

Principles of the Hungarian Public Media Service

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Abstract

This article is a brief summary of the fundamental principles of Hungarian public media services. The reader can get an overall picture about the main moral and ethical rules on public media services in Hungary. These principles are mainly determined in Act CLXXXV of 2010 on Media Services and Mass Media, and the Code of Public Media Services. In this article I try to take a closer look at how Hungarian public media services work, based especially on these principles, and what these principles mean actually.

Keywords: Hungary, media law, public media service, principles.

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1. INTRODUCTION

In 2010, a new Media Act was adopted by the Hungarian Parliament: Act CLXXXV of 2010 on Media Services and Mass Media.¹ This Act describes and defines the main features and fundamental principles of Hungarian public media services. These features and principles are not new in the Hungarian legislative system, however, they are very important not only in Hungary but in every democratic state.² In this article I try to take a closer look at how Hungarian public media services work, based especially on these principles.

Why are these principles so important? Are they useful actually, or are they just of a bunch of guidelines which don't work in real life? It is not a simple question but I think time will give the answer to this, too. Let's be optimistic about this because, in my opinion, these principles shouldn't be ignored and they have a message both to the citizens and the Hungarian Parliament.

¹ Along with the Act CIV of 2010 on the Freedom of the Press and the Fundamental Rules on Media Content.

² To get a more detailed picture about the history of fundamental rights in the Hungarian legislative system see KUKORELLI, ISTVÁN: *Tradíció és modernizáció a magyar alkotmányjogban* [Tradition and modernization in the Hungarian Constitutional Law], 2006, Századvég Kiadó, Budapest, 11-19.

2. THE PRINCIPLES

The fundamental principles of the Hungarian public media services are not only determined in Act CLXXXV of 2010 on Media Services and Mass Media (hereinafter: Media Act). Another source is the Code of Public Media Services (hereinafter: Code). This document is not a source of law, it is a fundamental guide to refine and explain the features and objectives defined in the Media Act. As the Media Act, also the Code determines and describes the fundamental principles and explains them in details. So, let's take a closer look at the actual principles and what they mean actually:³

2.1. The fundamental principles of independence from political parties and political organisations

The independence of public media services is one of the most important tasks to fulfil. Public media services generally serve the citizens and not political parties or organisations. Separating public media services from them ensures that the public media should not be just a marketing or propaganda tool for the current governing party. It goes without saying that the citizens should be informed enough about political events and that they can build their own opinion about politics-related topics. Therefore, it is mandatory, that the information provided by public media services should be balanced and manifold. Public media services must not accept grants or any kind of money from political parties or organisations. Even in the period before elections, they publish the advertisements of political parties for free and in an equal timeframe for all participants.

2.2. The principles regarding diversity, objectivity and balanced nature of news and timely political programmes, the presentation of disputed issues and the diversity of opinions and views

Presenting truthful, objective and timely information to the audience about significant events is one of the main goals of public media services.⁴ As said before, Hungarian citizens have the right to build their own opinion and they can do it only if they have the opportunity to get the relevant information on topics they are interested in. Diversity in the information flow is also very important because people are not the same and choosing among various opinions is not only a right but it is also a responsibility for each citizen.

2.3. The criteria for supporting and sustaining the mother-tongue culture

Globalisation has also taken its toll on national languages. Life gets always faster and faster and the linguistic culture of each country is affected by globalisation in some ways. The original languages of traditional nations are declining; more and more foreign expressions show up in languages, foreign terms are used much more

³ Based on the listing in the Code of Public Media Service Art. 15-27.

⁴ More detailed information about this very important criteria: Decision 1/2007. (I. 8) Constitutional Court about the criteria of balance.

than it is necessary and grammar errors plague everyday conversations. Slang and one-dimensional communication only make it worse. Public media service providers have a chance to slow down this process because their services affect a large part of society and they can reach and influence people like none else, besides, of course, other media providers. It's sad to say but commercial media providers are more interested in making profit and being „hip and trendy” than sustaining the mother tongue culture. Therefore, public media's responsibility is enormous: they should communicate the right usage of words and correct grammar, present the many dimensions of the beautiful Hungarian language.

