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The document: This policy proposal has been prepared with the help and guidance of the International Fellowship Program affiliated with The Open Society Institute and the Center for Policy Studies (Budapest). An extended version of this document can be found: http://policy.hu/hammer/policyresearchpaper.html

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Key thesis: Infotainment television (current affairs, talk show, reality entertainment) programs portray disadvantaged people in stereotyped ways. This practice cannot be judged as a matter of mere style or taste. These portrayals and their reception by viewers constitute active elements of social exclusion of the disadvantaged, which is no less a matter-of-fact condition than a sheer lack of money is. The aim of social inclusion in Europe is justified by the public interest, therefore stereotyping television contents as free expressions can be, and should be regulated in the name of the public interest. Infotainment media production, texts, and their receptions require a reassessment of media regulation in a similar vein as it has been developed in reaction to the appearance of digital media and services. In this proposal we:

- *analyze* representation strategies that Hungarian commercial reality television programs employ in portraying the poor and the needy, and then
- *assess* statements of various social and policy sciences regarding the likely effects of the representations in question on people's life in real terms; in other words, we
- *juxtapose* the issue of representation of poverty and their effects with the concern of the public interest. In doing so, we
- *evaluate* stakeholder standpoints, especially Hungarian, foreign and EU media regulatory instruments' capacity to tackle concerns regarding television representation of the disadvantaged, and finally in the context of given regulatory environments, we
- *formulate* a range of conceivable policy alternatives, and then
- *identify* a set of recommendations addressing various aspects of a desirable policy change process both in a national and in a European context.

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1. Results of content and production analysis

The objective of this document is to outline a framework for a communication policy (content regulation) that can tackle *portrayal and representation* issues. The main obstacle in the way to do sensible content regulation concerning stereotyped representations is that these portrayals perform their effect in a *longitudinal and cumulative way* – features that make these phenomena as social facts easy to analyze for social scientists, but make it rather difficult to be addressed by media regulators, because content restrictions –on human dignity, privacy, and professional standards– seek to address content issues through the portrayed individual's right to appropriate media treatment. This discrepancy results in serious moral and justice-related concerns especially in the case of the portrayal of economically disadvantaged groups by television factual entertainment programs, such as current affair entertainment and human interest magazines, confessional chat shows, police magazines, crime buster shows, docu soaps, ambulance and hospital reality programs, etc; programs which have occupied solid positions in commercial stations' prime time program.

These magazines often include stories about problems in disadvantaged people's life, and –as the empirical research segment of this proposal, and another media analyses suggest– these representations offer a stereotyped vision of people living in poverty and exclusion in the following ways:

1. *The missing poor.* Societies seem to be much richer on the screen than they are in reality; "media society" is predominantly middle and upper class.
2. *The evaporating poor.* Textual underrepresentation of the poor in the media causes heavy viewers to underestimate the proportion of the poor contrasted to the rest of the society.

