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HOW DIFFERENT MODELS OF MEDIA REGULATION ADDRESS SOCIAL INEQUALITY: A QUALITATIVE TEXTUAL ANALYSIS OF KEY MEDIA REGULATION TEXTS FROM GERMANY AND THE UNITED KINGDOM

Anke Fiedler and James Morrison

The article employs a comparative textual analysis of key legal texts within German (democratic–corporatist) and UK (liberal) media regulation models to examine the relationship between mass media regulation and social inequality. The research addresses three key questions: firstly, how each model approaches different markers of inequality (such as gender, age, race, ethnicity, or religion); secondly, how regulation has evolved alongside changing identity politics; and thirdly, what this reveals about underlying power structures – conceptualised as "symbolic violence" with Bourdieu – within each system. The analysis demonstrates a broadly similar acknowledgement of inequality markers in both countries, though the normative justifications for addressing them diverge. Notably, both regulatory frameworks pay limited attention to socio-economic inequality, reflecting a global trend of prioritising cultural identity over economic disparities. The study provides insights into how mass media regulation both reflects and reinforces existing power dynamics within media regulation systems, and offers avenues for further research at the intersection of mass media and social inequality.

KEYWORDS mass media regulation; social inequality; Germany; United Kingdom; textual analysis

Introduction

The mass media are often criticised for promoting, reinforcing and perpetuating social inequalities for a variety of reasons. Research has shown that media markets are mostly male-dominated (e.g. Głuszek-Szafraniec and Brzoza 2019; Macharia and Mir 2022; McCracken et al. 2018). Disabled people are underrepresented in the media relative to their presence in the population (e.g. Dimopoulos 2017). So, too, are people of colour and those with a (post-)migrant background (e.g. Signer, Puppis, and Piga 2011). In addition, journalists tend to come from privileged middle-class families (e.g. Lueg 2012). The perspectives and experiences of underprivileged groups, including those from

socioeconomically disadvantaged backgrounds, are therefore neglected both in the profession and in news coverage. Such structural conditions act to reinforce hegemonic cultural practices and shape media content to favour socially dominant perspectives, while the voices of disadvantaged groups and minorities are marginalised, ignored or stereotypically portrayed as "the other," "deficient" or "problematic" (e.g. Perez Portilla 2018).

Digital media have the potential to unlock democratic participation in the public sphere for marginalised groups, but they, too, can serve as catalysts for social inequality. As Bayer (2019) notes, "intolerance, hatred, populism and fake news have gained embarrassing popularity in this public sphere" (134), to which vulnerable groups are shown to be particularly exposed. Furthermore, algorithms, artificial intelligence, content moderation and profiling have all been shown to facilitate discriminatory practices in social media (Griffin 2023). The picture is further complicated by the uneven distribution of media resources, which affects both traditional and digital platforms; the fragmentation of their audiences; and the ambivalent role of media governance (Couldry et al. 2018).

Media regulation and control can be seen as potential mechanisms for reducing inequality of representation and balancing interests in socially stratified societies. However, questions remain as to how best to ensure that such top-down interventions address, rather than (inadvertently) promote, social inequality, as Nenova (2007) demonstrated using the example of how the EU's Audiovisual Media Services Directive could negatively impact on cultural diversity. Any form of regulation carries the risk of promoting particular interests and restricting freedoms, including the "freedom of opinion formation" (Grätz 2005, 134), which requires equal access for all speakers and equal representation of topics (Bayer 2019), regardless of whether these are considered normatively "desirable." This is particularly true of public service media, which are mandated to function in the public interest, rather than those of commerce, and to promote broad economic and political agendas (cf. Couldry et al. 2018; Paal 2017).

This article uses a comparative textual analysis of key legal texts, statutes, codes and guidelines in Germany and the United Kingdom (UK) to illuminate the interplay between mass media and social inequality from the macro perspective of media regulation (spatial comparison). The study adopts a *historical* purview to examine the rapidly evolving global identity debates of recent decades, which have foregrounded the need for equal treatment and recognition of marginalised groups, such as women, Black people and other ethnic minorities (Fukuyama 2019). Based on the assumption that these evolving identity politics must inevitably be reflected in (supra-)national legislation, this article posits that media regulation, in particular, has likewise adapted to this new reality of identity politics over time (temporal comparison).

