

TRANSILVANIA University of Brasov
Faculty of Economic Sciences



SIMPEC 2004

The Proceedings of the 5th
Biennial International Symposium

14 – 15th of May, 2004
Brasov, Romania

Vol. I

 **Infomarket Printing House**

ISBN: 973-8204-56-9

ISBN: 973-8204-57-7 (Vol. I)

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Descrierea CIP a Bibliotecii Naționale a României

Lucrările Simpozionului Internațional de Științe Economice SIMPEC 2004
Facultatea de Științe Economice, Universitatea *TRANSILVANIA* din Brașov
(14-15 mai 2004, Brașov)

The Proceedings of the International Symposium of Economic Sciences
SIMPEC 2004
Infomarket Printing House, 2004

510 p; 24 cm

Bibliogr.

ISBN 973-8204-56-9

ISBN 973-8204-57-7 (Vol.1)

I. Facultatea de Științe Economice, Universitatea *TRANSILVANIA* din Brașov

33(061.3)

Lucrare editată cu sprijinul Consiliului Județean Brașov

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Editura INFOMARKET

O.P. 1 - C.P.361 - BRAȘOV

Tel./Fax: + 40 268 41 01 32

www.infomarket.go.ro

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ASPECTS OF CONSUMERS PROTECTION WITH REGARD TO THE PRESENCE OF VIOLENCE IN TV PROGRAMS

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Abstract: *By virtue of economics law which regulate audio-video market, economic agents from this domain sustain a personal point of view, according that the client is king, and the market decide, finally, what the listener, viewer prefer from the multitude of offers.*

Key words: audio-video, violence.

1. LEGISLATIVE FRAME

The representation of violence in TV programs is limited by audio-video law, (nr. 504 from 11 July 2002) especially articles 29, 32, 33, 39, as well as through decisions emitted by ANC in applying the law. The law specifies that the programs which contain violence representation can be broadcasted in that situation when they don't affect underage physic or mental development, as a consequence of limited nature of violence in cause or a special conditions of programming and marking these with warnings which, in generally, exclude the underage access when are broadcasted.

At the same time, programs which contain violence must distinguish what represents illegal content (can't be broadcasted at all), by what can be broadcasted only with obligatory warnings or only at allowed time periods, and by what represent the content which don't violate the law but who, as well, contain violence representation and can provoke stress or undesirable behaviors.

Considering that the real world contains violence, it is reasonable that the television reflect it, even if this can produce an aggression over audience, but only if this aggression is a secondary and complementary effect of the motivated aim of audience information and warning.

The presence of violence in programs must be always editorial justifiable or through the dramaturgic judgment of the program, meaning that must be established a relation of informational or spectacular content with the audience, who enroll for the information of public interest particular for the audio-video domain. The broadcast of programs which contain free violence (namely the violence which don't play a central role in defining the subject, a character or a topic program as general effect,

in his turn value motivated) is forbidden by law. The violence whose aim is to shock the audience for attracting its attention about the program without offering the necessary elements for understanding its editorial or dramaturgical justification and who resorts at its primary reactions mediated by cultural and civilization resources must be avoided.

In the programs which contain real violence references must be presented, to the audience, the violence final effects about its authors and victims. Although is admitted that in case of genre movies (thriller, sf, action) high level of convention allow a more precise presentation of violence, must be considered that melodrama convention can intensify undesirable effects, in perceiving suicides, for example, can affect the audience.

Regarding the children programs, the law stipulates:

- in the children programs, with real characters, the violence will be presented only if is essential for characters or intrigue development.
- the animation programs which contain edited and non-realistic violence won't have the violence as central issue and won't stimulate the imitation of some dangerous behaviors.
- the children programs will deal very carefully issues which can provoke to the children insecure feelings, namely when reproduce family tragic events (deceases) or conflicts, injured or dead animals, drugs consumption or street attacks.
- the children programs must avoid the promotion of dangerous imitative behaviors.
- the programs won't include realist violence scene which induce the idea that violence is the most efficient way to resolve real problems or conflicts.
- the programs won't minimize the violence effects in real world.
- the programs won't include randomly terrifying elements, without continuity relation with the program theme.

The violence in news and informative programs:

- the violence will be presented, in news and informative programs, only if its presentation brings relevant information for specific or ensemble social theme, if is necessary for signal out and aware a danger or general-individual or collective risk.
- the information's including violence scene will be preceded by warnings regarding possible stress effect which can be made over audience in generally, or over special categories(underage).
- it must be kept in mind the fact that news containing violence mustn't create additional shock elements and mustn't affect the identity of neighboring news.
- the information's about violent incidents which can affect under aged or families must be presented in a less possible explicit manner. If this can be possible and if contravene the public interest of efficient information necessity, these will be broadcasted in time periods usually inaccessible to under aged persons.
- the respect for human being dignity imposes special rules which can avoid the realism excess when victims are presented (in cases where this thing has an exceptional motivation).
- the excess of broadcasting lots of violence programs individually motivated will be avoided, for not create as resultant, pressure upon audience.
- the reportages and news about conflict events or terrorist acts won't be presented so as to incite to violence and disorder or to create panic. The presentation of some violent incidents or these consequences won't be controlled

and arranged in that way that the relevance of information can be affected or to create a fake representation about human condition.

