The Problem of Minority Marginalization in Media

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Abstract: - In the last decade, regulators, mainly in Europe, encouraged more proper media representation of minority groups and fair reflection of the cultural diversity. In this paper regulations in Serbia is considered in matters of representation and visibility of minorities in media. Author suggest that it is highly important that Serbian media policy secure cultural diversity not only by supporting minority media, but by securing cross-cultural media environment.

Key-Words: - cross-cultural media environment, cultural diversity, inclusivity, marginalization, mass media, minority, visibility

1 Introduction

Despite a growth in awareness of minority problems, people from immigrant, ethno-cultural groups or who are lesbian, bisexual, gay or transgender or who are from low income groups, do not have the same access to media like majority members. In one society, which followed democratic principles, situations like this should not be marginalised above all because news can not be seen only as raw material for rational public discourse, but as the public construction of particular images of society. It follows that, like Mihelj point out, that “one of the key issues to address when examining the involvement of the media in community-building is its relationship to cultural diversity” [1].

Although exposure to mass media content and visibility of minorities in mass media, represents only one of a number of factors associated with the positioning of minority in society, its influence should not be trivialized. Both theory and empirical research on media, indicate that stereotypes arise from and are maintained via interaction with the messages offered in mass media fare [2]. The media have a profound effect on their consumers and should be carefully considered in matters of representation and visibility of minorities. Often, minority members are portrayed through a negative lens by the media and most usually as a homogenous group rather than as individuals. Beside that, they are barely visible in media, either through exclusion from majority establishment or through self-invisibility practices.

In the last decade, regulators, mainly in Europe, encouraged more proper media representation of minority groups and fair reflection of the cultural diversity. Excellent example is Duch media policy on cultural diversity which has undergone an important transformation in the last decades. Support for minority media in this country has been replaced by a focus on cross-cultural media targeted at multiple social groups [3].

Representation and visibility of minorities in Serbian media gives some sense of the complexity and depth of the challenge that Serbia faces if it is to support a society that is not simply tolerant of the other but also inclusive of the other. This is a challenge that spans generations and one that must be addressed if Serbia is to complete a genuine transition to a democratic society. In that sense it is highly important that Serbian media policy secure cultural diversity not only by supporting minority media, but by securing cross-cultural media environment. With the aim to preserve democratic changes in Serbia, The Law on Public Information and The Law on Broadcasting have been adopted for securing the work of media in accordance with democratic principles. This article aims at analysing the role of these two laws in supporting minorities ‘effective participation in democracy.
2 Problem Formulation

In the following analysis, a problem of marginalisation of minority members in Serbian media will be discussed. The goal of the analysis is to test whether sufficient conditions have been secured in the existing framework within which media acts by means of which the speech of hatred would be stopped and deeper integration of minorities in the society secured. At the beginning of the analysis there is an assumption that marginalisation of the minority position in the society is supported through insufficient presence of minorities in mass media as well as insufficient subjects dealing with minority issues. The problem of minority members marginalisation in Serbian media will be viewed through analysis of the existing framework of action of commercial media as well as public broadcasting service institutions, with the accent being given to analysis of the Law on Public Information and the Law on Broadcasting, which represent two basic laws by means of which the work of mass media in Serbia has been regulated.

2.1 Minority marginalization in print media

By the Law on Public Information, the right to public information as a right to the freedom of expression of thought and the rights and obligations of persons involved in the public information process are regulated [4]. The right to public information, pursuant to the Article 1 of this law, entails in particular the freedom of expression of thought, the freedom to gather, investigate, publish and disseminate ideas, information and opinions, the freedom to print and distribute (disseminate) newspapers and other media outlets, the freedom to produce and broadcast radio and television programs, the freedom to receive ideas, information and opinions, the freedom to establish legal persons dealing with public information.

The basic motive which led the legislator when writing this law was regulating relations within Serbian media area in accordance with protecting the rights of citizens and respecting democratic principles. With that in mind, the law entails also the provisions dealing with the protection of minority rights. These provisions are particularly contained in articles 5, 17, 38 and 40 and in article 16 which regulate the prohibition of discrimination on the market of public papers, i.e. person involved in the distribution of media outlets are forbidden to refuse to distribute a particular media outlet without a justified commercial reason or set conditions for distribution which are contrary to market principles.

By this law, protection of minority rights has been secured above all through the prohibition of hatred speech as well as through envisaging a procurement of a part of means or other conditions for the work of public papers in languages of national minorities and ethnic communities and with that an undeterred use of human rights of people with special needs in public information and especially undeterred freedom to obtain ideas, information and opinion. Besides that, these rights are protected by prohibiting distribution of public papers without justified market reason.

