiún?"

This question extended the scope of interview beyond the OSMR Act to its policy outcomes. It allowed interviewees to share their predictions for OSMR's functioning and was a further opportunity to detect DETERMINIST vs. NON-DETERMINIST belief, as well as views on responsibilities toward user agency (e.g., protection vs. empowerment).

9.3 Interview Findings

9.3.1 Interview 1: Mid-Level Civil Servant Department of TCAGSM

Context:

This interview took place via Zoom on 17 April 2023 at 3:30 p.m. This was the third time I had interviewed this civil servant (Civil Servant 1), though the first two interviews were simply for background on the Irish policymaking process and were not 'on record'. Civil Servant 1 has worked in the Department for fewer than 5 years and is considered a mid-level staff member. They were very knowledgeable about the OSMR process and its relationship to other EU initiatives such as the Audio-Visual Media Services Directive (AVMSD). Finally, they were quite enthusiastic to participate in the research and, as always, generous with their time.

9.3.2 Interview 2: Senator Shane Cassells

Context:

This interview took place in-person at Senator's Cassells office at Leinster House on 6 December 2023 at 10:00 a.m. and was relaxed and informal; Senator Cassells ate his breakfast while talking.

Quantitative:

Senator Cassells activated user frames 8 times (4 adult and 4 child) and technology frames 13 times (10 Company and 3 Tech). 3 user activations were POSITIVE AGENTIVE, 4 were NON-AGENTIVE AGENTIVE, and 1 was NEGATIVE AGENTIVE. 4 (100%) of the POSITIVE AGENTIVE activations were child frames, 1 (25%) of the NON-AGENTIVE actions were child frames and 3 (75%) were adult frames, 1 (100%) of the NEGATIVE AGENTIVE activations were adult frames. 11 (84.61%) Tech activations were NON-DETERMINIST and 2 (15.38%) were DETERMINIST.

Qualitative:

Although Cassells discussed SM Tech (and specifically SM Companies) more than users, when he did frame users, he was slightly more likely to discuss them in NON- and NEGATIVE AGENTIVE terms (62.5% of user activations). A case in point was his answer to the first question: "When you think about social media, what comes to mind?". He responded by referencing his journalist background as sensitising him to the problem of disinformation, yet he did not activate technology frames. He instead lamented that SM users uncritically absorb information, and he activated a new frame: 'Adult Users as Unreflective', which I coded as NEGATIVE AGENTIVE because it implied that users could seek quality information but choose not to:

Without sounding too old, when I was, you know, growing up and when I was in college, in journalism school, and you would go and read opinion pieces in newspapers that were like one thousand to fifteen-hundred words long. It worries me now that people are reading, you know, fifteen words in a tweet and thinking that's a considered opinion piece (Cassells, Int., 2023).

Cassells also employed 'victim' and 'protection' frames. For example, he activated 'Adult Users as Victims' while recanting an Oireachtas testimony from a 'young woman' "whose

image was taken and then was sexually exploited and superimposed on pornographic images.”

The minority of POSITIVE AGENTIVE activations all concerned children and their role as ‘Rights Holders’ or as ‘Needing Empowerment’. Notably, Cassells underscored the importance of child witness testimony to the OSMR debates, stating “[T]he more of those testimonies we listened to, the more abundantly clear it became that there had to be action in this space.” The following is an excerpt from his single ‘Child Users as Rights Holders’ activation:

We had witnesses who were under 18 who came from transition year schools because they are people operating in this space as well, who are trying to both protect...and who also wanted the right to express their opinion that they didn’t want to see overarching legislation that restricted their ability to converse in the manners of the platforms that they use as well... (Cassells, Int., 2023).⁴⁰

Cassells also stressed that legislation alone would not solve problems like disinformation. For instance, he activated ‘Child Users as Needing Empowerment’ by advocating media literacy programmes: “You can’t legislate for everything. That’s why what is important is...I’m calling for this within our school system in particular, a whole course around media literacy.”

When asked about the Bill’s beneficiaries, Cassells departed from the common ‘everyone but especially children’ hedging language by clearly asserting the legislation was for protecting ‘citizens’: “[T]hat was the motivating factor, to make sure...that you’re protecting citizens, but also that you’re providing citizens with a safe credible space.” Given the mention of citizens, this statement was recorded as both ‘Adult’ and ‘Child Users Needing Protection’. Cassell’s society-wide focus was further confirmed when, approximately 1.5 minutes later, he reiterated “When you ask who the beneficiaries are, I say, ‘the people’.”

Regarding technology, Senator Cassells frequently discussed how SM companies fail to combat harm. This NON-DETERMINIST focus was evidenced by the fact that only 3 (23.07%) of his technology activations concerned SM Tech. For example, when asked,

⁴⁰ The wording in this excerpt is somewhat difficult to follow; however, I listened to the interview several times and am confident that these are the words Cassells used.

“What is OSMR and Why is It Important?”, he legitimated OSMR through ‘SM Companies as Needing Regulation’:

[W]hat became apparently clear is that there was [sic] huge variances across the platforms in terms of the interpretation of what was considered harmful content. And in fact, that only strengthened the resolve of both the Committee, the minister, and the government to act in this space (Cassells, Int., 2023).

Cassells also invoked the successes of the Australian e-Safety Commission in enacting “major sanctions” against companies and then activated ‘SM Companies as Uncooperative’:

As I said, today we’re meeting with Meta, Google and TikTok. Interestingly, X [formerly Twitter] refused to appear before this Oireachtas Media Committee in public session. That’s just an aside, but there you go. They weren’t prepared to have a public conversation about their standards for disinformation... (Cassells, Int., 2023).

When answering whether there was anything that surprised him over the course of the debates, Cassells only activated ‘SM Companies as Ineffective’. As explained previously, this frame paints SM companies as being so far ‘ineffective’ with dealing with online harm and helps legitimate government action:

They [Meta] did a breakaway session with Members of the Committee to brief us separately and try to explain what they call their ‘Community Standards’. It shocked me so deeply that it gave me a greater resolve to continue to do what we were doing... (Cassells, Int., 2023).

Cassells did employ a minority of DETERMINIST technology frames. For example, he activated ‘SM Tech as Inevitable’ using the following weather metaphor: “you’re not going to hold back the flood that’s happened.” Further, in response to the question concerning most difficult future challenge for CNM, he activated ‘SM Tech as Fast-Evolving’:

The evolution of the technology itself, that it is so rapidly changing that no amount of legislation is going to be able to keep pace. Legislation happens very slowly, as you have seen from going through your documents (Cassells, Int., 2023).

Although Cassells did exhibit some DETERMINIST thought, 10 or 76.92% of his technology frame activations were NON-DETERMINIST. Indeed, I at one point asked an admittedly leading question: “Where do you think everything went wrong with social media?”. Cassells corrected me by activating ‘SM Tech as Double-Edged’ (NON-DETERMINIST):

I wouldn’t accept the premise that everything has gone wrong. As I said, it’s [SM] a huge...a very positive thing in society as well, so I don’t accept the premise here and I never said that during the hearings, that things had gone wrong. What happened is that things have got huge. It’s the preeminent force in the world for media content (Cassells, Int., 2023).

Cassells continued by outlining the need for Ireland to develop regulations “in tandem with the European Union” (‘SM Companies Needing Regulation’ (NON-DETERMINIST)), and he also activated ‘SM Companies as Stakeholders’ (NON-DETERMINIST) by suggesting that companies were beginning to engage with government, albeit in a limited fashion:

I think they realise the game is changing, that governments are acting...belatedly so, but acting. And rather than maybe stand against that, there’s a smaller base that’s actually trying to work with us. Not a hell of a lot, but a small bit (Cassells, Int., 2023).

Though he initially placed blame on users for failing to seek reliable information, Cassells transitioned to blaming companies by suggesting companies know they are facilitating disinformation but do nothing about it, thus activating ‘SM Executives as Irresponsible’. He also again activated ‘SM Companies as Needing Regulation’:

It’s then important that if they’re a major player [in the media ecosystem], that they operate within a set of rules to make sure that the information they’re giving to the public is credible... (Cassells, Int., 2023).

Conclusion:

Senator Cassells was quite clear in his view that OSMR was meant for ‘everyone’, which represented a departure from the hedging language detected in the debates. He also presented a predominately NON- and NEGATIVE agentive view of users in his interview (62.5% of user frames), even activating a new NEGATIVE agentive frame, ‘Adult Users as Unthinking’, in reference to users uncritically absorbing information. This finding

reflected his Cassells debate performances, as he did not activate ‘Empowerment’ frames. Cassells’ technology frame activations were overwhelmingly NON-DETERMINIST and mostly blamed on companies for harm, legitimated OSMR, and placed responsibility on government for reigning in company practices.

9.3.3 Interview 3: Senator Malcom Byrne

Context:

This interview took place in-person in the lobby of Leinster House on 14 December 2023 at 3:00 p.m. and lasted 30 minutes. Like other interviewees, Senator Byrne was cordial and seemed eager to discuss his involvement with the Bill.

Quantitative:

Senator Byrne activated user frames 11 times (7 adult and 4 child) and technology frames 15 times (12 Company and 3 Tech). 8 (72.72%) of activations were POSITIVE AGENTIVE, 3 activations were NON-AGENTIVE (27.27%), and 0 activations were NEGATIVE AGENTIVE. 6 (75%) of POSITIVE AGENTIVE activations concerned adults and 2 (25%) concerned children. 1 (33.33%) NON-AGENTIVE activation concerned adults and 2 (66.66%) concerned children. 13 (86.66%) Tech activations were NON-DETERMINIST and 2 (13.33%) were DETERMINIST.

Qualitative:

Senator Byrne was especially ambiguous when speaking about users. When asked whether he had a ‘certain’ users in mind during the debates, he immediately responded: “The consumer. The citizen...bottom line,” thus seeming to conflate consumers and citizens. This word choice was confusing, as the remit of OSMR extends beyond simple consumer protection and because SM users generally do not pay for platform access. Byrne then activated ‘Adult’ and ‘Child Users as Needing Protection’ by again invoking the collective, ‘citizens’:

So, if citizens are interacting and operating in the online space, you know, how can we ensure that’s done safely? No different to our obligation to...if people are walking on the streets of Dublin or any other part of Ireland, we have a responsibility to ensure they’re safe (Byrne, Int., 2023).

As the above invocation of ‘citizen’ was broad, I sought to clarify by asking whether the Senator had ‘certain’ citizens in mind. However, he continued the hedging pattern, though this time emphasising minors:

I think more generally just anyone who’s living here. We did have a particular focus, obviously, on younger people, and particularly those who were, you know, in their teens or children (Byrne, Int., 2023).

In the above excerpt, the hedge ‘particular’ suggests that ‘younger people’ included young adults and minors. However, Byrne further compounded the ambiguity by later referencing ‘older people’ and reiterating that legislators considered ‘citizens generally’:

[W]e were also conscious about older people...you know...digital divides and so on. So, you know, you have to have regard to people’s backgrounds, but generally, no...we just look at the citizen generally (Byrne, Int., 2023).

Senator Byrne also cited ‘people’ needing media literacy, which was ostensibly a reference to adults and, therefore, an ‘Adult Users as Needing Empowerment’ activation:

It’s also around the education side around digital media literacy—people understanding, ‘Well, what’s an algorithm? How does it work? Why am I being fed this news information?’, and I think that is an important part of the Commission’s role (Byrne, Int. 2023).

Although often unclear as to whom OSMR served, Senator Byrne primarily activated POSITIVE AGENTIVE frames (in 72.72% percent of user frame activations). When asked “What made this piece of legislation different from others you have worked on?”, he suggested that the need to balance user rights made OSMR notable. For example, he activated ‘Child Users as Rights Holders’:

We were particularly interested in hearing the views of young people, which we engaged with quite a lot. We focused a lot on online safety. You know, in many cases here, you’re dealing with competing rights and getting that balance right. But I think we got it, you know, for the most part, got it right (Byrne, Int., 2023).

In response to the follow up question, “How did you strike that rights balance?”, Byrne activated both ‘Adult’ and ‘Child Users as Rights Holders’ frame, explaining that guaranteeing users’ rights would be a key responsibility of the future Coimisiún na Meán.

Senator Byrne expressed a similar ‘agency enhancing’ sentiment when answering the question of how he would respond if a citizen asked him how OSMR would affect them. In response, he referenced the Individual Complaints Mechanism (ICM), activating the ‘Adult Users as Needing Empowerment’ frame:

[I]f somebody had a legitimate complaint against a tech company, yes, they go to the tech company first, but if they feel they’re being messed around, you know, that there’s an independent way without being protracted through the courts and huge sums of money, that you have an agency that will address it (Byrne, Int., 2023).

In terms of technology, Senator Byrne more often framed SM Companies than SM Tech, thus clearly placing blame on the SM industry for harms. In fact, Senator Byrne began his interview by legitimating OSMR through a ‘SM Companies Needing Regulation’ (NON-DETERMINIST) activation. As shown in the following excerpt, he employed the common ‘Wild West’ metaphor for SM companies: “[I]t [SM] was like the Wild West and completely unregulated. I would certainly come from the point of view that self-regulation in that sector has failed and there’s a role for the state.”

As a follow-up to Byrne’s call for more regulation, I asked why intervention was so important at this particular moment. Byrne answered by continuing the ‘Wild West’ metaphor, stating “there was no sheriff in town,” and also insinuating that SM companies did not want to take proactive measures to address harms. The Senator supported this view by activating ‘SM Executives as Irresponsible’ in reference to Meta CEO Mark Zuckerberg:

When Mark Zuckerberg appears before U.S. Congress, the most common word if you do a word cloud that he says is, ‘sorry’. You know, where he keeps apologising. You know, that’s not good enough, frankly (Byrne, Int., 2023).

It is important to note that, along with Senator Cassells, Senator Byrne strongly advocated holding SM company executives legally accountable for harms during the debates. He also firmly expressed this sentiment in his interview by again activating ‘SM Executives Needing Legal Punishment’: “[W]e’ve got to apply the same rules as, you know, environmental or safety threats. You make somebody responsible.” Byrne even put himself in the mind of SM leaders, explaining that they might think, “To hell with the risks, I’m going to go for the money,” though he felt that if directors were personally liable, they would “think twice.”

Like Cassells, Senator Byrne further espoused a negative view of SM companies while answering the question, “Was there anything that surprised you over the course of the debates?”, responding that the poor actions of companies most shocked him. The following is an excerpt of his single ‘SM Companies as Uncooperative’ frame activation:

What did surprise me was the vehemence of the opposition when we proposed making directors criminally liable for where they wilfully and recklessly allow online harms to be developed. And that was kind of interesting about, you know, the level of opposition from the tech companies, plus the pressure they applied here, including on senior politicians who in turn put pressure on us (Byrne, Int., 2023).