Three questions lie at the centre of this comparison, considered from both a spatial perspective (UK and Germany) and a temporal perspective (the evolution of identity politics): Which media regulation model addresses which markers of social inequality, in the past and in the present, in what ways, and against the backdrop of which (normative) foundation? How has media regulation changed with regard to social inequality in light of changing global identity politics? And what conclusions can be drawn from the handling of social inequality in the respective political systems, by adopting a temporal and spatial perspective on power structures, as understood in relation to Bourdieu's (1990) concept of "symbolic violence"?

In order to address these questions, it is first necessary to identify what regulation exists on the issue. To this end, this article opens up new avenues for future research in

an under-researched area, such as the extent to which more state intervention may actually be desirable to help achieve social equality, in terms of promoting access to speaker positions in the media; stricter regulation of professional and user-generated media content (see, e.g. Morrison 2024); and/or restricting the economic flexibility of media companies.

The study begins with a historical overview of media regulation in Germany and the UK. It is argued that both countries represent different models of media regulation – rendering them optimal comparators for this study. The article begins with a literature review of the current state of research on media regulation and social inequality. Subsequently, the methodological approach (qualitative textual analysis) is discussed and the results presented, to demonstrate the extent to which regulatory frameworks address social inequality. The paper concludes with a discussion of the study's limitations and potential future directions.

Mass Media Regulation in Germany and the UK

According to Bayer (2019), media regulation at the *macro level* aims to reduce ownership concentration through merger control, as high levels of concentration can be an indicator of limited equality of representation. At the *meso level*, regulators and public service broadcasters are expected to address inequality by ensuring universal accessibility for social minorities. At the *micro level*, media regulation focuses on content – powered by the imperative that, while equal access to content and "the chances to be heard" can "theoretically exist without plurality at the ownership and regulatory levels," it is impossible to achieve "without plurality at the content and access levels" (Bayer 2019, 129).

The following sections on Germany and the UK provide a cursory overview of the historical emergence and development of the different levels of media regulation in the two countries, focusing on the main media regulatory bodies. The emphasis is explicitly on, on the one hand, media legislation (the legislative), but not on media case law (the judiciary), and, on the other hand, on dedicated media regulatory authorities, excluding other actors (such as trade unions, churches, faith and campaign groups, or civil society organisations) that likewise exert pressure and influence on media regulation. A distinction is made between *state media regulation* and *self-regulation*. While state regulation refers to controls imposed by state authorities, self-regulation generally refers to measures initiated by the profession itself to ensure its quality standards (Seufert 2017). For the two countries studied, it should be noted that "media law and media ethics" complement each other as "media control systems" (Stapf 2005, 19). This justifies looking at both *legal* regulation and *moral* self-regulation.

Both Germany and the UK represent different models of media regulation. Hallin and Mancini (2004, 68) classify Germany as belonging to the "democratic–corporatist model" because its media is regulated by a state system characterised by a "predominantly consensus government" and a strong welfare state, justifying state intervention in economic matters. Another feature is "organised pluralism," which is considered a component of democratic corporatism. In contrast, the UK is classified as part of the "liberal model," which is integrated into a state system through "predominantly majoritarian government" and characterised by a weaker welfare system. The UK also emphasises "individualised representation rather than organised pluralism" (ibid.). The "key element of the political system" (here: democratic corporatism/liberalism) is crucial for understanding "the distinctive characteristics that mark the

media–politics relationship in each model" (ibid. 69). Another important difference is that, unlike the UK, which left the European Union in 2020, Germany remains a member state subject to the EU's supranational media regulation.

Regulation in Germany as Part of the Democratic–Corporatist Media Model

All three levels of governance are involved in media regulation in Germany (see Beyerbach 2021): the federal states (länder), federal government and the European Union. Legislative competence therefore lies with one or other of these authorities, depending on the circumstances. The federal government is primarily responsible for technical aspects of media regulation, enacting criminal law and regulating areas of general civil and commercial law that affect the media. Underpinning laws include the Digital Services Act (2024), the Telecommunications Act (2021) and the Network Enforcement Act (2017) – the latter of which was the subject of considerable controversy over concerns that it could restrict freedom of expression (and, by implication, reinforce inequality) and has largely been superseded by the Digital Services Act.