2.4. The principles of presenting the culture and life of national and ethnic minorities in Hungary

Every democratic state must protect and support their national and ethnic minorities within the borders of their territory. These minorities are considered as state-constituent factors, so strengthening and presenting their culture and identities form a highly ranked principle in the regulation of the media.⁵ To support these goals, public media service providers dedicate scheduled time to minorities at national and local levels and make programmes that present the life and the most important events related to each group. This is also an important tool to sustain the unique culture and native language of minorities in Hungary.

2.5. The principles of presenting cultural, scientific, ideological and religious diversity

An independent public media service provider cannot afford to present one-sided programmes to their audience. The diversity and balanced coverage of positions is also required when presenting religious, ideological, scientific and cultural events. As it is said before, public media encourage all their viewers to build their own opinions and that can only come true if public media service providers fulfil their missions to bring correct and balanced information to their audiences.⁶

2.6. The principles of performing tasks with regard to the protection of minors

The protection of minors is a very interesting topic and often a subject of debate because this is a special group of the audience. The children's lack of experience, their credulity and the fact that media have an alleged influence on them create a need for multi-level protection. The protection of minors is governed by legislation and media self-regulation. The most common thing you can see on audiovisual programmes is a little circle on the screen where this sign tells you which age-group of children the programme in question is appropriate to.

2.7. Tasks in the field of education

Public media constitute a powerful tool in the education of citizens. Therefore, it is very important to provide content for educational purposes and to provide

⁵ Also a high priority in the Fundamental Law of Hungary (Art. XXIX.).

⁶ This is not just a goal of public media services, it is also a right of the citizens, *see* SÁRI, JÁNOS: *Alapjogok II.* [Fundamental rights II], 2000, Osiris Kiadó, Budapest, 228-232.

programmes in foreign languages in order to provide the audience with foreign language education. The life of Hungarian universities and colleges should be presented both in- and outside the borders of Hungary.

2.8. Tasks in the field of the coverage of sports

Supporting the Olympic ideal and healthy lifestyle is a highly ranked task for Hungarian public media services. Major sport events and not only the competitive, but student and leisure sports should be presented as well. Owing to the presentation of para-sports events, this goal can be reached better, and in this case, public media service providers have even more responsibility because commercial media service providers don't often show para-sports events because of their low popularity.

2.9. The respect for personal and human rights

Respecting personal and human rights pursuant to the Constitutional Law of Hungary, the ECHR and the EU Audiovisual Services Directive⁷ is one of the main features of Hungarian public media services. Which are the most important fields, which these provisions try to protect? Fundamental personal rights; the freedom of thoughts, opinions, religions; privacy of private and family life; the right to good reputation; the rights of the ethnics and minorities.⁸ Public media services can't reach their goals if any of these rights are violated; should it happen, a press correction can be required.

2.10. Programming principles related to people with disabilities

Disabled people have their rights, too, and they deserve a bit more attention than other people. The social integration of these people is also an important mission. To fulfil that, Hungarian public media services provide special programmes to people with disabilities and also to other groups of the audience like minors, elderly people, less educated people and other members of disadvantaged groups.

2.11. The promotion of environmental and health consciousness

The rights related to the environment and health belong to the 3rd generation of human rights.⁹ To support these rights, Hungarian public media services provide timely and correct information on the latest developments in these fields. An important goal is to encourage people to live in a healthy way and protect their environment so as to maintain sustainable development.

⁷ Directive 2010/13/EU of the European Parliament and of the Council.

⁸ For interesting examples and regulation on national and international level *see* HALMAI, GÁBOR: *Kommunikációs jogok* [Communication rights], 2002, Új Mandátum Könyvkiadó, Budapest, 114-201.

⁹ For various case-law decisions related to human rights and media law *see* HALMAI, GÁBOR (ed.): *Alkotmánybírósági esetjog* [Case Law of the Constitutional Court], 2007, Complex Kiadó, Budapest.

2.12. Provision of regional and local content

The public media services in Hungary provide information not only on national, but regional and local levels, too. This is important to keep citizens informed about the nationwide and the neighbouring events. To be informed enough about the events in the closer society helps building integrity and relationships as well. Therefore, public media service providers in Hungary have regional studios where local and regional programmes are produced about the main events of the region in question.