Although Byrne primarily framed SM harm as a government versus SM industry issue, he did sometimes express the need for cooperation between the two. For example, he once activated ‘SM Companies as Stakeholders’ in imaging the CNM’s future work with platforms: “[I]deally, you know, it’s going to be a level of cooperation to, you know, vindicate citizens’ rights, but at the same time to, you know, allow platforms to flourish.” He continued:

Ideally, we’re actually in a situation where we will see the tech companies and social media working with the Online Safety Commissioner so that there are codes of practice that are drawn up and that they are enforceable (Byrne, Int., 2023).

As mentioned, Senator Byrne rarely framed SM Tech, and when he did, he balanced frame activations between DETERMINIST versus NON-DETERMINIST. For example, he at one point presented SM technology in a positive light by simultaneously activating ‘SM Tech as Double-Edged’ (NON-DETERMINIST) and ‘NON-SM Tech as Powerful’ (DETERMINIST): “So, I’m not one of these ‘social media is terrible blah, blah, blah’. I mean, I think the internet and social media has transformed the world and even our sense of community.” He then again activated ‘SM Tech as Double-Edged’ in close proximity, explaining that SM can be used to “connect with people, even politically,” but that it has also facilitated harms such as ‘political polarisation’ and ‘eating disorders’.

Senator Byrne’s only purely DETERMINIST framing came when discussing the greatest challenge for the Coimisiún. In this instance, he activated ‘Non-SM Technology as Fast-Evolving’ in reference to the increasing use of AI in SM:

The biggest challenge and opportunity in all spaces will be the convergence of new technology, particularly including AI. AI will just turbocharge a lot of what happens on social media... (Byrne, Int., 2023).

However, Senator Byrne quickly returned to placing blame on social media companies and responsibility on government by activating ‘SM Companies Needing Regulation’: “I think the other [challenge] is the growing power of tech companies and whether that’s addressed through anti-trust action...”

Conclusion:

Senator Byrne’s interview aligned with the views he expressed during the debates, which were a largely NON-DETERMINIST views of technology and POSITIVE AGENTIVE views of users. This agentive leaning was perhaps unsurprising, as Senator Byrne proposed Amendment No. 54 on the Youth Advisory Panel (Seanad Éireann, 2022) and was also a staunch proponent of the ICM. Finally, Senator Byrne clearly blamed SM companies for SM harms and predominately placed responsibility for addressing those harms on government. Indeed, he strongly advocated holding company executives responsible for SM harms by activating the ‘SM Executives Needing Legal Punishment’ frame.

9.3.4 Interview 4: Senator Alice-Mary Higgins

Context:

This interview took place via phone on 29 February 2024 at 1:00 p.m. Senator Higgins was generous with her time and was enthusiastic about participating. She even rang back 10 minutes after the end of the initial call to clarify that she did not agree with the common argument made by industry, that regulation is ‘anti-innovation’. This dissertation greatly benefited from Senator Higgins’ participation, as she was one of the most vocal proponents of SM company regulation, as well as the most POSITIVE AGENTIVE and empowerment-oriented legislator during the OSMR debates.

Quantitative:

Senator Higgins activated user frames 15 times (11 adult and 4 child) and technology frames 9 times (5 Company and 4 Tech). 9 (60%) of user activations were POSITIVE AGENTIVE and 6 (40%) were NON-AGENTIVE. 7 (77.77%) of POSITIVE AGENTIVE

activations concerned adults and 2 (22.22%) concerned children. 4 (66.66%) NON-AGENTIVE activations concerned adults and 2 (33.33%) concerned children. Of technology activations, 9 (100%) were NON-DETERMINIST.

Qualitative:

In terms of ‘who’ users were, Senator Higgins expressed the same hedging language and frame ambiguity common in the debates. When asked whether she had specific users in mind, she referenced a ‘wide set’. However, the first specific user type she mentioned was ‘new mothers’, to which she made a self-reference stating, “I’m actually since a new mother myself.” As part of this response, she also activated ‘Children as Needing Protection’, explaining that she and Senator Ruane had been trying to initiate legislation on targeting children since 2017 as part of the Data Protection Act and was pleased that the Digital Services Act has now made targeting children illegal. This response suggested that Higgins perhaps had new mothers and babies front-of-mind instead of the ‘wide set’ of users initially mentioned.

To further clarify user types, I queried where the balance fell between focusing on adults and children. Higgins again used hedging language and failed to clearly articulate Bill’s focus. She replied, “Like I said, the Bill has to serve everyone, but there’s a duty of care toward children.” She then again activated ‘Child Users as Needing Protection’ regarding banning advertising to children, but also subsequently mentioned ‘general rights’ and ‘vulnerable users’ in an ostensible reference to adults. Near the end of this response, Higgins did suggest that the traditional media had focused too much on children during the OSMR policy process, which, she said, may have led to “a lack of focus on vulnerable users and the general rights of user participants.” However, stressed that she felt the Seanad did not overlook these groups.

Regarding agency, Senator Higgins used more POSITIVE AGENTIVE than NON-AGENTIVE user frames in her interview (60% of user frame activations were POSITIVE AGENTIVE). Further 7 out of her 15 POSITIVE AGENTIVE user frames invoked ‘empowerment’. Indeed, Senator Higgins was the most ‘empowerment’ focused legislator during the debates and interviews, and she admitted that her focus on facilitating ‘participation’ rather than simply protecting users may have ‘surprised’ her colleagues. As she stated, “[M]aybe we surprised people in the Seanad by talking so much about the participation piece.”

Another hint toward Higgins' focus on empowerment was when asked how she would explain to a user how OSMR will benefit them, she first focused on curbing exploitative advertising but then activated 'Adult Users as Needing Empowerment'. For example, she first discussed the banning of infant formula by activated 'Adult Users Needing Protection' regarding parents but then quickly activated 'Adult Users as Needing Empowerment' by highlighting the newfound ability for users to collectively 'push back' on platforms by voting for politicians who will hold them to account:

If either as a citizen or in a local election you don't have to be a citizen...you can as basically part of society along with others in society, push back on things that are bad that are happening online...You are no longer left with the simple choice of like, 'Either you're on or off'. You can actually change that environment by working collectively with others (Higgins, Int., 2024).

Aside from collective agency, Senator Higgins also invoked the importance of individual agency, especially in terms of user rights. Early in her interview, she credited GDPR with changing the dynamic between users and internet companies, stating "What GDPR did is to send that signal that 'You have rights'," and adding that "...individuals were empowered by being told they had rights in this space."

From a framing perspective, the most illuminating point of Higgins' interview was her admission to borrowing the empowerment focus from the original language of the AVMSD (EP, 2018). As she explained, the Directive was "not just about individuals being protected from bad advertisements or bad practices by platforms, it's also around that right to participation in terms of media." As seen in the following excerpt from 'Adult Users as Needing Empowerment' (POSITIVE AGENTIVE), she expressed worry that the original framing of OSMR itself was overly focused on protection:

The way it [OSMR] was framed as online safety, it was narrowing it almost to a protective piece, and I feel that the participative piece had almost been left by the wayside, even though that's a huge part of the directive (Higgins, Int., 2024).

It is important to note that it was sometimes unclear whether Higgins was referencing video streaming services or social media platforms when discussing participation, especially since she often referenced the AVMSD's *l'exception culturelle*, a clause that encourages a diversity of cultural programming on streaming services (EP, 2018, Article 13). However,

in the excerpt below, she clearly oriented this empowering language toward SM users (though with government as the interlocutor):

So in the case of social media, you're talking about, like, users and how to **empower them** to an extent that they can **work collectively**. They can elect a government that influences the Media Commission, you know what I mean? (Higgins, Int., 2024).

A final note about Senator Higgin's beliefs about user agency was that she made it a point not to blame users for online harm but rather the companies. For example, in the following excerpt from an 'SM Companies as Exploiting Users' activation (NON-DETERMINIST) she suggests that user-to-user harm should not be legislators' main concern:

Sometimes I think the focus in social media has been around particular parts of the content of social media, whereas I think we need a real study of the **power dynamic**...the **amplification dynamic**...you know, the **algorithmic choices**...because they are choices... (Higgins, Int., 2024).

Just as Senator Higgins was the most POSITIVE AGENTIVE and empowerment-focused legislative legislator during the debates, she was also the most NON-DETERMINIST when speaking about technology, a framing pattern that she also continued in her interview. Her balanced view of technology was expressed early in the interview through a single activation of 'SM Tech as Double-Edged' (NON-DETERMINIST) in which she first discussed algorithmic amplification but then shifted to information sharing:

But I think they [SM] can be very powerful at the same time. I mean, look at what's happening in Gaza now and I look at the fact that...except for social media and people...individuals being able to basically kind of **cry out to the world**. I don't know how much we'd be hearing about what's happening (Higgins, Int., 2024).

Further, when explaining OSMR and its importance, Senator Higgins led with her signature 'SM Tech as Regulatable' frame (which only she activated during the debates):

So this is like a whole set of massive pieces of policy at the European level that are about saying that we can regulate the online space, you know, that it's a space that is **subject to regulation** and how data is used is subject to regulation and how people's information is used is subject to regulation... (Higgins, Int., 2024).

Senator Higgins continued her NON-DETERMINIST framing pattern by activating ‘Non-SM Tech as Extension of Society’, which had so far only been used once in the Undergraduate Focus Group (Participant 7, FG, 14 February). She overtly challenged the popular DETERMINIST dichotomy between ‘online’ and ‘offline’: “You know, the Cloud just isn’t up in space. The Cloud is like, you know in data centres around the world...in real places and using up real energy and natural resources.” She also later stated, “I hate the phrase ‘ecosystem’ when it gets applied to virtual things online, because we have an actual, real ecosystem and the online space exists within that real ecosystem.”

Implicit in many of Senator Higgins’ NON-DETERMINIST framings was an effort to blame companies for SM Harms. For example, she activated a new frame, ‘SM Companies as Arrogant’,⁴¹ which presented SM companies as thinking they are un beholden to outside regulation. She used this activation to stress that she had always been against another common DETERMINIST belief—that technology is “always ahead of the regulators and politicians are always going to be trotting afterwards.” In fact, she analogised her recent conversations with the SM tech companies to those with financial industry before 2008, explaining that those meetings “...reminded me of an arrogance I’d seen previously in the financial crash.”

Higgins also continued her debate tendency of placing responsibility for addressing SM harm on government. For example, her single use of ‘SM Companies as Needing Regulation’ again suggested a continuity of harm between online and offline, as well as a need for anti-monopoly legislation.

And we have some of the old problems that we had with previous media, which is media monopoly and consolidation of ownership. So, I think it is not just social media as the problem, but like billionaires are a problem (Higgins, Int., 2024).

Finally, similar to Cassells and Byrne, when asked if there was anything that surprised her over the course of the legislation, Senator Higgins cited the “indirect, dubious strategies used” by companies and again activated ‘SM Companies Exploiting Users’ regarding ‘hidden advertisements’—“the thing that doesn’t even look like an advertisement that is an advertisement online.” She also used this question to re-activate ‘Adult Users as Needing Empowerment’, stating that “people who are participating in them [online spaces] are not

⁴¹ I was reticent to add new frames at this research stage since the frame list was already quite extensive. However, I felt that Higgins’ framing of company ‘arrogance’ did not fit into the existing company frames.

powerless and are diverse.” The fact that Senator Higgins chose to reiterate industry blame, government responsibility, and user empowerment in her closing statement suggests these were core themes that she wanted to communicate.

Conclusion:

Similar to other legislators, Senator Higgins was unclear about who OSMR was meant to serve, at times referencing ‘children’, ‘new mothers’, and ‘vulnerable groups’ as beneficiaries, but she also stated that she had a ‘wide set’ of users in mind. Despite this lack of clarity, Higgins framed users in predominately POSITIVE AGENTIVE terms and, as in the debates, often advocated user empowerment rather than simply acknowledging existing agency. Indeed, she was one of the few legislators to reference the importance of collective agency, though she saw collective agency as being leveraged through ‘voting’ and not necessarily as an outcome of OSMR. Finally, her admission that the participatory language of the AVMSD influenced her agentive focus serves as a reminder that the use of a frame cannot always be attributed to the speaker themselves. In this case, Senator Higgins’ empowerment focus frames can at least partly be traced to existing EU-level framings.

Regarding technology, the Senator Higgins only activated NON-DETERMINIST frames. Indeed, her NON-DETERMINIST orientation was supported by the fact that she twice activated ‘SM Tech as an Extension of Society’ and was the only legislator to do so. As she stated, “I hate the phrase ‘ecosystem’ when it gets applied to virtual things online, because we have an actual, real ecosystem and the online space exists within that real ecosystem.” As during the debates, Higgins’ used framings of SM companies to place blame the industry for online harm and to legitimate government intervention. For example, she thrice activated company ‘exploitation’ frames, but also activated a new frame: ‘SM Companies as Arrogant’. Indeed, she underscored her view on industry arrogance by comparing the attitude during the 2008 financial crash to the current anti-regulatory stance of the broader tech industry, thus suggesting she held both an anti-determinist and anti-neoliberal stance.

9.3.5 Interview 5: Deputy Richard Bruton

Context:

This interview took place via Zoom on 8 March 2024 at 4:00 p.m. It is important to highlight that, as Minister for Communication, Bruton launched the OSMR initiative on 4

March 2019 at a Dublin primary school, stating “I believe that the era of self-regulation in this era is over.” (Merrion Street, 2019). That said, Bruton was not especially vocal during the Core Debates, though he did make some of the most overtly DETERMINIST technology statements of the debates during his opening Second Stage address on 22 September.

Given Deputy Bruton’s unique role as the minister who launched OSMR, my questions to him were slightly different, as I used this interview to better understand a minister’s role in policymaking. I also aimed to discern whether Bruton’s views of user agency and SM technology had changed during his longitudinal involvement with the legislation.

Quantitative:

Deputy Bruton activated user frames 4 times (all adult) and technology frames 8 times (6 Company and 2 Tech). 2 (50%) of user activations were POSITIVE AGENTIVE, 0 activations were NON-AGENTIVE, and 2 (50%) of activations were NEGATIVE AGENTIVE. No frames concerned children. 5 (62.5%) of technology activations were NON-DETERMINIST and 3 (37.5%) were DETERMINIST.

Qualitative:

I first asked Deputy Bruton to outline the origins of OSMR. He explained that when he was Minister for Communication, it was on the Programme for Government “to do something” regarding online safety. He stated that online safety had become a “sleepy file, and my mandate was to try to kick life into it...”. Interestingly, Bruton seemed to suggest that user empowerment was an original policy aim through an activation of ‘Adult’ and ‘Child Users as Needing Empowerment’ (POSITIVE AGENTIVE):

I was Minister for Education and, you know, the issue started to arise about, you know, safety online and etiquette online and helping people to maneuver their way and understand how to be safe, intelligent, and discerning online (Bruton, Int., 2024).