The länder are responsible for broadcasting and press law. This competence is reflected in the Interstate Treaty on the Protection of Human Dignity and Minors in Broadcasting and Telemedia (2024) and the media and press laws of the länder (Beyerbach 2021). An important legal framework is the Interstate Media Treaty (2024), which replaced the Interstate Broadcasting Treaty (RStV 1987), containing basic regulations for public and private broadcasting and applying to all providers of telemedia/online services.

German media regulation is in tension with general legislation, such as the guarantee of media freedom (Art. 5 of the German Basic Law), criminal law, and – with regard to this article's focus – the General Equal Treatment Act (AGG). As Just, Birrer, and He (2022) point out, "the guiding concept of diversity of opinion is central to the German control of media concentration," which – it is assumed – "is particularly endangered by the emergence of "dominant opinion power"" (3). This dominance can be viewed as an indicator of potential inequality, which is one reason why preventing media concentration is considered a legal imperative in Germany. Media concentration is monitored by the Commission on Concentration in the Media and also regulated in the state media laws. The Interstate Media Treaty, in turn, regulates the protection of diversity of online platforms, user interfaces and media intermediaries (ibid.).

Public service broadcasting (PSB), as established by the Western occupying powers in Germany after World War II, has an important role to play in safeguarding diversity of opinion, for example through a pluralistic composition of affected broadcasters' supervisory bodies. The aim of this is to prevent one group from dominating (cf. Grätz 2005), which in turn is also intended to help reduce inequalities. The highest bodies are the broadcasting councils, which are responsible for programme supervision and overseeing directors. Broadcasting is the responsibility of federal states' media regulation and is decentralised with a public mandate. Germany's public broadcasting network consists of nine regional ARD broadcasters (RBB, WDR, NDR, MDR, RB, SWR, BR, HR, SR), ZDF, Deutschlandradio, and several special interest channels. The Interstate Media Treaty and state media laws regulate the structure, organisation, role and function of supervisory bodies within public service broadcasting.

The 14 media authorities established in Germany in 1987 alongside the emergence of private broadcasting are also public-law institutions. Like PSBs, they are financed by licence

fees. By contrast, the state media authorities are regulated in a decentralised manner by the länder. At the beginning of the 1980s, their central tasks included licensing private radio and television, particularly with regard to granting access to scarce broadcasting frequencies (Kreißig 2023), while also ensuring diversity of opinion in commercial programmes. Due to digitalisation, media authorities have increasingly shifted their focus to the internet – for example by regulating media intermediaries and user interfaces, as well as making public-value content more findable and promoting media literacy (ibid.).

The experience of the Nazi past in Germany showed the need for a media system independent of the state to function as a fourth estate. Founded in 1956 by journalists' and publishers' associations, the Press Council is a self-regulatory body for the German press. It was created to pre-empt a federal press law proposed by Chancellor Konrad Adenauer's government, which sought greater leverage over newspapers and magazines, to the detriment of press freedom and independence. Its main tasks are to counter press misconduct; investigate complaints against the press and, if necessary, issue reprimands; and publish recommendations and guidelines for journalistic work. These are not legally binding, so the council primarily exercises moral control. In 1973, it introduced its first code of conduct (Seufert 2017). The Press Council has dealt with a number of high-profile cases, many involving sensationalist journalism. Other cases have focused on how to report on ethnicity, particularly in the wake of the events on New Year's Eve 2015/16 in Cologne, which ultimately led to an amendment of the Press Code regarding the disclosure of a suspect's ethnic background when considered to be in the public interest.

German national media regulation has always operated within the context of European interests and policies, and been influenced by them. The EU has been involved in media policy since the emergence of cross-border television in the early 1980s. Technological progress, digitalisation and technical convergence have made both the telecommunications and audiovisual sectors increasingly important issues for the European community since the 1990s. Consequently, national regulations have been increasingly subject to European regulation (Holtz-Bacha 2020). While the primary responsibility for media freedom and pluralism rests with EU member states, the EU has established a "coordinated and comprehensive framework" through the European Media Freedom Act, aiming to harmonise "national rules that are affecting the functioning of the internal market for media services and of media service providers" (Brogi et al. 2023, 9).

Regulation in UK as Part of the Liberal Media Model

The UK's mass media regulatory landscape is a complex hybrid which adopts an "ethical" approach to regulating both journalistic content and practice (e.g. newsgathering and interviewing approaches). It encompasses both self-regulation for the print and online press, with tighter controls (underpinned by statute) to govern the output of broadcasters. Despite the introduction of devolved government for Scotland, Wales and Northern Ireland in the late 1990s, media regulation remains the province of laws and regulatory codes that apply UK wide.