However, with such provision, marginalization of minority rights has not been completely prevented. This relates primarily to the fact that apart from prohibiting information distribution, further possibilities of sanctioning for speech hatred have not been more precisely stated, as well as to the fact that there is a possibility to free somebody from responsibility of violating this prohibition if there has not been intention to perform discrimination, but one should be cautious enough in this situation since this intention can be concealed by ambiguous statements.

Apart from that, the law has not predicted the measures by means of which public papers are obliged to fight against the speech of hatred, nor are they obliged to dedicate their activities to the work of affirming civil rights of minority communities and thus their integration in the society. This law has not even predicted stimulating measures for such an activity of public papers except when it comes to publishing contents in languages of national minorities and ethnic communities as well as to securing the monitoring programme of people with special needs.

Additional limitation has been set also by providing possibilities to a distributor to decline distribution of some public papers for commercial reasons. Public papers which are primarily and in their greater part dedicated to minority communities are especially influenced by such a provision since representatives of such minorities do not often represent a market interest group either due to the lack of concentration of their members within one region or due to a bad economic status of their members. This does not relate only to members of national
minorities and ethnic communities in the area where they represent majority population.

2.2 Minority marginalization in broadcast media

Besides The Law on Public Information, the work of media in Serbia is in a great extent determined by The Law on Broadcasting [5]. This Law stipulates the conditions for and manner of conducting broadcasting activities in keeping with international conventions and standards; establishes the Republic Broadcasting Agency and public broadcasting service institutions; determines terms and procedures for the issue of licences to broadcast radio and TV programmes; regulates other issues of relevance to the broadcasting sector.

Suppression of Hate Speech is regulated by the Article 21 of this law. By this Article, The Republic Broadcasting Agency shall ensure that broadcasters' programmes do not contain information inciting to discrimination, hatred or violence against an individual or a group of individuals on the grounds of different political affiliation or of race, religion, nationality, ethnicity, sex or on the grounds of sexual affiliation.

Although these provisions of this law predict protection of minority rights, primarily through the prohibition of hatred speech, marginalisation of minority groups has not been completely obstructed. Except in the case of public radio diffuse service as well as radio and/or television stations of local and regional communities whose founder is municipality parliament (or more municipality parliaments) or city parliament, this law has not predicted measures by means of which public media are obliged to fight against hatred speech nor is it obliged to dedicate one part of its activities to the work on affirming civil rights of minority communities and thus their integration in the society. Regardless of the fact the Article 68 of this law, which states general obligations of emitters in relation to programming content, predicts obligation of providing contribution to raising the overall culture and awareness of citizens (item 4), precise request for contributing to the advancement of minority rights and integration of minorities in the society has not been put forward.

Stimulating measures for such an action are partially secured by the Article 67 of this law by means of which civil sector radio and television stations pays only the radio station fee (radio frequency use fee), and they are freed from paying the broadcasting fee.

However, the work of public media which were registered in such a way has been secured solely on the local area. In this way, possible use of this possibility by minority communities and with the aim of their wider integration in the society still remains hindered in certain extent. Due to impossibility to leave local framework, minority public media are kept only in those regions where that community is strong enough to initiate their own media, whereas in other areas the perspective of affirmation of minority rights is still closed.

By market business of public media in Serbia, production and broadcasting programmes are subjected to real possibilities of their financial profitability. With such set relations, local and regional public media are especially affected because they are faced with not only competitive public media with national frequency, but also with other public media which were licensed for the given region as well as with the existing marketing framework which exists in the given region conditioned with the set demographic characteristics such as age of population, paying ability etc.

Since members of minority communities do not represent a commercially attractive group in a greater number of cases, public media most often do not find enough interest to dedicate greater attention to minorities in marketing set conditions of work. This is not the case with those regions where one ethnic community or national minority represents a majority of population so that some local or regional public media can recognise sufficient interest to dedicate more attention to this community in its programme. However, having in mind geographical limitations of local and regional public media operations, the programme dedicated to minorities and broadcast via these media does not contribute to wider integration of minorities. Besides that, those minority communities whose representatives are not specially concentrated in certain regions such is the case with people with special needs, will not be able to attract special interest of public media in the greatest number of cases.

This explains also the fact that on commercial radio and television stations in Serbia, there are almost no shows dedicated to Roma, people with special needs or representatives of gender minorities. In the shows broadcast on these radio and television stations, apart from that, they rarely initiate subjects
that speak about problems that minority community members are faced with. Apart from that, among people with special needs, trans-gender people etc., there is almost nobody who works as a presenter on radio or television and in recorded „interviews with citizens”; representatives of minority communities do not appear except when the issue concerns them as representatives of minority community etc.