The above frame stands in contrast to Bruton’s predominately NON-AGENTIVE framing tendency seen in the debates. Indeed, the verb ‘maneuver’ clearly aligns with the definition of ‘agency’ as one’s ability to act in ways that align with their interests. As with other POSITIVE AGENTIVE frames, the excerpt above seems to place a degree of responsibility

on users to mitigate SM harm; however, Bruton activated ‘SM Companies as Stakeholders’ (NON-DETERMINIST) in close proximity, thus also placing responsibility on companies rather than users.

Overall, Bruton’s use of user frames were relatively sparse (4 activations), and activations were equally balanced between POSITIVE AGENTIVE (2) and NEGATIVE AGENTIVE (2). Further, although Deputy Bruton announced OSMR at a school, he never mentioned children during the interview. When asked what he would say to a user who questioned him about the benefit of OSMR, Bruton placed responsibility on SM companies stating, “I think it affects you in that it requires platforms to have some regard to certain risks that you as a social media user might become exposed to.” Bruton then activated ‘Adult Users as Needing Empowerment’ in an ostensible reference to the Individual Complaints Mechanism (ICM):

[I]t [OSMR] offers you routes of redress internally, in the platforms. But there are then these trusted partners who can take it further. So, there is a sort of framework where, you know, you as a user can raise concerns and have them filtered... (Bruton, Int., 2024).

In terms of NEGATIVE AGENTIVE frames, Bruton twice activated a new frame, ‘Politicians as Perpetrators’ in reference to ‘MAGA-type leaders’ who use social media to ‘manipulate’ populations. Indeed, Bruton consistently invoked SM’s negative effects on democracy throughout his interview, thus suggesting he was less focused on user harm than other interviewees.

Bruton framed technology twice as often as users (8 and 4 activations, respectively), which was in keeping with his framing patterns in the Dáil Second Stage Debate (Bruton, CD, 22 September 22). However, he did not activate any technology frame more than once. In the excerpt below, Bruton legitimated OSMR using the ‘SM Tech as Anti-Social’ (DETERMINIST) frame (note the third-person pronoun ‘it’ for SM):

You know, we have to find a way of containing the downside of it [social media], partially in the consumer, and, you know, bullying, all that sorts of stuff. But you know, particularly in the political arena where I think its power to corrupt politics is very real (Bruton, Int., 2024).

It is important to highlight that Bruton less often used DETERMINIST frames than during the debates. In fact, as part of his response to the second question, “What comes to mind

when you think of social media?”, he immediately activated ‘SM Tech as Double-Edged’ regarding information dissemination: “I think it’s [SM] a great way for communicating and for keeping in touch,” and adding, “I think it has radically transformed traditional media, but not all for the good. The traditional media have deteriorated as a result of the presence of social media...”

Instead of blaming technology for SM harm, Bruton quickly assigned blame to companies by activating ‘SM Companies as Exploiting Users’ and as ‘Profit-Driven’. Bruton described companies as ‘commercial operators’ who “want to see the biggest flow of activity on their platform, so they will give prominence to the most outrageous thing.” He then redoubled the company blame using a pharmaceutical metaphor: “They will channel into capsules for people, the information they think will persuade them to buy their product or maximise their revenue.”

Bruton also clearly placed responsibility on government to regulate through ‘SM Companies Needing Regulation’: “You don’t know what principles are being enshrined in the algorithms they’re using and so on. So, I think, you know, it needs regulation.” Similar to Higgins, Bruton also blamed the 2008 financial crash on corporate greed and a lack of government oversight, thus suggesting a break with neoliberal ideology. For example, as part of a related ‘SM Companies as Needing Regulation’ activation, he stated, “there will need to be sceptical outsiders prodding away at the regulatory system and challenging it before we get some kind of equilibrium.”

Conclusion:

Deputy Bruton activated noticeably fewer frames than other interviewees and mostly framed technology (9 out of 13 frames were technology frames). His technology frames were also more balanced than during the debates, as 6 out of 9 technology frames in his interview were NON-DETERMINIST. The lack of user frames was compounded by the fact that he seemed more concerned with SM harms to democratic institutions than to individuals, a tendency evidenced by his introduction of the new, NEGATIVE AGENTIVE frame, ‘Politicians as Perpetrators’. It is important to note that Bruton’s preoccupation with democratic threats could be understood as a ‘self-reference’ given his role as a politician. A final critical finding was that not only did Bruton not frame children in his interview, he did not even mention them.

9.4 Discussion

9.4.1 Quantitative

9.4.1.1 Aggregate User Frames

Aggregate Interview User Frames

*Indicates New Frame	Alice-Mary Higgins	Shane Cassells	Malcom Byrne	Richard Bruton	# Activations	
* Adult Users as Unthinking	0	1	0	0	1	Weak Frames
Adult Users as Victims	0	1	0	0	1	
Adult Users as Vulnerable	1	0	0	0	1	
Child Users as Stakeholders	0	0	1	0	1	
Child Users as Vulnerable	0	0	1	0	1	
Child Users as Rights Holders	0	2	0	0	2	
* Politicians as Perpetrators	0	0	0	2	2	Strong Frames
Adult Users as Rights Holders	2	0	2	0	4	
Child Users as Needing Empowerment	2	1	1	0	4	
Child Users Needing Protection	2	1	1	0	4	
Adult Users Needing Protection	3	2	1	0	6	
Adult Users as Needing Empowerment	5	0	4	2	11	
Activations by Legislator →	15	8	11	4	38	

Table 9.2: Aggregate Interview user frames

As Table 9.2 shows, the relatively low number of frames generated during the interviews precludes in-depth quantitative analysis. With that caveat in mind, the table above suggests a degree of variation between legislators' user framings. For example, while Senator Alice-Mary Higgins framed users 15 times, Deputy Richard Bruton only did so 4 times. Further POSITIVE AGENTIVE frames were predominately used by Senators Higgins and Byrne, a trend in keeping with those legislators' debate framing patterns. With the exception of 'Child Users Needing Empowerment', all interview 'strong' frames also appeared 'strong' frames in the Core Debates, further suggesting significant frame continuity between the debates and interviews.

9.4.1.2 Aggregate Technology Frames

Aggregate Interview Technology Frames

*Indicates New Frame	Alice-Mary Higgins	Shane Cassells	Malcom Byrne	Richard Bruton	# Activations
* SM Companies as Arrogant	1	0	0	0	1
SM Companies as Ineffective	0	1	0	0	1
SM Companies as Profit-Driven	0	0	0	1	1
SM Tech as Regulatable'	1	0	0	0	1
Non-SM Tech as Needing Regulation	0	0	0	1	1
SM Tech as Anti-Social	0	0	0	1	1
SM Tech as Complex	0	0	0	1	1
SM Tech as Powerful	0	0	1	0	1
SM Tech as Unavoidable	0	1	0	0	1
SM Companies as Irresponsible	0	0	2	0	2
SM Companies as Uncooperative	0	1	1	0	2
SM Executives as Needing Legal Punishment	0	1	1	0	2
SM Tech as Extension of Society	2	0	0	0	2
SM Companies as Exploiting Users	3	0	0	1	4
SM Companies as Powerful	0	1	2	0	3
SM Tech as Fast-Evolving	0	1	1	1	3
SM Tech as Double-Edged	1	1	1	1	4
SM Companies as Stakeholders	0	3	1	1	5
SM Companies Needing Regulation	1	3	5	1	10
Activations by Legislator →	9	13	15	9	46

Table 9.3: Aggregate Interview Technology Frames

As shown in Table 9.3, with the exception of Senator Higgins, all interviewees framed technology more than users, and the 46 technology framing instances comprised 54.76% of overall framings. This finding diverged from the Core Debates in which 39.17% of framings activated technology frames. Only 7 of the 46 (15.21%) technology frames were DETERMINIST. Further, 3 of the 4 ‘strong’ frames were NON-DETERMINIST (i.e., ‘SM Tech as Double-Edged’, ‘SM Companies as Stakeholders’, and ‘SM Companies Needing Regulation’) aligns with the slight trend toward NON-DETERMINIST framings seen in the debates.

9.4.2 Qualitative

9.4.2.1 User Frame Analysis

In terms of shared qualitative user frame patterns, interviewees tended to activate a mix of agentive frames as in the debates. For example, each interviewee activated approximately 50% POSITIVE AGENTIVE frames, and all activated ‘empowerment’ frames at some point. However, with 7 activations, Senator Higgins activated by far the most empowerment frames. Her discussions of empowerment tended to focus on the fact that users needed to engage with politics to exact change. She also explicitly tied her empowerment focus to the initial participatory language found in the AVMSD.

In terms of NON-AGENTIVE frames, all interviewees, with the exception of Deputy Bruton, framed users as ‘Needing Protection’. No interviewee framed non-elite users as perpetrators; however, Bruton twice framed ‘Politicians as Perpetrators’ in reference to ‘MAGA-type’ leaders using SM to coopt the democratic process. Indeed, Bruton’s chief concern seemed to be threats to democracy rather than harms to users themselves. Again, he did not mention children during his interview, thus further undermining the Bill’s overt child focus.

9.4.2.2 Technology Frame Analysis

Legislators continued their NON-DETERMINIST debate tendency of blaming companies for SM harms and placing responsibility on government for addressing them. All four Senators activated the ‘SM Tech as Double-Edged’ frame, and Senator Higgins again stood out for being the only legislator to frame SM technology as ‘regulatable’. At the same time, all interviewees except Senator Higgins activated DETERMINIST frames, especially when discussing future challenges for the CNM. As Senator Cassells stated, technology is “so rapidly changing that no amount of legislation is going to be able to keep pace.” This finding suggests that although legislators often held NON-DETERMINIST beliefs regarding the present sociotechnical reality, they defaulted to encouraged DETERMINIST beliefs when imagining about future technological possibilities.

9.5 Conclusion

This chapter reveals significant degree of continuity between individual legislators’ framing patterns in the debates and interviews. As in the debates, interviewees tended to activate balanced user agency and mostly NON-DETERMINIST technology frames, thus suggesting a lack of technological determinist belief. Further, continued patterns of user frame ambiguity and a tendency to frame adults more than children also held, as did Senator Higgins’ own affinity for ‘empowerment’ frames. These results suggest that legislators’ debate speeches were not simply performative utterances but represented consistently held beliefs about users and technology.

CHAPTER 10: DISCUSSION & CONCLUSION

10.1 Introduction

This chapter concludes the dissertation by first briefly reiterating the meaning of the aggregate framing results in the context of the research questions (RQs) and then providing an in-depth exploration of the project's primary empirical and theoretical contributions. These contributions include the detection of consistent hedging language in the OSMR debates, which resulted in ambiguous user framings, a general failure amongst legislators to advocate enhancing user agency (i.e. empowerment), a significant mismatch between user and legislator views on what constitutes SM harm and how to solve it, and a general distrust of government intervention into SM amongst the younger user cohorts. Key theoretical insights include a possible symbiosis between 'soft' technological determinism (TD) and neoliberalism, and a detailed exploration of how Andrew Feenberg's concept of 'democratisation of technology' might be achieved via deliberative user engagement in the technology policymaking and regulatory process. The chapter concludes by touching on several possible areas of scholarship, especially theory building regarding the relationship between neoliberalism and TD, and comparative analyses of elite versus user opinions toward the regulation of emerging technologies.

10.2 Aggregate findings

Just as it was important to aggregate debate and interview data, it was also necessary to consider what the three data sets (i.e., PLS Debates, Core Debates, and Interviews) together revealed about legislators' beliefs of user agency and technology. Indeed, aggregating the project findings helped strengthen frame validity by separating the signal (strong frames) from the noise of individual codes, weak frames, and framing anomalies. Further, as this project was constructed from an initial grounded theory (GT) approach, it was important to understand whether the inductive GT frame list sufficiently reflected and supported the findings in subsequent deductive stages.

A critical note is that an in-depth, macro-level quantitative analysis of the project was impractical, 1) because the methodological approach changed slightly between research phases, 2) because differences in the nature of debate stages themselves affected how frames were presented, and 3) because presentation of frames also changed in debates

versus interviews. To accommodate these challenges, the following analysis focuses only on frames used by legislators across all research stages (excluding focus groups).

10.2.1 Strong Project User Frames

All Legislator User Frame Activations

Pilot Study		Core Debates		Interviews	
POSITIVE AGENTIVE		POSITIVE AGENTIVE		POSITIVE AGENTIVE	
Users as Info Seekers	7	Users as Info Seekers	0	Users as Info Seekers	0
Users as Controllers	15	Adult Users as Controllers	1	Adult Users as Controllers	0
Users as Owners	5	Adult Users as Owners	1	Adult Users as Owners	0
Users as Producers	9	Adult Users as Producers	0	Adult Users as Producers	0
Users as Rights-Holders	54	Adult Users as Rights Holders	14	Adult Users as Rights Holders	4
		Child Users as Rights Holders	4	Child Users as Rights Holders	2
		Moderators as Right Holders	1	Moderators as Right Holders	0
Users as Stakeholders	84	Adult Users as Stakeholders	2	Adult Users as Stakeholders	0
		Child Users as Stakeholders	6	Child Users as Stakeholders	1
		Adult Users as Needing Empowerment	13	Adult Users as Needing Empowerment	11
		Child Users as Needing Empowerment	5	Child Users as Needing Empowerment	4
		*Adult Users as Not Needing Protection	1	Adult Users as Not Needing Protection	0
		* Adult Users as Communicators	1	Adult Users as Communicators	0
NON-AGENTIVE		NON-AGENTIVE		NON-AGENTIVE	
Users as Needing Protection	93	Adult Users as Needing Protection	26	Adult Users as Needing Protection	5
		Child Users as Needing Protection	34	Child Users as Needing Protection	4
		* Moderators Needing Protection	2	Moderators Needing Protection	0
Users as Victims	25	Adult Users as Victims	7	Adult Users as Victims	1
		Child Users as Victims	1	Child Users as Victims	0
		Politicians as Victims	2	Politicians as Victims	0
		Journalists as Victims	1	Journalists as Victims	0
		* Child Users as Informants	2	Child Users as Informants	0
Users as Vulnerable	30	Adult Users as Vulnerable	14	Adult Users as Vulnerable	1
		Child Users Vulnerable	24	Child Users Vulnerable	1
		* Moderators as Vulnerable	1	Moderators as Vulnerable	0
NEGATIVE AGENTIVE		NEGATIVE AGENTIVE		NEGATIVE AGENTIVE	
Users as Perpetrators	50	Adult Users as Perpetrators	11	Adult Users as Perpetrators	0
		Child Users as Perpetrators	3	Child Users as Perpetrators	0
		* Parents as Irresponsible	2	Parents as Irresponsible	0
				* Politicians as Perpetrators	2
				* Adult Users as Unthinking	1
* Asterisk indicates added frame					

Table 10.1: All Legislator user frame activations

As Table 10.1 above shows, 6 distinct user frames featured throughout the project: Users as Rights Holders, Users as Stakeholders, Users as Needing Empowerment (from Core Debates onward), Users as Needing Protection, and Users as Vulnerable. Again, though a detailed quantitative comparison of frame activations is of limited utility, a cursory glance at activation numbers suggests a greater tendency to frame users as NON- rather than POSITIVE AGENTIVE. For example, 2 frames (Stakeholders and Rights Holders) are POSITIVE AGENTIVE, while 3 frames (Protection, Victims, Vulnerable) are NON-AGENTIVE. Further, the ‘Users as Needing Protection’ frame was by far the most-activated frame in the debates.