Press self-regulation is overseen by two regulators: the Independent Press Standards Organisation (IPSO) and the Independent Monitor of the Press (IMPRESS). Before the establishment of IMPRESS ([2013] 2024]) and IPSO (2014), the press had self-regulated through a succession of earlier bodies. The Press Council, established in 1953, was wound up in 1990,

following a series of scandals related to intrusive tabloid newsgathering practices and a damning report by the barrister Sir David Calcutt. Its successor, the Press Complaints Commission, was similarly abolished in 2014 amid escalating public uproar over its failure to adequately police and punish the excesses of tabloid newspapers, especially in relation to "phone-hacking." The immediate outcome of these scandals were a judge-led inquiry convened by Lord Justice Leveson, which went on to recommend a much stricter regulatory regime for the press, underpinned by statute. However, the eventual successor regulator approved by Britain's 2010–2015 Conservative-led coalition government – IPSO – largely maintained the light-touch self-regulatory approach used previously. While the IMPRESS code is much closer to that recommended by the Leveson Inquiry, newspapers and magazines were left to choose their own regulator. As a result, almost all UK national newspaper publishers signed up to IPSO.

Regulation of the UK's legacy broadcast media is overseen by the Office of Communications (Ofcom), established by the Communications Act 2003 as a replacement for two existing bodies: the Broadcasting Standards Commission (BSC), which regulated editorial "fairness" across the broadcast sector, and the Independent Television Commission (ITC), which licensed and regulated commercial TV providers, such as ITV and Channel 5. Unlike the press regulators, Ofcom is a government agency whose rules around plurality of editorial content and ethical conduct by media practitioners are underpinned by statute. Until 2017, the UK's main terrestrial broadcaster, the British Broadcasting Corporation (BBC), was permitted to "self-regulate" its own journalism/editorial output – through first its Board of Governors, then an arms-length BBC Trust. However, it was brought under Ofcom's ambit following an independent review which criticised the existing BBC model, arguing that "it conflates governance and regulatory functions" (Clementi 2016, para. 7).

As for media *ownership* regulation, the key provisions to date are contained in the Enterprise Act (2002), as amended by the Communications Act (2003). Chief among these is a limitation on "national cross-media ownership," which prevents any "large newspaper operator" from holding a licence for the third terrestrial TV channel (ITV1) or more than a 20% stake in such "Channel 3" licences (legislation.gov.uk 2002). Separately, the 2002 Act prohibits any single newspaper company from owning more than a 25% share of the overall market. Meanwhile, the 2003 Act introduced a "public interest test" stipulating that the then Competition Commission (now the Competition and Markets Authority) and/or the Secretary of State for Culture, Media and Sport (now Digital, Culture, Media and Sport) could intervene to prevent company mergers or takeovers if they were perceived to endanger the "accurate presentation of news," "free expression of opinion" or the "sufficient plurality of views in newspapers in each market for newspapers in the UK or a part of the UK" (publications.parliament.uk 2008, n. p.). In November 2024 the newly elected Labour government announced a review of media merger rules, with a view to extending the Culture Secretary's powers to "call in" potential changes of ownership of online news sites and news magazines, but this was still under way at time of writing (gov.uk 2024).

The British press market faces an even higher level of ownership concentration than Germany, particularly with regard to national, local and regional press (Media Reform Coalition 2023). As for the broadcast media, the UK's long PSB tradition is principally linked to the BBC, which provides seven UK-wide terrestrial TV channels and a number of regional and online-only stations. The only other public service broadcaster is Channel 4, which (unlike the BBC) accepts paid advertising and has repeatedly been the subject of speculation about potential privatisation.

Theoretical and Methodological Approach

The literature suggests that a more deregulated media environment, characterised by weak self-regulation within the profession and multiple private commercial actors, undermines efforts to address social inequality through current models of regulation. Previous studies have criticised the tendency of regulators to perceive the public primarily as "economic actors," subordinating the protection of minorities' equality rights to economic primacy (Varney 2008, 6). Seufert (2017) also argue that self-regulation "tends to conflict with the goals of the competitive order" because it is based on collective agreements and therefore represents "an intervention in the market process" (135). In short, "liberalization" and media regulatory measures are incompatible (Puppis 2008, 405). However, less regulation does not inevitably lead to more inequality, as observed in this article's discussion. The next section outlines the theoretical principles underlying the textual analysis before describing the methodological approach.