3. ***The deviant poor.*** Media texts often make implicit connection between crime –and other forms of deviance– or negative personal traits –immoral behavior, laziness, substance abusing– and poverty.
4. ***The deserving and the undeserving poor.*** The poor are strictly divided into two distinct groups in the media. The first one is the client of the "charity angels", while the second one is that of the police.
5. ***The mute poor.*** Poor people's problems are often represented by "spokespersons" (experts, social workers, politicians), while the poor lend the *picture* of their body, or of their physical environment to the report or program.
6. ***Abundance of poverty in reality TV.*** Our research on *Fókusz*, a Hungarian daily current affair entertainment magazine has shown that a viewer of this program would see 2 or 3 poverty-related reports every week on average.
7. ***The troubled poor.*** 34 of the 37 the poverty-related reports in the research sample are organized around the larger theme of suffering, misery, sickness or conflict.
8. ***The poor 'out there'.*** Poor people's problems are almost never contextualized in a wider societal context.
9. ***Poverty as an essentialized condition.*** Poor people's problems are discussed predominantly in the context of their life story; wider causes and effects of the portrayed problem are mostly omitted from the report; the discussed social problem is portrayed as a result of the personal failure, misfortune, or particular inability of the portrayed individual, and people in the poverty-related reports express nothing about themselves or about their life other than the details of their problem.
10. ***Distress pictures as proof.*** The striking pictures of social suffering as "descriptions" serve as suggestions regarding the causes of the distress: all unified in the visual image and words of the portrayed poor person. The consequence of this rhetoric is that it produces a distance between the portrayed problem and the viewer.
11. ***Poverty as a network of allusions.*** Visual allusions (close pictures of trembling hands emphasizing inability to act, a cracked empty pot suggesting hunger, intimate description of bodily problems, or close shots of undressed sick bodies suggesting lack of control, etc.) constitute a network of "cooperating" arguments in portraying the poor.
12. ***Poverty TV: A mixed genre.*** Reports constitute a mix of various styles, levels of empathy or of sensationalism; most of the reports would not fit to any category as "emphatic", "empowering", "voyeuristic", or "poor-bashing".
13. ***Poverty in a magazine mix.*** Reports on poverty-related issues gain a position (and presumable viewer reaction) similar to other 3-4 reports in the program sequence covering extreme sports, exotic animals or celebrity look-alikes, this way placing an accent to the borderline between the "sober center" and eccentric/exotic/deviant margins.
14. ***Panoptical authority over the poor.*** "God's voice" narration and the elimination of technical television presence from what actually is seen and heard on TV, the interviewed people's direct testimony to the viewer, are mechanisms that create symbolic distance between the viewer and viewed person, or problem.
15. ***Appearance in* Fókusz *as last straw.*** Among people with problems in society, the more disadvantaged a person, the more likely she or he would approach *Fókusz* as a last hope to solve the given problem.

In the next section we will point out how the analyzed *textual, reception-related and production-related observations constitute a set of public interest concerns.*

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2. Consequences and impacts of stereotyping portrayals

1. Stereotyping as a ***human dignity*** concern: Human dignity possessed by individuals is the function of their ability to control meanings associated with their life. Stereotyping people is therefore an act of deprivation of their human dignity.
2. Stereotyping as a ***democratic participation*** concern: The conceptual added value of the notion of exclusion, compared with poverty, is that –apart from material hardships– it reflects a deprivation from participation in the community. In contemporary modern societies "participation" is more often media portrayal than individual participation, while "community" in concrete terms resembles media audiences. Therefore, exclusion of a group is a function of the nature of their portrayal in the media. The rationale for free expression as a public interest value lies in its capacity to create dialogue and a forum for managing public issues; therefore, particular care is needed when, in the name of public interest, free expression is protected

at the expense of depriving groups or individuals from entering into the public dialogue, because as subjects of stereotypes they are deprived from controlling meanings about their life and therefore excluded from rational deliberation.

3. Stereotyping as an *access* concern: Stereotyped portrayal can affect viewers' access (as a communication right) to undistorted information – this fundamental right is an essential element of the set of instruments protecting public debate as a means of democratic self-government.

4. Stereotyping as a *cultural citizenship* concern: Social exclusion in modern democracies is strongly connected to socially constructed meanings people hold with or without their will and intention; these meanings serve as guidelines for others (and for the individuals themselves) in the process of their recognition as members of their communities (possessing particular notions of cultural citizenship.)

5. *Policy* acknowledges representation as a means of exclusion: Eurostat, the statistical office of the EU has developed a set of measurable non-monetary indicators of poverty and exclusion –supplementing income- and wealth based indicators–, such as symbolic references, images and representations. Eurostat argues: *"Social exclusion can be identified not only through objective aspects of people's lives, but also by images related with their social positioning and their ability to make choices to act."*

6. Empirical research on framing effects proves that main portrayal genres reality entertainment programs employ *induce victim-blamin* g and scapegoating sentiments in the viewer.

7. Social stratification research shows that cultural variables constitute key factors in status formation. Exclusionary television contents, patterns of media consumption, levels of trust in the media and others, patterns of self-perceptions and perceptions of other groups as strongly correlating factors contribute to the widening of the *gap between the excluded and the rest of the society*.

8. Social policy studies suggest that exclusionary public rhetoric often paves the way for *exclusionary social policies*; the career of the concept of underclass under the Reagan administration is a notable example.