One reason for the ‘empowerment’ focus during the interviews may have been because legislators who elected to be interviewed tended to be the most empowerment-focused during the debates (i.e., Senators Alice-Mary Higgins, Malcom Byrne, Shane Cassells). This self-selection could also account for why no NEGATIVE AGENTIVE user frames, aside from ‘Politicians as Perpetrators’, arose during the interviews. These unique circumstances further support the conclusion that legislators leaned NON-AGENTIVE overall.

10.2.2 Strong Project Technology Frames

All Legislator Technology Frame Activations

Pilot Study		Core Debates		Interviews	
NON-DETERMINIST		NON-DETERMINIST		NON-DETERMINIST	
SM Companies as Ineffective	23	SM Companies as Ineffective	2	SM Companies as Ineffective	1
SM Tech as Needing Regulation	22	SM Tech as Needing Regulation	0		
		* Non-SM Tech as Needing Regulation	3	Non-SM Tech as Needing Regulation	1
		* SM Technology as Regulatable	2	SM Tech as Regulatable	1
SM Companies as Uncooperative	20	SM Companies as Uncooperative	7	SM Companies as Uncooperative	2
SM Companies as Stakeholders	16	SM Companies as Stakeholders	2	SM Companies as Stakeholders	5
SM Companies as Needing Regulation	16	SM Companies as Needing Regulation	22	SM Companies Needing Regulation	9
SM Companies as Powerful	15	SM Companies as Powerful	3	SM Companies as Powerful	3
SM Companies as Profit-Driven	10	SM Companies as Profit-Driven	6	SM Companies as Profit-Driven	1
SM Companies as Opaque	10	SM Companies as Opaque	4	SM Companies as Opaque	0
SM Companies as Exploiting Users	4	SM Companies as Exploiting Users	19	SM Companies as Exploiting Users	4
SM Tech as Ineffective	3	SM Tech as Ineffective	0	SM Tech as Ineffective	0
		* SM Companies as Irresponsible	5	SM Companies as Irresponsible	2
		SM Tech as Double-Edged	6	SM Tech as Double-Edged	4
		Non-SM Tech as Double-Edged	1	Non-SM Tech as Double-Edged	0
		* SM Executives as Needing Legal Punishment	5	SM Executives as Needing Legal Punishment	2
				* SM Companies as Arrogant	1
				* SM Tech as Extension of Society	2
DETERMINIST		DETERMINIST		DETERMINIST	
SM Tech as Fast-Evolving	27	SM Technology as Fast-Evolving	9	20 : SM Tech as Fast-Evolving	3
		* Non-SM Tech as Fast-Evolving	2		
		* SM Companies as Fast-Moving	1		
SM Tech as Harmful	21	SM Tech as Harmful	18		
		* Non-SM Technology as Harmful	4		
SM Tech as a Solution	14	SM Technology as a Solution	2		
SM Tech as Opaque	10	SM Tech as Opaque	0		
SM Tech as Ubiquitous	6	SM Tech as Ubiquitous	1	22 : SM Tech as Ubiquitous	1
		* SM Tech as Beneficial	2		
		* SM Tech as Complex	1	SM Tech as Complex	1
		* SM Tech as Powerful	1	SM Tech as Powerful	1
				* SM Tech as Anti-Social	1

Table 10.2: All Legislator technology frame activations

As Table 10.2 shows, 8 distinct technology frames featured throughout this project: ‘SM Companies as Ineffective’, ‘as Uncooperative’, ‘as Stakeholders’, ‘as Needing Regulation’, ‘as Powerful’, ‘as Profit-Driven’, ‘as Exploiting Users’, and ‘SM Tech as Fast-Evolving’. This macro-level view strongly suggests a NON-DETERMINIST framing tendency across research phases. Indeed, the only ‘strong’ DETERMINIST frame activated in all three phases was ‘SM Tech as Fast-Evolving’, though ‘SM Tech as Harmful’ was also prevalent in the both the PLS and Core Debates.

10.3 Empirical Contributions

10.3.1 RQ1

1. *To what degree do OSMR legislators hold determinist vs. non-determinist beliefs about SM technology and to what extent do such beliefs constitute ideology?*

The project drew from a range of critical scholars but specifically Fairclough (1989) and Habermas (1991) to define ideology as taken-for-granted, unchallenged set of beliefs about broad phenomena. As explained, classical technological determinism (TD) certainly fits this definition (see Winner, 1989), especially given its tendency toward utopian and dystopian views of technology, and its leaving “no space for human choice or intervention” (Wyatt, 2007, p. 169). Further, the often-cited justification for OSMR as a means of addressing ‘unprecedented harms’ and ‘rapid technological change’ begged the question of whether TD beliefs underpinned the legislation.

The answer to RQ1 was conclusive: OSMR legislators primarily activated NON-DETERMINIST technology frames, thus suggesting that they held predominately NON-DETERMINIST beliefs about technology and that TD ideology did not overtly influence their views. NON-DETERMINIST frames were prevalent throughout all data sets, including ‘SM Companies as Needing Regulation’ and ‘SM Companies as Exploiting Users’. Such frames were NON-DETERMINIST because they acknowledged SM as part of a broader sociotechnical sphere involving human decision-making. Indeed, legislators were sometimes quite explicit that ‘people’ were behind poor SM practices. A case in point was Senators Cassell’s and Byrne’s failed attempt to hold individual decision-makers at SM companies criminally liable for harms.

The only ‘strong’ DETERMINIST frame that occurred in all data sets was ‘SM Tech as Fast-Evolving’. However, it appeared that legislators often activated this and other DETERMINIST frames as a means of legitimating immediate government intervention rather explaining the nature of SM technology. As Deputy Imelda Munster stated during the Dail Second Stage, “This [OSMR] is particularly important for newer online services, which have been operating largely unchecked for the last 15 years. The world has changed drastically in that time, especially our consumption of media” (Munster, CD, 21 September).” Thus, DETERMINIST frames did not seem to translate into a view that regulation was futile. Indeed, Senator Higgins was emphatic that “[T]hey [emerging

technologies] are in the scope of appropriate regulation and that they are areas of responsibility for us as national and European legislators” (Higgins, CD, 22 February).

10.3.2 RQ2

2. *How do OSMR legislators’ beliefs about SM technology influence their attitudes toward user agency?*

The answer to RQ2 is in many ways inconclusive, as the relationship between legislators’ beliefs about technology and user agency was unclear from the frame analyses. For example, because legislators largely discussed SM using NON-DETERMINIST frames, it can be assumed that TD ideology did not overtly influence their beliefs about users. Indeed, the fact that 46.77% of user frames activated in the PLS debates, 27.37% in the Core Debates, and 59.45% in the interviews were POSITIVE AGENTIVE did not align with classic TD view of technology as leaving “no space for human choice or intervention” (Wyatt, 2007, p. 169). However, legislators’ predominate NON-DETERMINIST framings did not translate into an equally strong POSITIVE AGENTIVE user framing pattern. The PLS and Core Debates leaned NON-AGENTIVE, though legislators were slightly more POSITIVE AGENTIVE in their interviews. Again, the empowerment focus during the interviews may have been due to self-selection bias, as the legislators who agreed to be interviewed tended to be those who activated more POSITIVE AGENTIVE frames in the debates.

Another variable that complicates addressing RQ2 is that NON-DETERMINIST frames most often acknowledged a degree of human agency. For example, ‘SM Companies as Exploiting Users’ indirectly referenced SM leaders’ decisions to manipulate users. Further, analysis of NON-DETERMINIST frames also showed that legislators often indirectly acknowledged their own agency regarding their ability to regulate SM (e.g., ‘SM Companies as Needing Regulation’). Thus, legislators often acknowledged human agency but not *user* agency, further underscoring that users were disenfranchised relative to elites such as policymakers and corporate decision makers.

The lack of empowerment focus amongst legislators was also concerning. Even when POSITIVE AGENTIVE frames were activated, they mostly only acknowledged user agency (e.g., ‘Users as Rights Holders’ or ‘Users as Controllers’) and did not advocate enhanced agency (e.g., ‘Users Needing Empowerment’). This analytical distinction is

important because even though POSITIVE AGENTIVE and NON-AGENTIVE frames were relatively balanced in the debates, few POSITIVE AGENTIVE activations focused on enhancing user agency through means such as increased user representation in the design or regulatory process or greater user control over platform features. Moreover, ‘Users Needing Empowerment’ frames tended to be used by only three legislators: Senators Alice-Mary Higgins, Malcom Byrne, and Lynn Ruane. Combined, these findings suggested that the answer to this dissertation’s core question was that legislators mostly saw their remit as protecting, not empowering, users.

A final note is that legislators did not acknowledge a potential for facilitating collective agency via OSMR. Indeed, nearly all POSITIVE AGENTIVE activations focused on the agency of the individual through mechanisms such as Individual Complaints Mechanism (ICM) or educational initiatives. The tendency to focus on individual users reveals a difference in views between SM policymakers and SM researchers, as a significant body of recent scholarship has focused on SM as a means for democratic engagement (Carney, 2016; Jost et al., 2018; Lokot, 2020). Thus, the lack of acknowledgement of and advocacy for collective agency during the OSMR policymaking process represents an area for future research and for improving the technology policymaking process (see RQ3 below).

10.3.2.1 Sub question:

How did user and technology framings impact consideration of user agency in subsequent stages of legislative debate, the final Act, and the initial work of Coimisiún na Meán?

Framing effects over the course of the Bill’s deliberation were similarly inconclusive. First, there were clues that certain frames may have originated outside of the OSMR context. For example, Senator Higgins herself credited the AVMSD as having an original empowerment focus (Higgins, Int.). Second, it was not possible to draw a conclusive view of how the introduction of frames affected the later discourse. For example, even though Senator Higgins was passionate about empowering users, she was the only legislator to consistently activate ‘Empowerment’ frames, thus suggesting that Higgins was not exceptionally influential in activating what Schön and Rein (1994) call a ‘frame shift’ from ‘protection’ to ‘empowerment’.

One possible reason that legislators were not more concerned with empowering users may have been that they saw a protective remit as being originally enshrined in the Bill (e.g., the title *Online Safety and Media Regulation Bill*). Indeed, Senator Higgins' aired this very concern during her interview when she stated, "The way it [OSMR] was framed as online safety...it was narrowing it almost to the protective piece" (Higgins, Int., 2024). Again, definitively tracing framing outcomes is beyond the scope of this dissertation. However, the possibility that the original protective framing precluded legislators from activating empowerment-focused frames underscores that establishing effective initial policy frames should be of paramount concern for legislators.

Given the possibility that previous frames influenced the course of OSMR debates, it is logical to conclude that debate framings themselves may also have influenced future user frames, such as in the final Act and the initial work of Coimisiún na Meán (CNM). Although the straightforward nature of legal documents does not allow for frame analysis, the NON-DETERMINIST framing trend, lack of empowerment focus, and frequent user frame ambiguity are all reflected, to some extent at least, in the final Act.

The Act naturally aims to hold SM platforms to account, thus blaming companies for harm and justifying government intervention. However, Senators Higgins' and Ruane's efforts to enshrine agentive language in the Bill, especially through their proposals related to Amendment No. 39, appear unsuccessful (Seanad Éireann, 2022, p. 7) since the final Act contains no reference to user empowerment or participation. Further, while the Act does provide for a phased-in Individual Complaints Mechanism (ICM), which is an ostensibly empowering initiative, this hard-fought outcome was only included after being recommended by the Expert Group (Expert Group, 2022). Finally, the Act replicates the hedging language commonly used throughout the debates, outlining that the CNM will ensure "The interests of the public, including the interests of children, are protected, with particular commitment to the safety of children" (Oireachtas, 2022a, p. 19).

Although analysing CNM documentation is beyond the scope of this dissertation, a brief survey of the website suggests the CNM retained the ambiguous user terminology and largely NON-AGENTIVE view of users. For example, the homepage screenshot in Figure 10.1 below (taken 22 September 2024) suggests an overt 'protective' remit and employs the hedge, "protecting children and all of us."

CNM Homepage

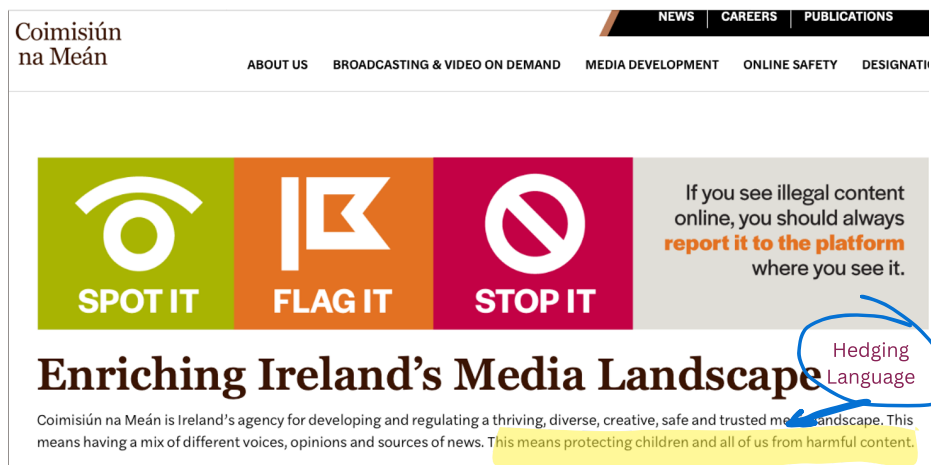


Figure 10.1: Screenshot of CNM homepage graphic

10.3.3 Conclusion

Though this dissertation was conceptualised based on the possibility that TD ideology might obscure user agency in the minds of policymakers, the empirical findings related to RQs 1-2 cast doubt on this hypothesis. While policymakers mostly activated NON-DETERMINIST technology frames and, therefore, often acknowledged human agency, such beliefs did not translate into a strong POSITIVE AGENTIVE view of users themselves. Instead, legislators predominately acknowledged their own agency as regulators and the agency of SM company employees in making irresponsible decisions that exploit users.