Inequality as Category of Analysis

A study focusing on inequality in media regulation must justify why this category of analysis is chosen as a starting point. Usually, concepts such as "media pluralism" are more popular in the context of media regulation (see Bayer 2019; Brogi et al. 2023; Costache 2014; Filipović 2021; Valcke 2011), as well as "diversity" (see Schneiders et al. 2024; Valcke 2011) or "anti-discrimination" (Council of Europe 2009).

However, this article argues that inequality goes deeper than these terms of reference allow because, sociologically, it encompasses several other dimensions and associated concepts. A media landscape can be both "plural" and "diverse," but this does not necessarily lead to equality. While pluralism and diversity are qualities with the potential to promote greater equality, inequality can still exist in the absence of direct discrimination – even in pluralistic media systems. Conversely, it is hard to imagine discrimination without inequality.

As outlined above, Germany's primary concern is to curb media concentration, and cross-ownership, in the traditional and digital markets, in order to ensure diverse voices and control dominant opinion power (Schneiders et al. 2024). Analysis of key German legislation concerned with prohibiting discrimination and obstruction, imposing transparency obligations and ensuring the findability of content of public value for online services has already been conducted (e.g. Just, Birrer, and He 2022). In the UK, meanwhile, online platform regulation remains at a more formative stage, but recent research has drawn attention to its gradual crystallisation (e.g. Kretschmer, Furgal, and Schlesinger 2022; Mazzoli 2023). However, these analyses have largely sidestepped questions around which voices and perspectives need to be integrated (and how) in order to *ensure* diversity of opinion. Furthermore, previous studies focusing on inequality in media regulation have generally considered single dimensions of inequality, such as gender (Głuszek-Szafraniec and Brzoza 2019; Kassa et al. 2023; Macharia and Mir 2022; Sarikakis and Nguyen 2009; Von Kalckreuth-Tabbara 2001), religion (Karis 2018; Montalbano 2018), disability (Dimopoulos 2017; Varney 2008), ethnicity (Schejter 2008; Signer, Puppis, and Piga 2011), and age (Varney 2008).

This article proposes a theory-based, holistic approach to the question of how liberal and/or democratic–corporatist media systems address the issue of social (in)equality

through media regulation. Varney (2008) has supported the case for equality under media law by emphasising the empowerment of individuals as citizens, rather than "economic actors," in the process of media regulation. When theories of social inequality are employed as frameworks for analysing media regulatory texts, the question arises as to which power structures render individuals pawns of economic forces within regulatory processes, particularly in liberalised environments. However, politics must also be considered, as must practices of cultural hegemony. Bourdieu (1990) coined the term "symbolic violence," which is used to legitimise systems of domination in modern society. Moebius and Wetterer (2011) argue that symbolic violence "operates on the symbolic and meaningful level of the self-evident and everyday, leading to the affirmation, internalisation, and concealment of social relations of domination" (1). Power relations are reflected in language and communication in particular, as well as in patterns of thought and perception, "gestures, rituals, behaviours and things" (Moebius and Wetterer 2011, 4). These power relations are not only intrinsic to interpersonal relationships, such as those between the sexes, but are also institutionally embedded, for example in politics and science – or indeed in the legal system. Moreover, the "invisibility" of certain dimensions of social inequality from the scope of media regulation (or, more broadly, equality legislation) invokes the related sociological concept of "symbolic annihilation": what Gerbner (1972) described as an "absence" from discourse that denies the "social existence" of those affected.

Against this theoretical background, the question arises as to how symbolic domination, which inherently produces inequality, manifests itself in two different systems of media regulation. For instance, it may give certain groups more influence while marginalising or excluding others – physically and/or through discursive devaluation. This implicitly or explicitly contributes to the oppression and/or stigmatisation of excluded or devalued groups. At the same time, inequalities may have levelled out or decreased over the years. Therefore, when considering the inclusion of marginalised groups in public discourse, and in the context of media regulation, a historical perspective is also necessary. In recent decades, anti-discrimination and diversity have become increasingly important drivers of left-wing identity politics (Fukuyama 2019). For example, the Press Code of the German Press Council has been revised and updated several times to include the protection of societal minorities against discrimination within the framework of media self-regulation (epd 2016).