2.13. The principles of keeping members of the Hungarian nation living outside its borders appropriately informed and also of providing appropriate information about them

As it is known, Hungary has a special history and millions of Hungarians live outside the borders of the state in the neighbouring countries. Hungarian public media services take responsibility for them and function as a bridge to keep the integrity of the whole Hungarian nation intact. This task has two sides; to provide information to the Hungarian minorities in other countries about the main events and also to show Hungarian citizens living in Hungary what is happening to Hungarian communities abroad.

2.14. The principles relating to the extent and guarantees of the autonomy and responsibility of producers and programmers employed by the public media service system and to the guarantees of their participation in defining the principles of programme production, ordering and editing

The strict rules and principles in the world of public media services are not always easy to comply with. Sometimes the work and programmes produce conflicts of interests because the media always affect also the political sphere. To be able to work independently, in compliance with the relevant law and the ethical codes and people working in this field must have some kind of autonomy, just to guarantee their independence and objectivity.¹⁰

2.15. The principles of formulating basic rules of conflicts of interest, other than those provided for by law, applying to staff members, with special regard to those employed in relation to news and political programmes

As mentioned before, the independence and the objectivity are highly ranked requirements for the staff that work in public media services. This criterion is even higher in the field of news and political programmes because it may be the most closely watched part of public media services. Therefore, those participating in this area have even higher ethical norms to follow than other staff members. We can find a special regulation here, the most immanent and important feature is that these employees can't take any grants, or take part in politics-related events or organisations.

¹⁰ To understand the core of this matter see HALMAI: *op. cit.* (2002), 54-68.

2.16. The principles relating to ethical norms governing the broadcasting of commercial communications and advertising activities

Commercial speech and communication is a profit-oriented form of communication, speaking directly to the audience. Advertising has more levels of regulation:¹¹ International directives, general acts, special acts and ethical codes. The Media Act serves as a general act alongside them.¹² It is very important to follow the regulation of these multi-level legislations because in commercial media, these rules are sometimes set aside for the sake of profit.

2.17. The principles of publishing public service announcements and political advertisements

They are tricky principles. Being independent and provide politically correct, timely, and balanced information about political events and opinions is even hard in „peace time”, not to mention the period before elections. The public media service providers aren't allowed to publish any kinds of political announcement or advertisement only in periods preceding the elections. To stay independent and balanced, participants of a given election get the same amount of advertising time, the same time-frames between the given days (mixed), and the providers can't take money or any compensation time for the publishing.

2.18. Communications with viewers and listeners

The public media services are not institutes for themselves; they are created to serve the audience, the citizens of Hungary, and the members of the Hungarian Nation living outside of the borders. Therefore, it is very important to keep in touch with them, to get feedback about the work done by public media services. The needs and opinion of the viewers and listeners provide useful information so as to make public media services even better. Beside this, the permanent control of the civil society is also a guaranty to reach the goals which are set for Hungarian public media services.

3. SUMMARY

Finally, this is a brief summary of the fundamental principles of Hungarian public media services. Of course, this article could (hopefully) only bring a little insight into these topics; maybe a whole book would be needed to cover this field comprehensively.¹³ There were some questions at the beginning of this article, so

¹¹ Multi-level regulation is common for the Hungarian legislative system, *see* PATYI, ANDRÁS – VARGA, ZS. ANDRÁS: *Általános közigazgatási jog* [General Administrative Law], 2009, 2010, Dialóg Campus Kiadó, Budapest-Pécs, 99-108.

¹² For specific legislation and detailed ethical rules *see* Act XLVIII of 2008 on the Basic Requirements and Certain Restrictions of Commercial Advertising Activities; Hungarian Code of Advertising Ethics.

¹³ And there are right away two of them: KOLTAY, ANDRÁS – NYAKAS, LEVENTE (ed.): A

I try to answer them: I think these rules and restrictions are important, they need to be followed because they are unavoidable in any democratic state and I also think that most of them will be complied to. As I have said, time will tell us everything. I hope that the reader could get an overall picture about the main moral and ethical rules on public media services in Hungary.

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