10.4 Theoretical Contributions

10.4.1 Link Between 'Soft' Determinism and Neoliberalism

One of the most consistent findings in this project was that legislators did not hold classic TD beliefs, meaning that the blatant techno-optimism but also techno-dystopianism of previous technology policymaking eras did not appear in the OSMR debates. At the same time, this project's coding binary of DETERMINIST vs. NON-DETERMINIST may have obscured a degree of ideological nuance underlying Irish legislators' speech, especially in terms of neoliberalism.

While the decision to code framings of technology as DETERMINIST vs. NON-DETERMINIST was analytically expedient, it ran somewhat counter to the work of scholars who highlight the complexity of TD ideology (see Smith and Marx, 1994; Wyatt, 2007). Indeed, the fact that a significant minority of technology framings in the PLS and Core Debates (35.94% and 32.03% respectively) were DETERMINIST suggests that a more nuanced understanding of TD was needed. For example, Smith and Marx's (1994) contention that determinism exists on a continuum between 'hard' and 'soft' is useful in this case. As Smith and Marx explain, soft determinism moves beyond the strong determinist fixation with technological agency to include influences from a "complex social, economic, political, and cultural matrix" (p. xiii). It follows that acknowledging soft determinism allows for a more balanced account of the role of technology in society. As Peters (2017) argues, the wholesale embrace of constructivist theories leads policymakers to underestimate and overlook the true impact of technology. He writes, "[T]o keep denouncing technological determinism in our moment is to risk a mistake graver than granting agency to devices—that of giving up on critique, that is, reflection on conditions of possibility" (p. 22) (also see Wyatt, 2007).

Elevating soft determinism within this project's theoretical framework also helps account for possible neoliberal influences on legislators' and especially focus group users' technological beliefs. Although briefly acknowledged in the Theory Chapter, the relationship between technological determinist and neoliberalist ideology was not originally considered in this project's analytical approach. Nonetheless, several empirical clues pointed to a symbiosis of neoliberal and TD ideologies (Popiel, 2018; Neubauer 2011) and, therefore, a continuation of the traditional neoliberal influence on Irish technology policymaking (Kitchin et al., 2012).

First, there was a common tendency amongst both legislators and focus group participants to place blame for SM harm on individual users by using NEGATIVE AGENTIVE frames such as 'Users as Perpetrators'. Further, focus groups in particular saw harms as resulting from other users' poor choices (e.g., 'Users as Irresponsible'). Such framing patterns fit closely with the neoliberal tenet that *individuals* are solely responsible for their 'marketised choices' (Chen, 2013, p. 4). This view sees SM users as rational individuals, freely operating within the digital environment and, thus, culpable for their actions or experiences on platforms. It is important to note, however, that attributing the clear individualist leaning amongst legislators (and especially users) as being influenced by neoliberalism would be premature. As Trnka and Trundle (2014) show, individualist

tendencies have existed in Western culture since at least the French Revolution (p. 137). Thus, future research should focus on delineating between neoliberal beliefs from broader cultural norms.

A second, more compelling neoliberal indicator was that focus group participants rarely blamed SM companies for harm and never held them responsible for fixing it. Indeed, there was a sense that the pursuit of profit absolved companies from assuming ethical responsibility in their relationship with users. In this case, focus group users saw platforms' desire to make money at all costs similar to a natural law that could not be curbed, further underscoring possibility of ideological influence (Eagleton, 1979). Finally, almost all focus group users, except for the oldest cohort (AFU students), strongly argued against government intervention to address SM harms. However, this anti-interventionist view seemed to less align with the neoliberalism's classic anti-regulatory stance (Pickard, 2013) than with the view that traditional forms of governance are irrelevant in an economy dominated by high-tech companies. A final note is that the difference between the responsibility that legislators' and users' placed on SM companies for addressing harms suggests that neoliberal ideology, if indeed at play, may be most acutely held amongst laypersons.

Even though this dissertation's methodology was not designed with neoliberal ideology in mind, a similar conclusion can still be drawn using its theoretical framework of critical theory of technology (CCT). Indeed, there is sufficient evidence to suggest that users' tendencies to place blame and responsibility on other users for harms and never on SM companies aligns with the concept of secondary instrumentalisation of technology, which Feenberg defines as the systemic integration of a technology within "natural, technical, or social networks" by means of "media, money, and power" (Feenberg, 1999, p. 210). The fact that user focus groups invariably saw SM technology as intertwined with the economy and corporations corroborates secondary instrumentalisation's focus on the imbrication of technology within social processes.

10.4.2 Democratising Technology Policymaking

Turning again to this project's CTT framework (Feenberg, 2004), legislators' lack of focus on 'user' agency relative to that of corporations and themselves shows that users were often disempowered, even within a legislative process that was ostensibly meant to benefit them. Such an oversight is problematic given the significant body of theoretical work arguing that

agentive constraints limit human dignity and flourishing (Emirbayer and Mische, 1998; Rosenbaum, 2019; Sato et al., 2022). Many well-known scholars have carried this argument further, stressing the need for increased ‘user’ agency in a society increasingly mediated by digital communication (Bandura, 2002; Pacherie and Nicod, 2007; Rosenbaum, 2019). Answering RQ3 is, therefore, imperative:

RQ3:

How can consideration of user agency become central in future digital technology policymaking processes?

RQ3 is a testament to the original normative aim of this dissertation: to explore ways of foregrounding user agency within the technology policymaking process. I originally envisioned that answering this question would require focusing on the nuances of agency theory within the context of the policymaking process. However, a more elementary means of empowering users emerged: simply encouraging policymakers to listen to a diverse set of users’ needs and concerns. Unfortunately, this dissertation produced a steady stream of empirical evidence showing a lack of policymaker engagement with users. For example, background research yielded that legislators only invited two school-aged user groups to testify in-person about their experiences and no other user groups. Further, the CFA of debates revealed a tendency amongst policymakers to reference their own SM experiences, in addition to a recurrent pattern of hedging language and frame ambiguity over who (which users) OSMR would serve. A final clue regarding the lack of engagement with users came from the focus groups. Each focus group was queried about OSMR; however, participants were invariably unfamiliar with the Act and most expressed strong opposition to any form of government intervention to address online harms. The fact that the focus groups were comprised of 27 users of different ages and socioeconomic backgrounds, suggested that policymakers did not adequately communicate OSMR and its AIMS to the general public.

It is likely legislators’ lack of focus on ‘user’ agency (and especially empowerment) at least partially stemmed from fundamental misunderstandings about users’ wants and needs. It follows that increased engagement with users throughout the policymaking process could have sensitised legislators to those needs, and perhaps would have inspired them to not only seek protective but also *empowering* solutions that enhanced user agency. Such engagement may have also remedied users’ lack of knowledge of OSMR and decreased their antipathy toward government intervention. Indeed, looking to the future,

increased engagement between users and policymakers may also help restore citizen faith in governments' abilities to address complex problems such as SM harm. I argue that each of these goals can be achieved by operationalising Feenberg's concept of democratisation of technology (DOT).

As Doppelt (2006) argues, DOT provides a useful model for involving users in the policymaking process by helping to 'dissolve' "the paralyzing experience of an implacable technology" and 'restore' human agency (p. 86). However, Doppelt also contends that Feenberg's outlining of DOT is "too abstract to serve as a standard of emancipation" (p. 87). Operationalising DOT in the context of OSMR and other policies requires pragmatic intervention. I argue that such pragmatism can be achieved by incorporating deliberative democratic mechanisms into the policymaking process and ongoing regulatory operations (See section 10.4.2.6 below). The systematic linking of users with policymakers marks a primary theoretical contribution of this dissertation, as Feenberg appears to never have addressed the need to democratise the policymaking process itself.

10.4.2.1 Critiquing the Irish Policymaking Process

Before exploring possibilities for extending DOT to policymaking, I will first reiterate the problematic trends that such democratisation might have mitigated. I will focus on key three issues, all of which at least partially stemmed from unsatisfactory engagement with users: user frame ambiguity, legislator self-references, and a mismatch between user and policymaker priorities regarding online harm.

10.4.2.2 User Frame Ambiguity

As highlighted throughout the findings chapters, there was consistent frame ambiguity regarding who OSMR would serve, including whether it was predominately meant for children, adults, or for 'everyone' (as was often stated). Such confusion was often created through hedging statements like the following from Minister Catherine Martin on 6 December 2022: "The Bill is of fundamental importance to protecting our society, particularly our children..." (6 December). As Dekker (2017) explains, frame ambiguity can be detrimental to effective policymaking because "the problem definition and policy strategy do not match" (p. 127). Similarly, FitzGerald et al. (2019) argue that "for policies to be successful, they should have clear and achievable goals" (p. 9). It follows that OSMR legislators' lack of clarity about target users and their needs made combating SM harm and

enhancing user agency less likely, as evidenced by the continued frame ambiguity expressed in the ongoing work of the CNM (See Figure 10.1).

10.4.2.3 Legislator Self-References

Another trend seen throughout this dissertation was legislators' tendencies to reference themselves as OSMR beneficiaries. Self-references were not only invoked as harm reduction goals (i.e., to reduce online abuse of politicians) but also as motivating the legislative agenda. While drawing on one's personal experience is a natural decision-making heuristic (Greenberg, 1983; Thompson, 2015), the fact that legislators so frequently discussed themselves leads to questioning of whether they sufficiently considered the needs of children and other adults. It stands to reason that, given their powerful positions, legislators by default possess more agency than most SM users.

10.4.2.4 Misalignment of User and Policymaker Beliefs

Though they did not directly address the RQs, the user focus groups (FG) were nevertheless helpful in identifying 3 areas of divergence between SM users and policymakers concerning SM harm. First, there was deep scepticism of government action. Except for the oldest FG cohort (AFU students), participants did not believe government should play a major role in the regulation of SM harm, and most were actively against government intervention. Second, FG participants were significantly less likely than legislators to acknowledge user agency (DALC students were even greater outliers in this respect). Participants across all groups shared nihilism about the possibility of effectively combatting SM harm. Such beliefs are problematic because, as sociocognitive theorists have shown, 'believing' in the possibility of agency is prerequisite for realising agency in practice (see Bandura, 2002 on SoA). A third difference between legislators and users concerned what they considered to be the most pressing SM harms. While FG participants and legislators shared a concern over issues such as child bullying and mental health, FG participants also mentioned harms that did not arise in the debates, including users 'cancelling' others, the breakdown of social relationships, and addiction to SM and other technologies.

10.4.2.5 Lack of User Input:

The three policymaking shortcomings listed above may have been mitigated or perhaps avoided by involving a range of users in the policymaking process. While it is true that legislators successfully engaged advisory groups, civil society organisations, and academic experts, they had limited interactions with users themselves. First, even though the public consultation process yielded 40 contributions from members of the public, it is unlikely that those individuals were representative of average users (TCAGSM, 2020a), especially given the lack of knowledge about OSMR amongst FG participants. This conclusion may also align with Carson's (2011) contention that public consultations are often 'stage-managed' and "do not afford citizens much decisive influence" (p. 10). In other words, the public consultation may have been more of a 'box ticking' exercise that held the semblance of citizen user engagement without meaningful effort to connect with hard-to-reach groups.

Second, the only users invited to speak during the PLS debates were two groups of school-aged children. These groups spoke on the same day as three broadcast-related organisations (PLS, 06 May, 2021), meaning the only user group invited to speak directly to legislators had to share legislators' attention with a range of non-user stakeholders. Though the decision to only invite child users was in keeping with OSMR's ostensible child focus, legislators' constant hedging that OSMR is 'for everyone but especially children' and the fact that they framed adults more often than children, begs the question of why adult users were not afforded more input. More specifically excluded from the policymaking process included pensioners or organisations representing them, as well as users from underprivileged areas such as inner-city Dublin or from marginalized groups such as the Irish Traveller Community.

Although involving a representative sample of users in OSMR would have required significant time and investment, the inclusion of at least some adult user types during the PLS stage would have enriched the debates by providing policymakers with alternative accounts of SM usage and a clearer conception of 'the user'. Omission of adults of diverse socioeconomic diverse backgrounds may have been especially problematic, as the CFA of the DALC focus group suggested that low-income users without higher education may experience a reduced Sense of Agency (SoA) (Moore, 2016). Thus, the lack of broad user representation in OSMR was a major and possibly delegitimising shortcoming. As Feenberg himself states, many public interventions into technology are discounted as "undemocratic because they mobilize only small minorities" (Feenberg, 1999, p. 134). In the section below, I present deliberative democratic mechanisms that may help legitimise

such government intervention by establishing systematic communication channels between users and policymakers.

10.4.2.6 Democratisation of Technology through Deliberative Forums

Though Feenberg only briefly mentions the possibility of using deliberative mechanisms to achieve democratisation of technology (DOT) (1999, pp. 132–133), Ireland’s rich experience with hosting deliberative democratic forums such as Convention on the Constitution (2013) and the Assembly on Gender and Equality (2022) (See SM Policy Context Chapter), represents fertile ground for citizen engagement. Indeed, the country’s long history with such forums means that Irish policymakers and broad swaths of the Irish public are already familiar with the concept. At the same time, meaningfully involving citizens in the formation of digital technology policies will require a re-thinking of the topics that can be addressed via citizen deliberation. Indeed, a degree of epistemic humility and plurality on the part of policymakers regarding what counts as technical knowledge will be needed (Holst and Molander, 2017).

Although benefits of deliberative democracy are generally well understood in Ireland, expanding the model to cover emerging technology policy will nonetheless be challenging. Indeed, it is an established fact that experts are often sceptical of non-expert contributions to their fields (Bolívar, 2016; Koskimaa and Rapeli, 2020). Even Andrew Feenberg, a technology theorist, declared that “No one wants the decisions about the bridges we drive over to be made by referendum” (Feenberg, 2011, p. 2). However, such resistance to citizen input on technical issues largely dissipates with a shift in deliberative teleology. This dissertation argues that rather than asking citizens to present policy recommendations regarding complex technologies, conveners should instead simply focus on understanding users’ experiences and desires in technological contexts. It is true that approaching user engagement from this standpoint might render it more akin to a ‘social listening’ exercise than a traditional deliberative democratic intervention. Yet, as Dobson (2012) argues, a key yet overlooked benefit of deliberative democracy is that the act of genuinely listening to citizens’ needs can reduce the distance between governments and the governed by leaving citizens with the sense that they have been heard and valued.