As this study is based only on analysis of media regulation texts, and excludes the negotiation processes surrounding these texts – parliamentary debates, communication between political parties, expert discourse, etc. – it can only provide limited information about mechanisms of domination. However, as media regulation texts can be understood as the policy outputs of symbolic practices of domination, this allows conclusions to be drawn about these mechanisms, as detailed in the discussion.

Research Design

Media regulation texts, like legislative texts and ethical codes in general, are characterised by a formalistic, normative language with little narrative and argumentative content. This makes a classical content or even discourse analysis approach difficult. In order to nevertheless apply a systematic approach to the analysis of media regulation texts, the research question and the theoretical framework were operationalised along a simple category grid (Figure 1):

- *Identity-related markers of social inequality:* material, educational, occupational, health-based, relational, power-based, ascriptive;
- *Linguistic aspects:* attributions, connotations, classifications, contextualisation;
- *Norms, values and ideals:* legitimisation of equality vs. inequality mechanisms.

FIGURE 1
Analysis categories.

First, dimensions of social inequality were explored, based on the assumption that symbolic violence operates through and legitimises material, educational and occupational inequalities (income, education, occupational status) – also referred to as the "meritocratic triad" – as well as health inequalities (physical, mental), relational inequalities (social relations, networks), power-based inequalities (political resources) and ascriptive inequalities (gender, age, race, origin, ethnicity, religion, sexual orientation; Suter 2014, 6094). These dimensions directly mirror existing inequalities, as they are explicitly named as such, whereas the following two categories relate to inequalities in a more indirect way.

Linguistic aspects, as the second analytical category, addressed questions such as: How are inequalities discursively qualified in media regulation texts? For example, how are certain groups named/classified/categorised in the texts? In what linguistic context do these groups appear?

Thirdly, the *norms, values and ideals* conveyed in the texts were examined on the assumption that they simultaneously reflect and influence patterns of perception, thus legitimising symbolic power: How and what is justified and legitimised under the banner of "promoting equality" (e.g. ensuring diversity, pluralism, integration, equal rights?) and/or how are mechanisms of inequality defended (e.g. through commercial interests, restriction of freedom of expression)?

This article, therefore, does not adopt a single definition of social inequality, but instead draws on previous research and secondary literature, taking both direct and indirect indicators of inequality into account. The questions relating to the different categories are posed in the context of *time* (i.e. media legislation at specific points) and *space*: i.e. through two models of media regulation (Germany, UK), based on different political and economic contexts.

The textual analysis for the German case encompassed state media regulation texts, as well as those falling into the category of media self-regulation (e.g. codes and guidelines). As media regulation in Germany implicitly takes into account current EU law adapted to the national context, EU regulatory texts were not analysed separately. In total, 56 texts were analysed, including two historical texts: one state regulatory framework (the now-defunct Interstate Broadcasting Treaty of 1987) and one self-regulatory document (German Press Council 1973, which has been superseded).[1] The 12 texts analysed for the UK case encompassed nationwide media regulation and self-regulation codes and statutes (Acts of Parliament), including one historical text (the 1984 Telecommunications Act, no longer in force).[2]

In selecting the historical texts, care was taken to ensure that their legal or binding force dated from before the 1990s. This time frame can be justified, on the one hand, by the rise of global inequality, which gained particular momentum through the advance of neoliberal politics following the era of US President Ronald Reagan and UK Prime Minister

Margaret Thatcher, and on the other hand by the shift in identity politics towards protecting marginalised groups. In particular, the vacuum left by the collapse of communism compelled the political left to reinvent itself. While identity movements certainly existed long before the end of the Cold War, it was particularly from the 1990s onwards that their demands became increasingly structurally embedded, for example in university curricula (see Fukuyama 2019).

In addition to the aforementioned media regulation texts, other relevant legal documents that appear as references in regulatory codes or refer to them were also analysed. For Germany, these include the General Equal Treatment Act (AGG 2006), and for the UK, the statutes underpinning media ownership rules, broadcast regulation, equalities law and prohibitions on hate speech. While other areas of legislation may also come into play in the context of media regulation, it would exceed the scope of this article to examine these in detail. For instance, Bernhard (2023) has analysed findability discrimination by so-called media intermediaries in relation to competition law. Under criminal law, freedom of expression may likewise be subordinated to offences such as incitement to hatred (cf. Arcila and Griffin 2023). More broadly, law can, depending on its interpretation, serve both as an instrument of protection (for example, of minorities) *and* as a means of discipline/exclusion.