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3. Stakeholder standpoints regarding the television portrayal of the disadvantaged

1. EU, UK, and Hungarian media regulation instruments' attention to portrayal of the disadvantaged, with particular attention to human dignity, stereotyping, and self-regulation;
2. Media organizations and professionals opinion on professional and ethical concerns associated with infotainment;
3. Non-governmental media-related initiatives' stake on the issue, and concerns outlined by the media theory and cultural critique community regarding representation and exclusion.

3.1. Stakeholder (1): Audiovisual media regulation

As we have pointed out in the previous section, the process of social production of meanings related to the life of the poor (with particular attention to television programs) in itself contributes to the social, economic, cultural and political exclusion of the poor, and therefore, representations of poverty are an inherent part element of the process of reproduction and perpetuation of poverty. In this context the claim would not sound too convincing, that sheer market competition, or in other words, the fresh spirit of free communication would generate a discursive public good equitable to all. Consequently, *substantial public interest concern lies s in the claim of regulation of communication content affecting social exclusion, possibly in the form of self-regulation.*

There are only three obstacles in the way of this proposal: Firstly, contemporary communication regulation regimes tend to use the trump of public interest in restricting freedom of communication only in a few rather meticulously circumscribed cases; they tend to abstain from direct regulation of media content. Violent and sexually explicit materials, and hate-speech are the main contents that have been found by regulators as appropriate to restrict in the name of public interest. Secondly, a quick glance at EU, US, and national media regulation instruments from Europe, show one thing that seems rather obvious: There is no country where issues and controversies associated directly with representations of poverty had been included into media regulation documents. Thirdly, self-regulation is a virtually non-existent concept in European commercial television.

After the review of EU and certain European national regulatory documents, it is clear though that *numerous "neighboring" concerns* related to television portrayal of the disadvantaged are expressed in these documents and processes:

1. The "High Level Group's" report (The Digital Age: European Audiovisual Policy, 1998) asserts "[the media] *are largely responsible for forming (not just informing) the concepts, belief systems and even the languages – visual and symbolic as well as verbal - which citizens use to make sense of and interpret the world in which they live. Consequently, the role of communication media extends to influencing who we think we are and where we believe we fit in (or not) in our world: in other words, the media also play a major role in forming our cultural identity;"*

2. The Green Paper on the Protection of Minors and Human Dignity recognizes: *"The freedom to provide services is one of the four basic freedoms guaranteed by the Treaty. Restrictions are possible for overriding reasons of public interest, such as the protection of minors and of human dignity, but are subject notably to the proportionality test;"*

3. Chapter VI of the Television Without Frontiers Directive on the right to reply asserts that it can be exercised by persons *"whose legitimate interests, in particular reputation and good name, have been damaged by an assertion of incorrect facts in a television programme must have a right of reply or equivalent remedies;"* - therefore the document does not say that *only* the portrayed individuals can exercise their reply right.

4. The Television Without Frontiers Directive does not specify where the borderline is between "incorrect fact" as a single occurrence, and a "fact" suggested by either a stereotyped representation or by a cumulative impact of a larger number of messages;

5. The 1999 Council Conclusions on the role of self-regulation (OJ C 283/2 of 6.10.99) suggest that the claim of regulating poverty related television contents and productions naturally invites the application of a particular of self regulation, and that self-regulation as an "in nature" national issue reflecting values and concerns of the given society therefore should be taken care of by member states individually;

6. The Green Paper on Convergence asserts that –in the context of ICT development – it is important to rethink principles of regulation *"in the light of the specific characteristics of the service concerned. This means that there does not have to be a single standard applicable to the same content whatever the channel used for distribution. Instead, different standards might apply;"*

7. The UK Broadcasting Standards Commission's (BSC) codes on fairness and standards asserts: *"individuals should not be exploited needlessly or caused unnecessary distress, nor should the audience be made to feel mere voyeurs of others' distress;"*

8. The ITC program code formulates content effect concerns (including concerns referring to cumulative effects) regarding the portrayal of gratuitous violence *"can upset, disturb and offend and can be accused of desensitising viewers, or making them unduly fearful or of encouraging imitation. These are legitimate public concerns.."* (Code 1.7.) *…The regular and recurrent spectacle of violence may lead viewers to become less sensitive to violence or to overestimate the level of violence in the real world. Licensees must take into account the potential cumulative effect of violent material;"*