Several empirical and theoretical works lend credence to the possibility of using deliberative forums as meaningful listening exercises. For example, even though Feenberg largely discounts deliberative forums as mechanisms for achieving DOT, he does

acknowledge that users often understand aspects of technologies that designers or technocrats do not, writing “The Internet [sic] gave the example of technical potentials invisible to the experts but known to users who realized them through hacking and innovation” (Feenberg, 2011, p. 4). Further, the growing body of research on ‘folk theories’ shows (DeVito et al., 2017; Young et al., 2021) that lay-persons’ theories about the innerworkings of complex systems and technologies can highlight problems that experts do not see and provide direction for how technologies should be designed, implemented, and regulated. It follows that, in the OSMR context, simply engaging with a broader range of users during OSMR’s formation may have mitigated the user frame ambiguity, legislator self-references, and the mismatch between user and legislator views that were illuminated by this dissertation.

Importantly, this dissertation primary advocates involving users as a matter of principle rather than as a utilitarian, information-gathering exercise. This stance aligns with Kantian (Kant et al., 2002) and other conceptions of human agency (Emirbayer and Mische, 1998; Kleinig and Evans, 2013) that see the acknowledgement and provision of agency as honouring the dignity of humans. Such an approach is also rights-based in the sense that users, as rational and reflective individuals, have the ‘right’ to speak and share their experiences with decision-makers. Drawing from these philosophical bases and the work of leading deliberative scholars (Carson, 2011; Farrell et al., 2013; Farrell and Suiter, Jane, 2019; Suiter et al., 2020), I will now highlight three initiatives that may help ‘democratise’ regulation of SM and other emerging technologies in the spirit of CCT: Mini Publics, World Cafés, and User Advisory Panels.

10.4.2.6.1 Mini-Publics

Ireland is no stranger to implementing ‘mini-publics’, which are deliberative forums composed of “randomly chosen citizens who represent a wider population” (Suiter et al., 2020, p. 253). However, mini-publics are the costliest and most time-intense deliberative exercise so far conceptualised, involving a representative sample of a population, sometimes hundreds of participants, and requiring participants to meet over the span of several months to years. Nonetheless, mini publics of this sort provide a comprehensive overview of the diversity of citizen views on complex topics and, therefore, pose opportunities for informing digital technology regulation.

As OSMR is now an Act, the opportunity for Citizens' Assembly or other type of mini-public has passed. There is evidence, however, that an OSMR mini public may have better sensitised policymakers to the experiences and needs of the full range of Irish SM users. Indeed, Canada held three Citizens' Assemblies on Democratic Expression (2022-2023) on ways of reducing online harm (PPF, 2023), which involved 90 citizens who contributed a combined 6,000 volunteer hours. Many of the Assemblies' recommendations mirrored OSMR, including establishing a Digital Ombudsperson's Office for handling complaints and investing in digital literacy. However, participants also suggested solutions such as an 'online identifier system' for trusted news sites and the labelling and limiting of the use of bots on SM platforms. These actions were not mentioned during OSMR deliberations and highlight how broad citizen input can contribute to out-of-the-box thinking.

10.4.2.6.2 World Café

In contrast to mini publics, the World Café (WC) model could theoretically be integrated into the ongoing work of Coimisiún na Meán (CNM).⁴² WC is one of the most cost effective and resource efficient deliberative methods, consisting of discussions amongst participants at small roundtables on "questions that matter" (Brown, 2005, p. 78). WCs often involve approximately 20 people and last under two hours, yet they are proven to provide insights for government and benefits for participants. As Carson (2011) wrote of the WC that informed the Australian Citizens' Parliament of 2009: "there was an undeniable sense that these individuals, who had come together as people one night after work, had experienced an activity that acknowledged their rights and capacities as citizens" (Carson, 2011, p. 13). Thus, WCs might not only better inform policy but also improve citizens' SoA (Moore, 2016) within the policymaking process.

WCs may be particularly useful in the context of the new CNM because they are flexible, meaning staff could adjust the methodology to suit changes in policy direction or social or technical contexts. Indeed, as Carson (2011) explains, there are only seven key design requirements for WCs: set the context; create a hospitable space, explore questions that matter; encourage everyone's contribution; cross-pollinate and connect diverse perspectives; listen together for patterns, insights, and deeper questions; harvest and share

⁴² I consider the title 'World Café' a bit misleading, especially since these events do not necessarily touch on international matters nor be centred around food. Regarding technology regulation, a more pragmatic name like 'Regulatory Round Tables' might be more appropriate and relatable.

collective discoveries (pp. 11-13). As WCs are relatively easy to plan, it would be possible to hold them at regular intervals, perhaps once per year. Frequent engagement with users would not only reduce policymakers' misconceptions but might also help identify emerging trends and new regulatory needs.

10.4.2.7 User Advisory Panels

A final possibility for engaging users is through rotating Citizen or 'User' Advisory Panels (UAP).⁴³ As with other deliberative methods, a range of approaches to planning and conducting advisory panels exist, though they generally require representation from a certain population and participant instruction about the issue at hand. For example, panels could be formed around certain groups, including race, gender, socioeconomic status, or ability. Although literature on citizen advisory panels is sparse, scholars have highlighted how UAPs can reduce citizen scepticism of policy outcomes (Chan et al., 2022). However, one empirical study found that UAP panellists saw their involvement as 'tokenistic' (Bryan et al., 2007). It follows that participants must be reassured that they are not part of a box-ticking exercise but are contributing to meaningful outcomes.

Similar to WCs, UAPs could be quickly integrated into the work of the CNM. Indeed, thanks to the principled stand of Senators Byrne and Cassells during the debates, a Youth Advisory Committee (YAC) already exists that is comprised of nine representatives from youth-focused NGOs such as the Children's Rights Alliance and CyberSafeKids and nine individuals under the age of 25. This panel has so far met twice, once in December 2023 and also in May 2024, to discuss issues such as the formation of the Online Safety Codes and 'protection of minors' (CNM, 2023; YAC, 2024). But while the YAC is a positive step toward democratising SM regulation, more panels (or other forms of citizen engagement) are needed to adequately reflect the diversity of users. Indeed, having only a youth committee only democratises the regulatory process for young people, not for adults. At the same time, it is important to understand which youth are represented in the YAC. For example, have youth from rural areas, low-income communities, or immigrant families been invited to engage? Unfortunately, CNM documentation does not outline how Committee members are chosen, which is a transparency oversight.

⁴³ These initiatives are also sometimes called Citizen Review Panels (CRP) (see Bryan et al., 2007).

10.4.2.8 Conclusion

This section briefly outlined practical possibilities for expanding the concept of DOT to the policymaking realm. The deliberative democratic possibilities presented above not only apply retrospectively to OSMR but also to the ongoing work of the CNM. Again, the basis for leveraging deliberative forums is the principled stance that policymakers should not guess how to best protect and empower users; their actions should be directly informed by ‘listening’ to and engaging with users.

10.5 Study Limitations

This dissertation was limited by methodological and institutional variables. First, the rigour of qualitative research was naturally reduced by the fact of having only one researcher. Intercoder reliability, especially for the critical frame analyses, would have strengthened the findings. However, the sheer breadth of the data corpus and analysis leaves me confident in the validity of the core findings. Similarly, the necessary analytical changes between research phases made tracing frames across project phases difficult, though there were clear macro-level trends. A final methodological note is that while critical frame analysis (CFA) was a helpful approach for analysing the debates, it proved difficult to apply in the focus groups and interviews, suggesting that CFA and frame analysis more generally are best suited to curated data (e.g., planned speeches and published texts) rather than less structured speech.

A final limitation is that the broad nature of policymaking naturally reduced my ability to identify causal variables such as frame origins and effects. Indeed, my interviewees suggested a significant level of behind-the-scenes engagement between the Government and legislators that was impossible to glean from the debates. This reality reflects the fact that policymaking is a complex process that can only be understood by considering a range of stakeholder inputs.

10.6 Future Research Areas

As with any critical project worth its salt, this dissertation raised more questions than it answered. Perhaps the most obvious area for future research is expanding policy analysis to other emerging technical domains, especially Generative AI. Indeed, it is unclear whether the NON-DETERMINIST leaning detected in this dissertation would hold in the debates concerning the EU's Artificial Intelligence Act of 2024. At the same time, the

indication that ‘soft’ TD and neoliberal ideologies influenced the debates and focus groups suggests that future critical research should establish a firmer theoretical understanding of the interplay between these belief systems. A key question that emerged from this project is whether neoliberal thought generates soft TD without the need for the overt acknowledgement of technological agency associated with traditional or ‘strong’ TD. Finally, future empirical studies should include determinist and neoliberal elements in their qualitative coding schemes from the outset.

Studies should also explore other national and international technology policy domains. For example, emerging AI policy debates in the United States are worthy of critique, as are similar initiatives in the EU. However, researchers should also examine approaches to regulation in non-Western countries, as a way of decentering the Western-dominant lens on internet governance. Indeed, the increasing phenomenon of national governments seeking to control the internet within their geographic borders, a phenomenon sometimes called the ‘splinternet’ (Lemley, 2021) or ‘internet Balkanisation’ (Mueller, 2017), yields an increasing number of unique regulatory case studies with their own implications for user agency.

Another final future area of inquiry centres on the fact that the operation of the CNM has far-reaching implications for citizens throughout the EU. Although this dissertation only suggests ways of engaging with domestic users, more EU-level cooperation is needed. Future studies would do well to explore ways of soliciting views from the diversity of users throughout the EU, possibly through collaboration between the EU Commission and national governments.

10.7 Conclusion

The failures of the self-regulatory model of technology governance underscores that governments have a key role to play in ensuring that social media (SM) users are both protected and empowered. However, as noted in the Introduction Chapter, blindly trusting policymakers to improve SM user wellbeing, especially in terms of empowering them by enhancing their agency, is naïve. As this dissertation revealed, OSMR policymakers did not hold strong DETERMINIST beliefs about SM technology, yet except for a few individual legislators, also did not view enhancing SM user agency as part of their remit. OSMR was a protective rather than empowering intervention in legislators’ minds. As stated throughout this dissertation, legislators’ inherent lack of focus on user agency was

concerning given the Kantian and human rights-based arguments that agency is essential for human dignity and flourishing.

Legislators' lack of focus on user agency was also reflected in several problematic framing patterns, including legislators' framing ambiguity about who the Bill was meant to serve (i.e., children, adults, or everyone), as well as their frequent references to their own SM experiences. These patterns suggested a lack of preparation on the part of legislators to understand average users and their needs, a critique supported by the fact that secondary school students were the only users invited to speak during the OSMR legislative debates. Thus, a preliminary policy criticism was that OSMR failed to engage with a broad set of users regarding a piece of legislation with society-wide implications.

Shifting to the user perspective, SM users in the focus groups were almost totally unfamiliar with OSMR and lacked faith that government regulation could address SM harms. Indeed, a plurality of participants were actively against government intervention, fearing encroachment on 'freedom of speech' and other rights. Finally, most participants blamed other SM users for harm, either seeing them as 'perpetrators' (e.g., as online bullies) or as 'irresponsible' (i.e., not properly monitoring their children; sharing too much personal information). This finding marked a further gap in understanding between policymakers and SM users, as policymakers most often blamed SM companies for harms and placed responsibility on themselves as legislators to address harms. Importantly, users' resistance to government regulation and focus on individual-user rather than company responsibility appeared to align with neoliberalism's veneration of individual responsibility in a marketised society.

This dissertation drew from the empirical findings to make two key contributions to Andrew Feenberg's critical theory of technology (CCT). First, it underscored a possible symbiotic relationship between TD and neoliberalism that perhaps manifests as 'soft' determinism in the context of emerging technologies. Second, it operationalised the concept of 'democratisation of technology' (DOT) via deliberative democratic channels (i.e., mini-publics, world cafés, user advisory panels). The utility of engaging in such mechanisms was supported by scholarship on 'folk theories' and 'social listening', which argues that the views of non-experts can yield valuable insight, not only into how technologies are used but also how they should be designed and regulated. However, it is crucial to stress that this dissertation mostly justified engaging users from a normative, Kantian stance by arguing that users, as rational beings deserving of dignity, have a right to be consulted and heard regarding legislation with broad implications for their agency.

Outlining concrete interventions into the policy process helped distinguish this dissertation from other critical theoretical projects that aim to fight systemic injustices by challenging the status quo. While this dissertation did not question the value of radical change, it argues that meaningful democratisation of technology may also be realised through adjustments to the traditional policymaking apparatus. Thus, the resounding normative claim of this project is that technology policymakers should protect but also empower users by systematically engaging with them and genuinely listening to their needs and experiences.