Results

The abundance of texts in Germany indicates the country's very detailed regulation – a fact emphasised by the sometimes meticulous regulation of media outlets, as will be shown in the following subsections. In contrast, the far smaller number of UK media texts suggests greater deregulation in the British context. This lends weight to the notion that two distinct regulatory models exist, reflecting the media systems of the two states: democratic–corporatist in Germany and liberal in the UK. Direct comparison of the two countries reveals that German media regulation primarily aims to curb dominant opinions and discrimination, while promoting diversity and pluralism. In contrast, the UK's focus is principally on anti-discrimination. Over time, markers of social inequality, such as gender, race, ethnicity, and disability, have played an increasingly important role in media regulation in both countries. Significantly, however, the "core brand" of left-wing identity politics – social inequality with regard to differences in *socioeconomic* status – continues to play a very minor role in media regulation in Germany and an even smaller one in the UK.

Germany

A comparison of the 1987 Interstate Broadcasting Treaty and the 2024 Interstate Media Treaty (entry into force: 2020) reveals a significant evolution in considerations of equality. While the 1987 treaty only required broadcasters to give "an appropriate voice" to diverse "political, ideological and social forces" and consider "the views of minorities" (RStV 1987, Article 8), valuing "diversity of opinion," the 2020 treaty more firmly established the principles of equal communication opportunities and prohibits discrimination (Just, Birrer, and He 2022). In contrast, the 1973 Press Code at least mentioned that no one should be discriminated against due to "membership of a racial, religious or national

group" (German Press Council 1973, 91). However, it also failed to address disability, gender equality, race, and other markers of social inequality.

Taken together, the Digital Services Act, Interstate Media Treaty, federal media laws on public and private broadcasting, Press Code of the German Press Council, Code of Conduct of the German Advertising Council, and German Communication Code collectively address most of the dimensions of inequality listed in Section 1 of the General Equal Treatment Act (AGG), which came into force in 2006. This sets out to prevent discrimination "on the grounds of race or ethnic origin, gender, religion or belief, disability, age or sexual orientation" (AGG 2022, 10). However, there are no references whatsoever to these dimensions of inequality in the press laws of federal states, the statutes of the analysed media authorities and some codes, including the Media Code (Netzwerk Recherche) and the Code of Ethics for Specialist Journalists in the German Association of Specialised Journalists (DFJV). The Telecommunications Act, which oversees consumer interests in the field of telecommunications, seeks to ensure equal connectivity and promote access to high-capacity networks for *all* citizens, without reference to identity markers – except for safeguarding consumer interests by supporting equivalent living conditions in urban and rural areas and providing special protection for persons with disabilities.

From a linguistic perspective, it is interesting to note that the term "race" (*Rasse*), despite its historical connotations (see Quent 2020), is also used in several media regulation texts, such as the Digital Services Act (2024) and the Bavarian Broadcasting Act (version published in 2003). In most other texts, "racial" distinctions are either omitted entirely or a more neutral term is used, such as "ethnic origin" (e.g. the 2019 Press Code).

The analysed media texts prioritise gender equality in appointments to supervisory and decision-making bodies; however, explicit consideration of other sexual identities is inconsistent. The Media State Treaty of Hamburg and Schleswig-Holstein and the Lower Saxony Media Act, the Media State Treaty on Cooperation between Berlin and Brandenburg, the Act on the State Treaty on the Public Broadcasting Station RBB and the NDR State Treaty, allow for the inclusion of "diverse" individuals in committees. The state media laws of Saarland, Lower Saxony and Rhineland-Palatinate, as well as the State Treaty on RBB and Deutschlandradio, the RB Act and the WDR Act specifically acknowledge gay and queer associations. The State Treaty on the public broadcaster MDR and the Thuringian State Media Law extend this inclusivity to broader LGBTIQ + associations, and some texts – including the State Media Treaty, the RB Act, the Saarland Media Act and the Mecklenburg-Western Pomerania Broadcasting Act – explicitly prohibit discrimination based on sexual orientation or identity.