9. The BBC Producers' Guidelines (under Portrayal, 9.2.2.) warns of stereotyped portrayal *"People should appear in the full range of roles that reflect reality. BBC programmes should not categorise black people as criminals, women as house wives, disabled people as victims, gay people as ineffectual, old people as incapable, or people of any particular profession, vocation or walk of life as inevitable source of fun;"*

10. The Visegrad Protocol, the Voluntary Code of Ethics for Hungarian Broadcast Journalists, asserts: *"Disadvantaged people should not be made to look unusual or extreme."*

11. The Television Without Frontiers Directive encourages awareness and educational measures to reflect on problems associated with content-related issues.

4.2 Stakeholder (2) Media organizations and professionals

In terms of the roles and performance of current affairs entertainment magazines, commercial television professionals generally argue that the popularity of these programs and the lack of serious regulatory intervention with regard to these contents justify their claim. That is, these programs play an integral role in the dual media system: They inform and entertain the public.

Media professionals outside the commercial television industry however often express a more skeptical view regarding the ethics and professional character of non-fiction entertainment television, that is, these programs cover social issues as "horror", desensitize viewers, or market human misery.

4.3 Stakeholder (3): Civil society and academia

1. Numerous US-based and Canadian media watch organizations, advocacy groups and social welfare protection organizations criticize the way North-American print and electronic media portray poverty. They claim that "poor-bashing", or blaming the poor in the media hold two major features. Firstly, they observe a racial bias, which causes white poor people to be portrayed with journalistic sympathy more often, while non-whites –especially African-Americans– are more likely to be presented in the stories with negative traits. Secondly, researchers and activists claim that there is an emerging tendency in the media in North America; poverty stories appear more and more frequently in the context of crime, drug abuse, welfare fraud and violence.

2. *Community Action Poverty*, a Winnipeg-based activist group, has formulated the effects of "poor-bashing" the following way: It hurts people in their daily lives. Adults and children are shunned, despised, pitied, patronized, humiliated, and ignored. It blames individuals for being poor, and takes attention away from the overall state of the economy. It justifies policies like workfare, which undermines wages and working conditions. It undermines support for social programs that benefit all Canadians and our communities. It encourages people to think in stereotypes and to discriminate against people who are poor. "Snitch" lines criminalize people on welfare and turns people against each other.

3. The Budapest-based European Roma Rights Center's press watch service and the Roma Press Center (Budapest) have published important studies about Roma representations. These studies claim that the Roma suffer a certain discrimination in the media, because they appear in the programs almost exclusively in the contexts of violence, conflicts and suffering (Bernáth – Messing, 1998; Messing, 1998, 2000; Vicsek, 1996.)

4. In the US, African-Americans are overrepresented in news magazines' poverty-stories, and at the same time underrepresented in news stories that suggest sympathy to the depicted person (Gilens, 1999).

5. The media in the US portrays poor people in the context of crime, drunkenness, and drug using (Gans, 1995.)

6. In the US, magazine photographs in poverty stories overrepresent female, black, urban, and children's poverty, and white characters in "poor on job training" story lines (Clawson – Trice, 2000)

7. Stereotyped portrayals of the poor fuel public misperceptions on poverty, which might influence social policies towards directions that punish the poor (Bauman, 2001/1998.)

8. In general media content, the upper and middle classes are overrepresented in fiction, non-fiction and news programs (Croteau – Hoynes, 2000.)

9. Cultivation theory says that media reality influences the way people estimate the size of different groups in the society (Gerbner, 2000.)

10. In news and current affairs stories the poor can be differentiated clearly into two groups: the deserving and the not deserving poor (Devereux, 1998.)

11. Narratives styles employed by news programs induce victim-blaming sentiments in the viewer (Iyengar, 1991.)

12. Dominant genres of the news media –that present personal stories not as examples of more general problems but as the problems themselves– are integral parts of a hegemonistic exercise of power that is *"achieved not by direct coercion (a last resort), but routinely by seeing to win the consent of subordinate and powerless groups"* (Hartley, 1982.)