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APPENDICES

Appendix 1: Complete List of Debates

Pre-Legislative Scrutiny (PLS) Debate List

Date	Stakeholders	Invitees
13 April, 2021	Department of Tourism, Culture, Arts, Gaeltacht and Sport	<i>Ms Triona Quill (Principal Officer)</i> <i>Mr Ciarán Shanley (Assistant Principal Officer)</i>
5 May, 2021	Broadcasting Authority of Ireland	<i>Mr Michael O'Keeffe (Chief Executive)</i> <i>Ms Celene Craig (Deputy Chief Executive)</i>
	Data Protection Commission	<i>Ms Anne Morgan (Deputy Commissioner and Head of Legal)</i> <i>Ms Jennifer Dolan (Assistant Commissioner for Children's Policy)</i>
06 May, 2021	Kinsale Community School	<i>Ms Sarah Fitzgerald (Student)</i> <i>Ms Megan Fahy (Student)</i>
	Tallaght Community School	<i>Mr Rory Hynes (Student)</i> <i>Mr Jake Bushe (Student)</i>
	CRAOL	<i>Mr Jack Byrne (Chair)</i>
	Community Television Association	<i>Mr Ciaran Murray (Chair)</i>
	Independent Broadcasters of Ireland	<i>Mr John Purcell (Chair)</i> <i>Mr Chris Doyle (Director)</i>
12 May, 2021	Ombudsman for Children's Office	<i>Dr Karen McAuley (Head of Policy)</i>
	Individual	<i>Professor Conor O'Mahony</i>
	Institute for Future Media, Democracy, and Society	<i>Dr. Eileen Culloty</i>
	National Anti-Bullying Research and Resource Centre	<i>Dr Tijana Milosevic</i>
13 May, 2021	Irish Society for the Prevention of Cruelty to Children	<i>Mr John Church (Chief Executive Officer)</i> <i>Ms Fiona Jennings (Senior Policy and Public Affairs Manager)</i>
	Children's Rights Alliance	<i>Ms Tanya Ward (Chief Executive)</i> <i>Ms Julie Ahern (Legal and Policy Manager)</i>

	CyberSafeKids	<i>Ms Alex Cooney (Chief Executive Officer)</i>
19 May, 2021	Facebook Ireland	<i>Mr Dualta Ó Broin (Head of Public Policy)</i>
	Twitter	<i>Mr Ronan Costello (Senior Public Policy Manager)</i>
	TikTok	<i>Dr Theo Bertram (Director of Government Affairs and Public Policy)</i>
20 May, 2021 <i>*not included in analysis</i>	TG4	<i>Mr Alan Esslemont (Ard Stiúrthóir)</i>
	RTE	<i>Mr Rory Coveney (Director of Strategy)</i>
	Virgin Media Ireland	<i>Mr Peter McCarthy (Vice President of Legal and Corporate Affairs)</i>
	Sky Ireland	<i>Dr Mark Carpenter (Director of Regulatory and Corporate Affairs)</i>
26 May, 2021	Irish Human Rights and Equality Commission	<i>Ms Sineád Gibney (Chief Commissioner)</i> <i>Dr Lucy Michael (Commission Member)</i>
26 May, 2021	Irish Campaign for Civil Liberties	<i>Mr Liam Herrick (Executive Director)</i> <i>Ms Olga Cronin (Policy Officer on Surveillance and Human Rights)</i>
	Digital Rights Ireland	<i>Dr T.J. McIntyre (Chair)</i>
27 May, 2021 <i>*not included in analysis</i>	Joint Creative Audiovisual Sectoral Group	<i>Ms Birch Hamilton (Executive Director, Screen Directors Guild of Ireland)</i> <i>Mr Ronan McCabe (Chief Executive Officer, Animation Ireland)</i> <i>Mr James Hickey (Producer-consultant and former Chief Executive Officer of Screen Ireland)</i>
	Screen Producers Ireland	<i>Ms Susan Kirby (Chief Executive Officer)</i> <i>Ms Mary Callery (Head of International with ShinAwil Productions)</i>
	Irish Heart Foundation	<i>Ms Kathryn Walsh (Policy Manager)</i>
	Advertisement Standards Authority for Ireland	<i>Ms Orla Twomey (Chief Executive)</i>
	Epilepsy Ireland	<i>Mr Paddy McGeoghegan (Advocacy and Communications Manager)</i>
		<i>Dr Norah Campbell, Associate Professor of Marketing at Trinity College</i>
16 June, 2021	Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media	<i>Ms Triona Quill (Principal Officer)</i> <i>Mr Ciarán Shanley (Senior Policy Analyst)</i>

7 July, 2021	Individual	<i>Mr Ronan Lupton, Barrister-at-Law</i>
	Technology Ireland	<i>Ms Una Fitzpatrick (Director)</i>
	Article 19	<i>Dr Pierre François Docquir (Head of Media Freedom)</i>
July 14, 2021	Samaritans Ireland	<i>Mr Ciaran Moore (Helpline Manager)</i> <i>Ms Louise Hamra (Policy Manager)</i>
21 July, 2021	Safety Over Stigma	<i>Ms Alicia O’Sullivan (Founder)</i> <i>Professor Louise Crowley</i>
21 July, 2021	Australian e-Safety	<i>Ms Julie Inman Grant (Commissioner)</i> <i>Mr Toby Dagg (Executive Manager, Investigations)</i>

Core Debate List

Date	Stage
Seanad	
22 February	<i>Second Stage</i>
26 April	<i>Committee Stage</i>
28 April	<i>Committee Stage</i>
4 May	<i>Committee Stage</i>
11 May	<i>Committee Stage</i>
25 May	<i>Committee Stage</i>
26 May	<i>Committee Stage</i>
31 May	<i>Committee Stage</i>
11 July	<i>Report/Final Stage</i>
Dáil	
21 September	<i>Second Stage</i>
22 September	<i>Second Stage</i>
25 October	<i>Committee Stage</i>
26 October	<i>Committee Stage</i>
30 November	<i>Report/Final</i>
Seanad (Cream List)	
6 December	<i>Report/Final</i>

Appendix 2: Complete Project Frame List & Definitions

User Frames	Definition
POSITIVE AGENTIVE	
Users/ Child/Adult as Stakeholders	Presents users playing a meaningful role in combating online harm such as by availing of the Individual Complaints Mechanism (ICM) or participating in media literacy initiatives. *Stakeholders frame divided between children and adults from Core Debates chapter onward. Definition was also refined from Core Debates to include only references to current examples of stakeholderhood (e.g., users lodging complaints to platforms) rather future possibilities (i.e., the ICM) (see new 'Needing Empowerment' frame below).
Adult/ Child Users as Needing Empowerment	Relates to the Stakeholders frame; however, only activated when legislators advocate mechanisms for future stakeholderhood (i.e., empowerment) such as the ICM or enhanced media literacy efforts. *Only used from Core Debates onward.
Users/Adult/Child/ Moderator as Rights-Holders	Presents users possessing rights such as freedom of expression and the right to redress. * General user frame used only for PLS analysis. Divided by user type from Core Debates chapter onward. Moderator frame only activated once.
Users /Adult/Child as Controllers	Presents users adjusting platform elements to suit their needs, such as by gaming algorithms, maintaining friends lists, or choosing privacy settings. *General user framed used only for PLS analysis. Divided between children and adults from Core Debates chapter onward.
Users as Producers	Presents users as making/disseminating content via social media. Most often used regarding 'influencers'. *Only activated in PLS debates.
Users as Info Seekers	Presents users as employing social media to obtain information. *Only activated in PLS debates.
Users as Owners	Presents users as having dominion over their online presence and data. *General frame only activated in PLS debates.
Adult Users as Owners	Acknowledged as adults from Core Debates chapter onward. *Only activated once and only for adults.
NON-AGENTIVE	
Users/Adult/Child as Needing Protection	Suggests users need legislative intervention to operate safely online. One of the most common frames and often employed to legitimate OSMR. Divided by user type from Core Debates chapter onward.
Users/Adult/Child/Moderator as Vulnerable	Alleges users are susceptible to online harm, often by virtue of belonging to a particular group such as children, women, or disabled persons. *Divided by user type from Core Debates chapter onward.

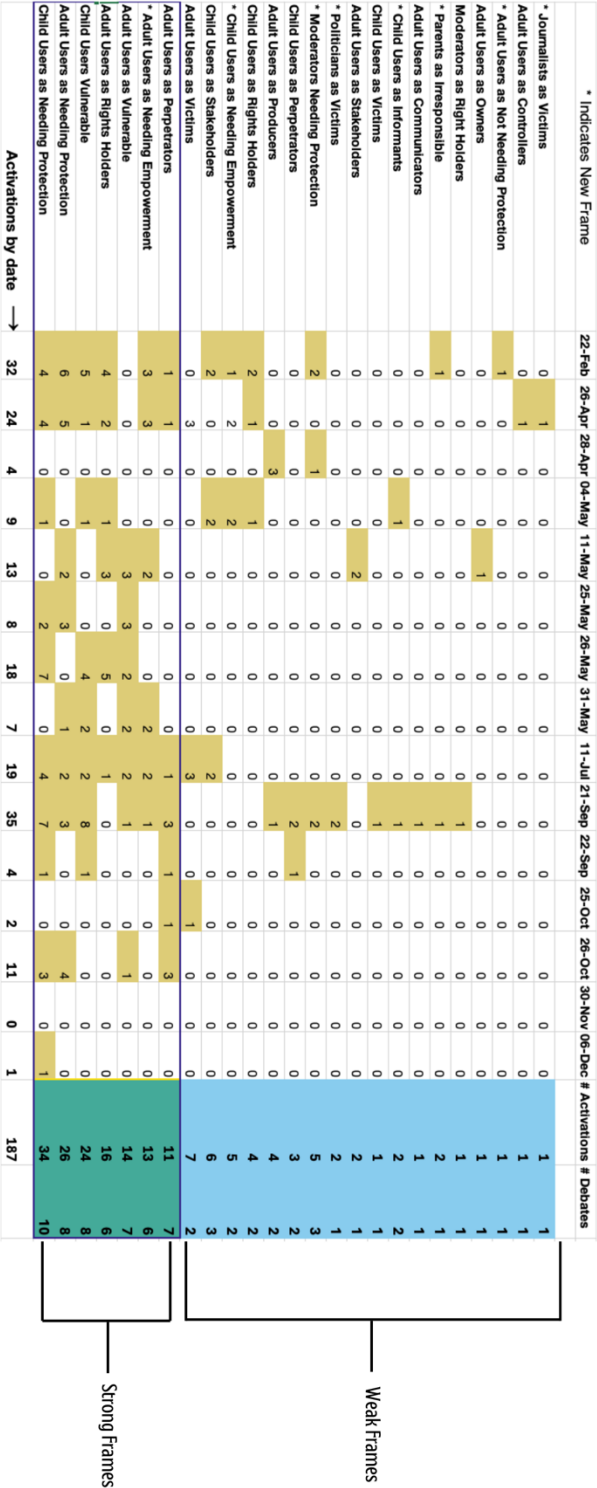
Users/Adult/Child/Politicians/Journalists as Victims	Users explicitly receiving online harm. Often activated anecdotally in reference to guest testimony. *Divided by user type from Core Debates chapter onward.
Child Users as Informants	Children giving regulators insight into social media trends and harms among younger age groups.
NEGATIVE AGENTIVE	
Users/Adult/Child/Politician as Perpetrators	Presents users as employing their agency to harm others, such as through bullying and sexual exploitation. Blames users for online harm and legitimates OSMR. *General frame only activated in PLS debates. Divided by user type from Core Debates chapter onward. Politician frame only activated during legislator interviews by Senator Cassells.
Parents as Irresponsible	Presents parents as not taking necessary precautions to protect their children on social media, such as by not monitoring their usage. Places blame and responsibility on parents for child harm.
Adult Users as Unthinking	Suggests adults do not practice awareness and critical thought when online. Places a degree of blame on users for harms experienced. *Only activated once during legislator interviews.

Technology Frames

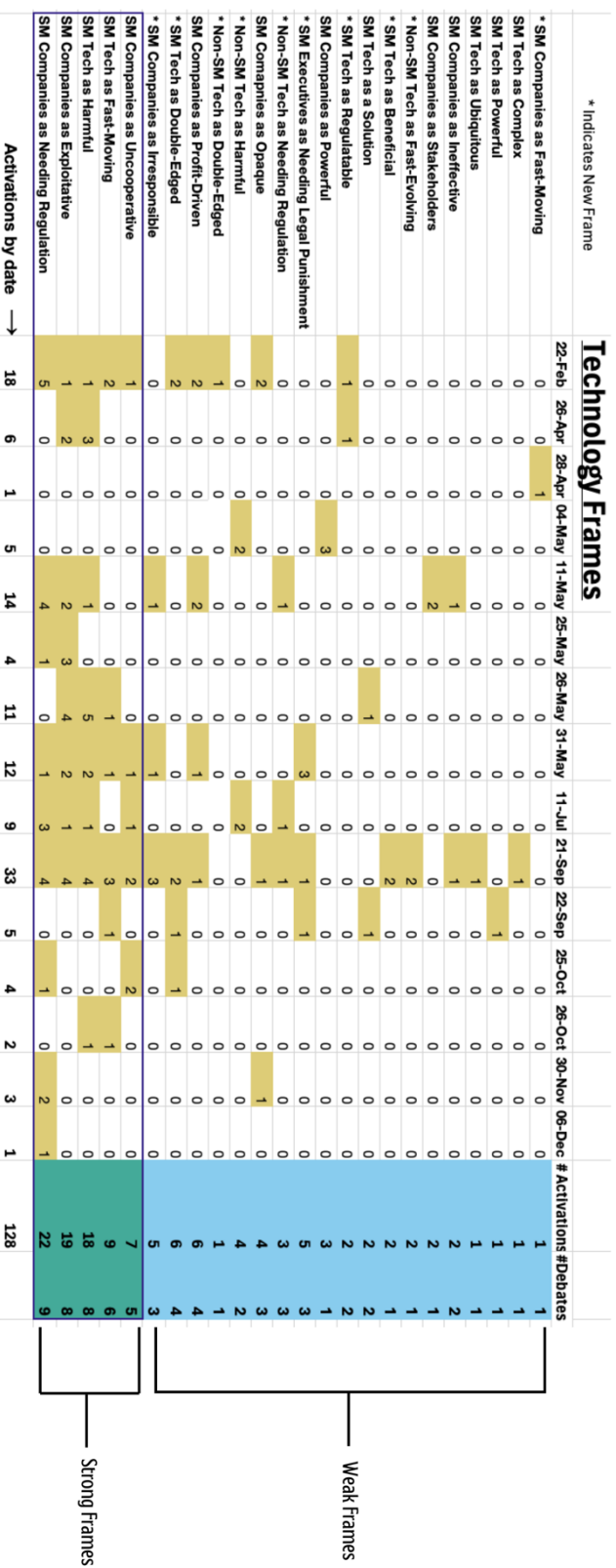
NON-DETERMINIST	Definition
SM Companies as Ineffective	Presents SM companies' methods for combating harm, such as current moderation and complaints strategies, as not effective in reducing harm. Often used to legitimate OSMR.
SM Companies as Uncooperative	Suggests SM companies are obstructive of government action in regarding SM. Often mentioned in relation to platforms refusing to answer government's questions or used to legitimate OSMR and blame SM companies for harm.
SM Companies as Stakeholders	Presents SM Companies as potential partners in a future regulatory regime. Places a certain degree of responsibility on companies to improve the SM environment alongside other actors.
SM Companies as Powerful	Presents SM companies as economically or politically influential. Frequently activated via mentions of corporate revenue figures or lobbying tactics. Often used to legitimate OSMR.
SM Companies as Needing Regulation	Alleges that SM companies require government oversight. Often an implicit suggestion that no other entity besides regulators can effectively challenge corporate practices. Often used to legitimate OSMR.
SM Companies as Profit-Driven	Suggests SM companies are concerned with making money at the expense of user and society wellbeing. Often used to legitimate OSMR and blame industry for harm.
SM Companies as Opaque	Suggests SM Companies are not transparent enough about their internal practices, including how they reach moderation and design decisions. Often used to legitimate OSMR and blame industry for harm.