For preventing in some way the negative effects of violence representation, the audio-video law stipulates motivation actions of a construction of audience active perception by:

- educating the audience for understanding the risks it's exposed in relation with programs which include violence.
- the television alphabetization, respectively understanding the way in which the programs offer can be selected and assimilated.
- the introduction promotion of a voluntary blocking technical system, by parents, over the access of children watching programs containing violence (V-chip kind).
- the educational promotion of decision and necessary methods for choosing quality like a criterion, for programs choosing.
- the controlled promotion of some programs and strategies who lead the audience to value reactions confronted by programs offer and which, in consequence to promote the audience competition between television companies referred to the quality of programs.
- the promotion in shows to reciprocally respect culture and to go beyond violence, of civic and democratic spirit, especially in public programs.
- offering as much as possible information's about programs character with violence contents (printed programs, etc.).
- the promotion in programs of education for a critic lecture of the image, who emphasize the individual implication in it's perception.

2. CASE STUDIES

▪ On screen violence victims

It is said more and more about mass culture and its effects over society. It is said about a generation educated and grew by television, a generation with personal values, often radically different by those promoted by traditional institutions who manage youth education. It is said about the new youth idols: warriors with muscles grown by vitamins and less thinking, vamps who don't hide their "recipe" about their social scale ascension, corrupted politicians, business men big records and big accounts, who parade with their expensive Mercedes' and with big amounts of jewelry around their necks, loser models who show their smiles and décolletages in housewife shows. These are the value promoted by almost all TV companies and newspapers. This is what the market wants. Consideration that youth tends to imitate what it sees in newspapers or TV-screens, it's easy to imagine how would look the tomorrow's society. The negative effects are seen especially in infractions committed, often with a ferocious violence, by 17-18 years old children... "like they saw on TV"

▪ Crimes in the name of Hitler

In April 1990, the little town Littleton from Colorado was shook up by a tragic event, unprecedented in USA, its authors being two teenagers, Columbine high school students. On April 20-th, when 110 years were reached since Adolf Hitler's death, Eric Harris, 18 years old and Dylan Kleboid, 17 years old were starting a death race in their high school. With smooth styled hair, wearing long mafia trenches and two big caliber guns they came in the high school canteen and started to shoot randomly students and teachers, friends or rivals. After they have

convinced that in canteen nobody moves, they have continued the human hunting in school and library. In that agitation they have created the students were trampling each other, they were trying to find refuges in classrooms, laboratories or under library tables. Every time they fully shot a mate, they cheered and congratulated each other. The last shoots from school were heard at 12:30, when Eric Harris and Dylan Klebold committed suicide. The result of Columbine massacre is incredible: 15 deaths and 23 severely wounded. Afterwards, an ample investigation was started for this case. It was established that the two teenagers were spending most of their time watching TV, preferring violent movies and programs about delinquents.

In respect for the two, a 14 years teenager from Los Angeles, started after two months a death race on its own, wearing a gun in his neighborhood school. After first shoot, terrified by shoot mate agony and blood view, the teenager has stooped and surrendered.

Whoever thinks that these cases are typically for American society is wrong. Four years ago, a ten years boy from Brasov, was suffocating a friend with a plastic bag. Afterwards, declared that he saw this kind of execution in an American movie. One of the preferred games of the homeless who lives in Romania's big cities drains, is "Vandam-playing", a way to decide the group leader. Naked upward waist, they fight using complicated karate figures, copying what they saw at the neighborhood cinemas. Often these fights are finished by one of the players' death.

- Medical "recovery" which can lasts years

A recent study showed that the psychologists from Right Children Protection Institution care for over 80 children with behavior disturbances, whether they abandoned school, juvenile delinquency or psychical problems. The majority came from very rich families or disorganized families. Due to the lack of supervising, they were "raised" by TV or PC. From broadcasted programs they formed an opinion about the world, helped by these they drove away the loneliness and accumulated a few culture. The fact that the results weren't the same like in case of normal education is easy to guess. Those from Right Children Protection Institution can recommend a psychiatrically specialized treatment in case of some children and teenagers responsible for committing antisocial acts, but the decision to intern them in a specialized clinic belongs exclusively to the parents. Another aspect, remarked by Rights Children Protection Institution employees is the presentation by some mass-media sources of penal cases, its protagonists being under aged, even victims or authors. The children are forwarded, the protection of their identity is not considered, their names are presented in full, not just the initials, as the journalistic law stipulates. The under aged that are now on the newspapers front page, tomorrow are forgotten by audience and journalists. Not the same thing can be told about their colleagues and friends. Lots of them don't go to school anymore because the others call them "the raped" or "the hamper". A psychiatrically specialized treatment, who can remove at least a part of the trauma lasts a couple of years.

3. CONCLUSIONS

Although Audio-video Law stipulates the introduction of a large transparency and coherence in classifying the audio-visual contents, depending on targeted audience age, the problem of lucid and explicit criterions of age classification is far away from being resolved. It is known fact that the most of TV companies dodge the ANC to avoid the law regarding program schedule. Not even the news

programs represent an accurate image of reality, being hard to believe that the population majority can be found in those violators and criminals every evening presented on TV channels. The quantity of violence and vulgarity we meet on the majority of Romanian TV channels has negative effects over audience, but especially over children and teenagers, because the physical violence solution is brain impressed more at this age and can be hardly removed. Until legally resolving this problem, the hope that after few years, the audience will be self educated, will be able to make a selection and to realize the danger of not making a difference between real and fictive world, made by mass-media remains.

Also other ways of entertaining must be searched and developed to replace watching TV.

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