13. The disadvantaged suffer from a cultural domination of the upper classes of society, because as both invisible in public life and stigmatized by dominant stereotypes, their marginal position has been created through two mechanisms: Firstly, dominant meanings about the poor and dominant discussions and perceptions of the poor body reinforce each other. Secondly, the experience of marginalization –both in the eyes of the disadvantaged and the rest– has become petrified as taken-for-granted objective reality (Young, 2001.)

14. Genres employed by tabloid television programs contribute to a "regime of truth" (Foucault) regarding the position of the disadvantaged in the society, suggesting a "normalized", "the way as it is" vision of social differences and of society (Glynn, 2000.)

15. Reality entertainment programs' main frame, the first person format suggests a particular notion of neoliberal citizenship, according to which the rich and the poor can predominantly thank themselves for their particular position, while the role of the state is restricted to managing hard crises, such as violent crime, forest fires or mad cow disease. *"Narratives of personal change are the only narratives of change that the television of neo-liberalism can offer"* – argues Jon Dovey (2000) in his *Freakshow*.

16. The choice of words one describes a problem with is in fact a decision itself about the desirable direction of the solution of the problem. Robert Castel (1993), a historian of social policy, warns about the consequences of using certain words in social policy: *"Instead of using such terms as poverty, marginalization, deviance, exclusion, I propose terms like uncertainty of lives, vulnerability and disintegration. The purpose behind such terms is to suggest that we are witnesses to a changing process, rather than static conditions. This affords us the optimism of placing such social phenomena- in a dynamic context which we are able to improve: to help those in need before their vulnerability becomes entrenched in a fated, frightening reality."*

As we have stressed in the beginning of this section, today regulatory instruments do not pay particular interest to considerations regarding the media (especially television) representation of the disadvantaged. The analyzed stakeholder standpoints from the overall media policy field might suggest that ***this proposed regulation of the television representation of the disadvantaged is a somewhat unusual regulatory enterprise, but nevertheless as a media policy reflection on the issue of exclusion, it is not alien to the spirit of the documents regulating social life in the European Union.***

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4. Policy options

One: Contemporary media regulation needs only minor adjusting to tackle the issue of portrayal of the poor
Two: The disadvantaged as a minority group should enjoy protection from discriminat-ing, unfair, or stereotyped portrayal
Three: Local fix – Only the new and problematic hybrid contents should be regulated

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5. Recommendations: Option Four

"Preamble":

I. The delicate balance of freedom and solidarity is a genuine European value. As freedom is mainly exercised by individuals to pursue their goals and passions, solidarity –as policy, discourse and way of life– is the antidote against social exclusion.
II. The objective of decreasing social exclusion is a justifiable public interest concern for the regulation of the media.
III. New hybrid forms of factual and entertainment programs sweep throughout the television industry in Europe; substantial concern has been expressed regarding the nature and impact of these programs, especially concerning their treatment of issues associated with the social and cultural margins of the society.
IV. Considering that in media regulation (i) the Television Without Frontiers Directive contains no reference to stereotyped portrayal; (ii) the justifiedness of someone's portrayal can be evaluated unambiguously today only through whether facts appearing in that portrayal are true or not, and; (iii) stereotyped portrayal of the poor presents concern nowhere in the EU; one can argue that these facts can be evaluated as active elements of the process of exclusion the disadvantaged suffer today in Europe.

The following steps constitute the elements of an emerging policy process that aims to address concerns regarding the television portrayal of the disadvantaged:

1) Initiate relevant university courses.
2) Organize media attention.
3) Build a network of interested individuals, professionals, and institutions.
4) Do empirical media studies research on poverty portrayals in factual entertainment programs.
5) Prepare an assessment of regulatory instruments –media outlets' codes of conduct, national media policies with special attention to the Complaints Committee of ORTT, EU-policies– relevant from the viewpoints of dignity, factual entertainment, stereotyping, and portrayal of the disadvantaged.

6) Prepare a curriculum framework –on media, exclusion and inclusion– for secondary school media literacy classes or courses, consult with curriculum developers, education policy makers, teacher associations; develop curricula, prepare classroom materials, do teacher in-service training, organize pilot classes.