SM Companies as Exploiting Users	Presents SM Companies as taking advantage of users to increase engagement and profit. Most frequently used in relation to algorithmic manipulation. Often used to legitimate OSMR and to blame industry for harm.
SM Tech as Needing Regulation	Suggests SM tech (e.g., algorithms, platform design) needs government oversight. Thus, often used to legitimate OSMR and place responsibility on government for reducing SM harm.
NON-SM Tech as Needing Regulation	Presents non-social media technology as needing government oversight. Often used to blame technology for harm and place responsibility on government to address it. *Activated from Core Debates onward.
SM Technology as Regulatable	Suggests SM technology can be effectively regulated by government. Distinguished from ‘needing regulation’ frame by foregrounding the <i>possibility</i> of regulation. Places responsibility on government to address online harm. *Activated from Core Debates onward.
SM Tech as Ineffective	Presents SM tech solutions such as AI moderation and algorithmic adjustments as insufficient to combat online harm. Blames technology for harm and legitimates OSMR.
DETERMINIST	
SM Tech as Ubiquitous	Suggests that SM technology pervades all areas of society and is relatively unavoidable/inescapable. Relates to the determinist concept of obligatory tech. Used to indirectly legitimate OSMR.
SM Tech as a Solution	Presents technologies such as AIs and algorithms as possible mechanisms for addressing harm. Aligns with determinist belief in ‘solutionism’. Places a degree of responsibility for solving online harm on technology itself.
SM Tech as Opaque	Presents the internal operation of SM technology as mysterious and unknowable (i.e. ‘black boxed’). Relates to determinist concept of technology having an ‘internal logic’. Often used to legitimate OSMR and particularly transparency requirements on platforms.
SM Tech as Harmful	Presents SM tech as harmful in essence by discussing SM harm without reference to SM companies or other human involvement (e.g., algorithms, design). Often used to legitimate OSMR.
SM Tech as Fast-Evolving	Presents social media as a rapidly changing entity. Related to the determinist concept of ‘linear progress’ of technology and ‘cultural lag’. Often used to question the efficacy of SM regulation.

Appendix 3: Core Debate Frame Activations

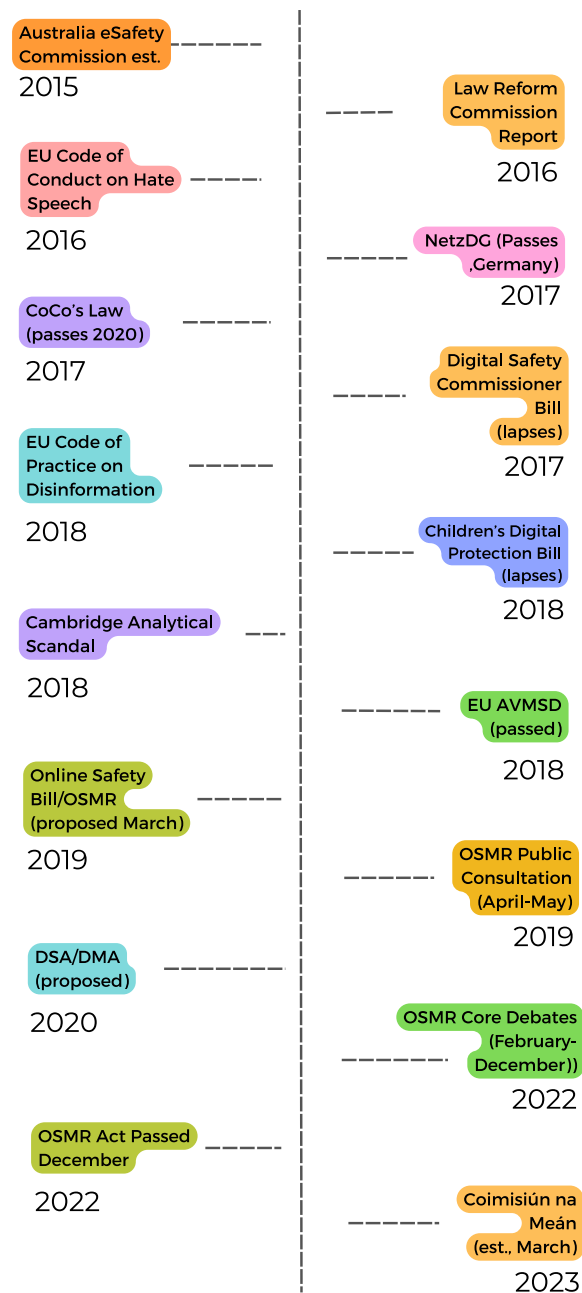


Core Debate Technology Frames



Appendix 4: Detailed OSMR Timeline

OSMR POLICY CONTEXT



Appendix 5: Ethics Approval Form



Faculty of Humanities & Social Sciences **DUBLIN CITY UNIVERSITY**

27 April 2022

CONFIRMATION OF RESEARCH ETHICS APPROVAL FOR A PROJECT

Application Reference: **DCU-FHSS-2022-026**

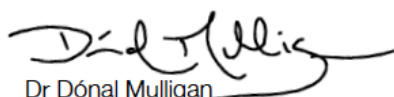
Project Title: **To Protect or Empower?: The Role of Irish Policymaker Beliefs and Shaping Irish Social Media User Agency**

Project contact(s): **christopher.west3@mail.dcu.ie**

Let this letter certify that the proposed project identified above has been reviewed by the *Humanities & Social Sciences Faculty Research Ethics Committee* (F-REC) and has been approved as a low-risk project. The application was found to that comply with university requirements and best practices for research ethics, and with GDPR guidelines and requirements where personal data is processed in the project.

A copy of the application, including appended documents related to participant consent, is archived under the reference above. Queries about this project's approval may be directed to the F-REC Chair.

Sincerely,



Dr Dónal Mulligan
donal.mulligan@dcu.ie

Chair, Faculty Research Ethics Committee
Faculty of Humanities & Social Sciences
Dublin City University

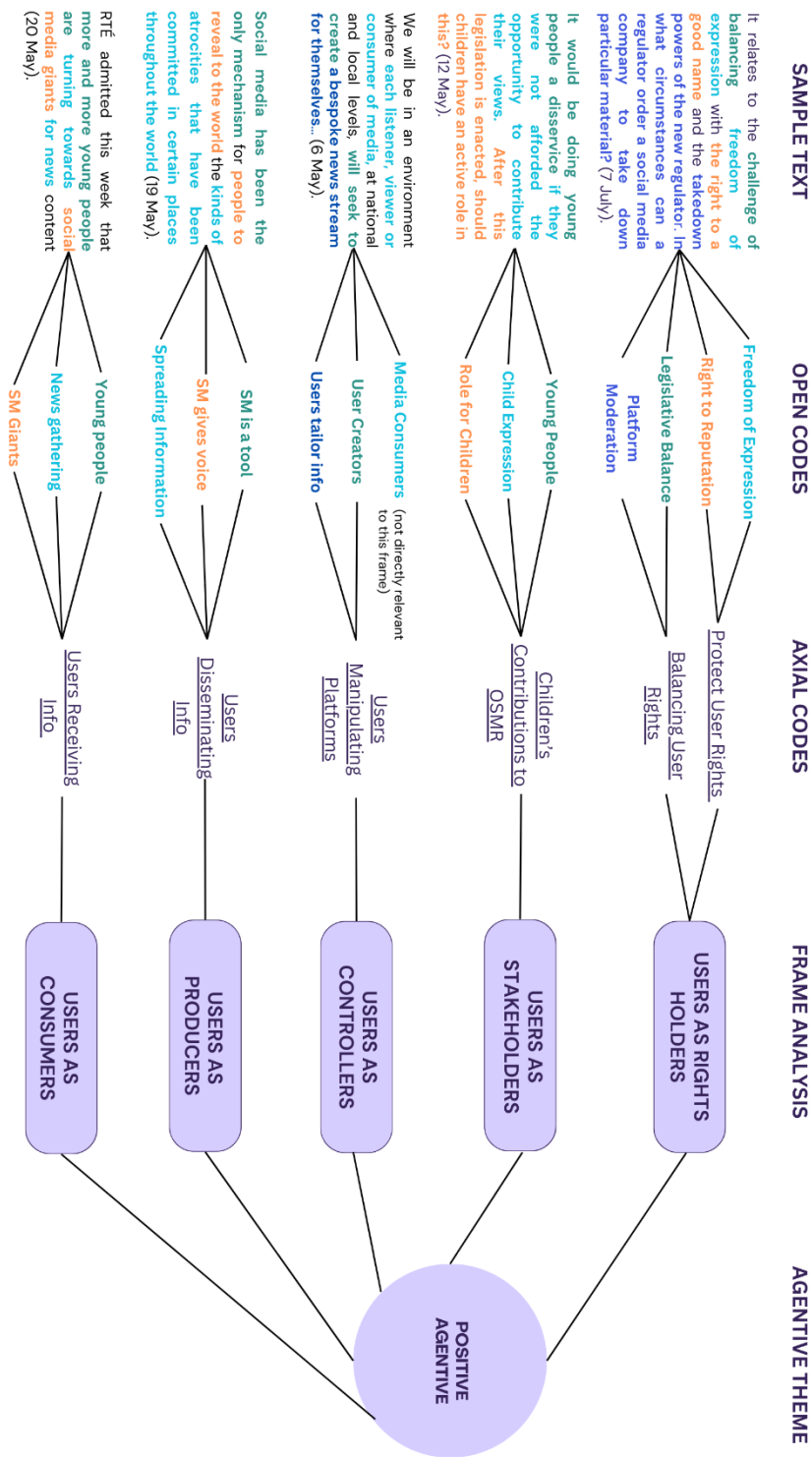
Dámh na nDaonnachtaí agus na nEolaíochtaí Sóisialta
Ollscoil Chathair Bhaile Átha Cliath

Focus Group Schedule

***Remind participants that this is a conversation amongst them and that I am here to listen. Only use points below to guide the discussion (if needed).**

- 1. Establish general thoughts on SM by asking participants to describe what platforms they use and why.**
 - a. Possibly ask for adjectives to describe SM.
 - b. Follow up by asking for personal use case examples.
- 2. Ask participants to explain how they manage their time on social media.**
 - a. Follow up question: are you in control of your experience? If so, how?
 - b. In what ways do you not have control?
- 3. Ask participants to explain whether they think SM is on the whole good or bad.**
 - a. Listen for techno-optimist/pessimist thought patterns.
- 4. Ask participants whether they think SM is harmful, and if so, how.**
 - a. Listen for the sources of harm that are put forward (users, technology, companies, etc.).
 - b. Ask people to share personal harm experiences, if they are comfortable.
- 5. Ask participants how the harms they listed can be addressed.**
 - a. Possible follow up question: “Who is responsible for fixing these problems”?.
 - b. If participants do not mention government intervention (after some time), as why.
- 6. Tell participants to imagine they are a politician drafting legislation to address harm. Possible prompts:**
 - a. What harms would be most important to address?
 - b. What solutions would you consider?
 - c. Who would you talk to?
 - d. Would these ideas work? Why or why not?

Appendix 7: Grounded Theory Codes to Frames Examples



Interview schedule

Q1. “When you hear the words ‘Social Media’, what comes to mind?”

This question asks interviewees for their candid reaction to the term ‘social media’ to assess whether they adhere to DETERMINIST ideology (RQ1). For example, interviewees may discuss SM as technology and/or industry (SM companies) and may or may not acknowledge user agency as part of the technological process.

Q2. “What is OSMR and why is it important?”

This question is designed to help answer RQ2 concerning policymakers’ views of user agency by soliciting an explanation of OSMR and why it is needed (i.e., whether it is meant to ‘protect’ or ‘empower’ users).

Q3. “What would you say to a citizen who asked you how OSMR will impact them?”

This is in some ways a disguised question, as it invites the legislator to outline who they believe the Bill serves without explicitly asking them. There are several reasons for including this question: First, it may help settle the frame ambiguity as to whether OSMR is expressly for children or for children and adults. Further, it may also shed light on the types of child and/or adult users policymakers envisioned.

Q4. “Did you have a certain type(s) of users in mind when debating the Bill? If so, whom?”

This question is meant as a follow-up if interviewees did not outline specific user types in their previous response.

Q5. “Where did the balance fall between adults versus children in the debates and final Bill?”

Related to Questions 3 and 4, this question explicitly asks whether policymakers see OSMR as serving adults and/or children. It directly addresses the problem of frame ambiguity and may also help assess the degree to which interviewees differentiate between adult and child agency.

Q6. Was there a development that surprised you over the course of the policymaking process? Was there anything that you didn’t think was initially important than became relevant or vice versa?

This question was included in hopes that interviewees might give insight into how shifts in frame usage or the emergence of core concepts such (e.g., the Individual Complaints Mechanism) arose.

Q7. “Going forward, what will the most significant challenge be for the Coimisiún?”

This question extended the scope of interview beyond the OSMR Act to its policy outcomes. It allowed interviewees to share their predictions for OSMR’s functioning and was a further opportunity to detect DETERMINIST vs. NON-DETERMINIST belief, as well as views on responsibilities toward user agency (e.g., protection vs. empowerment).

Appendix 9: Legislators & Party Affiliations

Legislator List only includes legislators who contributed during the debates	Party Affiliation
Deputy Niamh Smyth T.D.	<i>Fianna Fáil</i>
Deputy Alan Dillon T.D.	<i>Fine Gael</i>
Deputy Ciarán Cannon T.D.	<i>Fine Gael</i>
Deputy Peter Fitzpatrick T.D.	<i>Independent</i>
Deputy Brendan Griffin T.D.	<i>Fine Gael</i>
Deputy Mattie McGrath T.D.	<i>Independent</i>
Deputy Imelda Munster T.D.	<i>Sinn Féin</i>
Deputy Johnny Mythen T.D.	<i>Sinn Féin</i>
Deputy Christopher O’Sullivan T.D.	<i>Fianna Fáil</i>
Deputy Holly Cairns T.D.	<i>Social Democrats</i>
Deputy Jack Chambers T.D.	<i>Fianna Fáil</i>
Deputy Sorca Clarke T.D.	<i>Sinn Féin</i>
Deputy Gary Gannon T.D.	<i>Social Democrats</i>
Deputy Emer Higgins T.D.	<i>Fine Gael</i>
Deputy Thomas Gould T.D.	<i>Sinn Féin</i>
Deputy Michael Murphy T.D.	<i>Fine Gael</i>
Senator Malcolm Byrne	<i>Fianna Fáil</i>
Senator Micheál Carrigy	<i>Fine Gael</i>
Senator Shane Cassells	<i>Fianna Fáil</i>
Senator Annie Hoey	<i>Labour Party</i>
Senator Fintan Warfield	<i>Sinn Féin</i>
Senator Emer Currie	<i>Fine Gael</i>
Senator Alice-Mary Higgins	<i>Independent</i>
Senator Sharon Keogan	<i>Independent</i>
Senator Vincent Martin	<i>Green Party</i>
Senator John McGahon	<i>Fine Gael</i>
Senator Eugene Murphy	<i>Fianna Fáil</i>
Senator Pauline O’Reilly	<i>Green Party</i>
Senator Lynn Ruane	<i>Independent</i>
Senator Marie Sherlock	<i>Labour</i>