Apart from the declared prohibition of spreading hatred speech, owing to its insufficiently precise legal definition and thus inadequate implementation of sanctioning actions that spread enmities, creating negative images of minority community members as well as supporting their marginalized position still represents practice which is possible to be registered in Serbian media. Connected to that, especially problematic practice is the one of spreading stereotypes as well as allowing representatives of different right wing extreme organisations to inspire hatred speech in interviews and television dialogues. Using stereotypes is especially present in humorous television programmes, which can often be widely viewed.

Insufficient engagement in overcoming marginalization of minorities in Serbian media is especially worrying in the work of public broadcasting service. Marginalization of minorities and insufficient engagement in their integration in the society is realised within the programme of public broadcasting service in many ways. For example among the presenters of public broadcasting service programme, there are not people with special needs, nor trans-gender people whereas other minority members can rarely be recognised. Shows of informative and cultural content, dedicated to national minorities and ethnic communities can mostly be followed on the channel of Television Vojvodina which is intended to serve as a state public service for the territory of Vojvodina (North Serbia) as a specific multicultural environment. This channel can be viewed via cable TV on the territory of Belgrade as well but it is mostly not available in the other parts of Serbia. Television scheme of the channel Television Vojvodina is designed in such a way that cultural, informative, educational, entertainment and other contents are proportionally broadcast in languages of national minorities who live in Vojvodina. The problem is, however, that this type of scheme does not stimulate integration of national minorities and ethnic communities.

Besides that, regular documentaries from the production of RTS (Radio Television of Serbia), which can be viewed on the territory of the whole Serbia, are most often not organisationally nor in content included in the fight against hatred speech, nor do they sufficiently contribute to the integration of minorities in the society. As for organisational deficiencies, as with commercial media, they are primarily concerned with insufficient participation of minority community members in produced programmes, either in the function of presenters or as guests. Content deficiencies are seen in the fact that subjects dealing with minorities or those which are concerned in some way with minority community members are not sufficiently initiated.

3 Conclusion
It can be concluded that, in Serbia, conditions are not sufficiently created by means of which marginalization of minority community members in public papers would be avoided. Although The Law on Public Information and The Law on Broadcasting, as two basic legal acts by means of which action of public media is regulated in Serbia, forbid hatred speech or discrimination on any basis, distribution of public papers dedicated to minority communities outside local framework, within which members of that community represent a sufficiently interesting market, is put in an uncertain position by this provision. Namely, non-existence of market interest for public papers dedicated to minorities to be distributed on the territory of the whole country can present one of the factors which support reduced visibility of minorities in the country.

Beside this, except when dealing with public radio diffuse service or radio or/and television stations of local and regional communities which are in majority state ownership, public papers are not sufficiently stimulated to fight against discrimination and hatred speech with their work, nor do they contribute to better integration of minorities in the society. An especially worrying fact is that not even in the work of public radio diffuse service, is a sufficient engagement in this direction recognised. Among presenters of public broadcasting service, there are no people with special needs nor are there trans-gender people and very rarely you could recognise members of other minorities as well.

Besides that, regular documentaries from RTS production which can be followed on the territory of
the whole Serbia are most often not included in the fight against hatred speech with their content, nor do they contribute to the integration of minorities in the society sufficiently. On the other hand, Television Vojvodina dedicates a lot of attention to broadcasting shows in languages of national minorities. However, since these shows are not broadcast on the territory of the whole country, they do not contribute to wider integration of minorities in the society. Apart from that, the shows in languages of national minorities do not contribute to their deeper integration in the society since these shows are not cross-cultural media targeted at multiple social groups.

A great problem is seen in market-conditioned work of majority of media institutions in Serbia. Since media institutions, whose work is market-conditioned, do not have enough interest to dedicate their attention to groups for which marketing agencies do not show any interest, and which represent marketing-uninteresting groups, they are poorly present owing to such circumstances. In Serbia, members of minority communities are especially affected by this since they often do not represent marketing-interesting group either due to insufficient concentration outside narrow regional framework or due to economically low position of members of certain minority communities.

In such circumstances, media institutions in Serbia are not sufficiently stimulated to dedicate their attention to minority community members. Owing to weak visibility of minorities in Serbian media, their marginalisation in the society is supported. The perspective of overcoming such relations is recognised in securing more powerful stimulating measures for market oriented media institutions to direct their attention to minority communities sector by introducing additional legal measures by means of which media institutions would be obliged to produce programme relating to great visibility or better minority integration.

References:
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