7) Approach the national media regulation authority with the conclusion of the work done so far. Initiate a discussion with the cooperation of the authority. Discuss the possibility of a pilot research project done by the authority: a longitudinal monitoring and content analysis of poverty-related programs in public service and commercial television programs.

8) Get journalists, media companies, advocacy groups, and organizations of the disadvantaged involved into the discussion.

9) Prepare a few concrete content, editorial and production recommendations and consult with journalists, editors, producers, their associations and companies. These recommendations might include: (i) Avoid "totally-episodic framing" in portraying social problems; (ii) When presenting a story about a disadvantaged person, include clues about the size of the group in the society sharing the same problem; (iii) On the longer run, editorial attention should be paid not to portray poor people exclusively in the contexts of deviance, suffering, everyday extremities, freakish practices, but also in the contexts of pleasures, dignity, sacrifice, and beauty; (iv) When portraying extreme human distress (physical suffering, illness, mutilated bodies, personal tragedies), include a rhetorical argument about what sort of public interest concerns are addressed by those portrayals;

10) Consult human rights experts about possibilities of a precedent-like lawsuit regarding stereotyped portrayal in terms of (i) human dignity; (ii) the question of the subject of the right to reply to a program portraying a person belonging to a disadvantaged group. Consult the possibility of a follow-up research by human rights activists interviewing people who were portrayed in factual entertainment programs about their experience about fairness and accuracy in terms of the production process and the broadcast content.

11) With the cooperation of the national media regulation authority initiate a formal process of self-regulation in the public service and commercial television industry. Discuss content recommendations with them. Facilitate innovative productions highlighting solidarity and inclusion. Facilitate the production of a shared code of conduct. Facilitate a distribution of responsibilities between public service and commercial production.

12) Do an assessment of the process from (1) to (11). Report the results to international professional organizations, and policy actors. Seek for further input from abroad.

13) An EU-level expert group should assess, coordinate and dovetail experiences of various policy fields regarding the nature of exclusion in European societies.

14) An EU-level research on mediated exclusion and on non-stereotyped portrayal.

15) A general reassessment of EU media policy instruments regarding portrayal of the disadvantaged:

- whether stereotyped portrayal constitute a harm of human dignity (protected by the European Convention of Human Rights), because the meaning viewers decode from stereotyped portrayals is out of reach of the portrayed group or individual, and above all, the Convention asserts that the right to freedom of expression can be restricted for "the protection of the reputation or rights of others";
- whether regulation can protect the disadvantaged as a minority (similarly to racial, ethnic or religious groups) from discrimination (ruled by the Television Without Frontiers Directive);
- how to address cumulative effects with the current (fact- and event-based) regulatory paradigm;
- under what conditions the right to reply (in case of a stereotyped portrayal) can be exercised by other people belonging to the same group;
- whether reality TV genres (human interest stories, current affair entertainment magazines, docu soaps, docu dramas, reality TV programs using footage from CCTV cameras, crime buster magazines, confessional chat shows, reality shows, etc.) mixing fiction and reality in numerous unprecedented ways, require or not the reassessment of regulation addressing concepts, such as dignity, privacy, informed consent, etc. (similarly to the regulation philosophy and practice concerning digital media texts and services.)
- a reassessment of Commission Recommendations on the protection of minors and human dignity in the light of research findings. Expected result: A Green Paper with recommendations. Supply findings of the whole process to the consultation discussion on the 4th report on the Television Without Frontiers Directive.

As it is suggested by these recommendations, the success of this proposed initiative lies largely in the willingness and ability of the various policy actors to cooperate. This proposal therefore is not even the first step in this policy

process; the overall aim of this proposal is to set the direction for the process and to facilitate the cooperation between producers, regulators, the interested public, and the viewers in order to achieve its farthest goal: A free and good quality media governed by sensible and virtuous rules.

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Appendix: Research methods

This initiative is based on the following research segments:

- A social science desk research on issues such as exclusion, the nature of poverty in contemporary European societies, status and mobility, media impacts and effects, poverty portrayals in the press and television.
- An empirical research (text analysis and interviews) on *Fókusz* , the oldest Hungarian current affairs entertainment magazine.
- An extensive study (desk research and interviews) of EU and Hungarian communication regulation instruments with particular attention to content issues.