The 1987 Interstate Broadcasting Treaty guaranteed broadcasting time for Protestant, Catholic, and Jewish communities, a preferential status that persists in German media law 40 years later, despite general prohibitions against religious discrimination. This is evident in both allocated broadcasting time and representation in supervisory and decision-making bodies (cf. Karis 2018). Only the media councils of the state media authorities in Saarland, Bremen and Lower Saxony, the PSB councils of HR, RB and SWR, and the ZDF television council also take Muslim religious communities into account. Other religions remain unrepresented.

With limited exceptions – notably the media laws of Baden-Württemberg and Lower Saxony, and the NDR State Treaty – media texts consistently address the inclusion of people with disabilities through representation in decision-making bodies, programme mandates, and accessibility provisions. Migrants are also included to a certain extent –

for instance through interest groups, foreigner, migrant and integration advisory councils, and explicit references to non-discrimination in the media on the basis of origin or ethnic/racial affiliation. Linguistic minorities, such as the Sorbs and Low German speakers, are considered by the relevant media regulations within the respective länder. Representatives of the Sinti and Roma communities sit on the SWR State Broadcasting Council and Media Authority Assembly in Rhineland-Palatinate. Age and generational groups are sometimes considered in programme/service design, and youth and senior citizens' associations are almost consistently represented on committees.

In summary, the inequality markers of gender, and to a lesser extent disability and age, are taken into account in media texts on public and private broadcasting, as are migration/origin and ethnicity/race relatively frequently. With regard to religion, equal treatment can only be said to exist for Christianity and Judaism. Markers of sexual identity are not consistently represented, but do appear in isolated cases.

The mandate to create "a comprehensive offering for all" (Interstate Media Treaty 2024, Section 26(1)) is justified by the obligation to promote public and individual opinion formation, and to promote diverse perspectives – as set out in state legal texts on public and private broadcasting, including the Interstate Media Treaty. Both public and private media are required to respect human dignity, promote tolerance and strive for non-discriminatory coexistence, with the inclusion of minorities considered essential to guarantee pluralism and to counter media concentration and prevailing opinion. Neither press laws nor the German Digital Services Act (DDG) establish such normative requirements. Since 2024, the DDG has transposed the EU Digital Services Act (DSA) into German law, prioritising restrictions over requirements and focusing on limiting digital services to prevent disinformation, but it does not address the active promotion of pluralism or equality.

What, then, is the situation regarding dimensions of inequality *not* explicitly addressed by the AGG? These are largely absent from media regulation texts. While origin or social group membership is commonly mentioned, media regulation texts notably fail to address social inequality between East and West Germany, either through programmatic goals or representation requirements – even in legal texts whose scope covers East Germany. The categories "East German" and "West German," widely discussed in academic literature (e.g. Oschmann 2023) are absent from media law. Some texts, including the Media State Treaty and the federal laws of Hesse, North Rhine-Westphalia, Rhineland-Palatinate, Saarland, Saxony-Anhalt and Mecklenburg-Western Pomerania, merely insist on programmes promoting solidarity in a *united* Germany – a provision that could be interpreted as alluding to, or recognising, ongoing divisions (cf. Fiedler et al. 2023).

Socio-economic markers of inequality – such as poverty, unemployment, and precarious living conditions – are also largely absent from media regulation texts. Some laws address the media's role in "promoting social justice" (e.g. state media laws in Lower Saxony, Bremen, and North Rhine-Westphalia; WDR Act/NDR State Treaty), while trade unions, employee associations and civil society groups, such as charities and welfare organisations, are largely well-represented in supervisory bodies. However, only the Lower Saxony Media Act delegates a member of the State Poverty Conference to the State Media Authority Assembly, and the Saxony Private Broadcasting Act includes a member of the Unemployment Association. In Thuringia, the Assembly includes the association of "social pensioners" (old-age poverty), but this position has to be shared with associations of war victims. The 2019 Press Code states, using the vague term "social group," that no one should be discriminated against on this basis. Consequently, socio-economic inequality,

especially poverty, remains largely invisible in media texts, with no provision for anti-discrimination on the basis of socio-economic status. The State Treaty on Broadcasting Licence Fees and the Telecommunications Act offer limited exceptions, exempting recipients of social benefits and prioritising the needs of vulnerable users, respectively.

UK

In terms of regulating to prevent media content that might promote discrimination and inequality, there is a strong consensus between IPSO, Ofcom and the code of conduct of the National Union of Journalists (NUJ) around the extent and limits of what is permissible. All three codes largely restrict themselves to prohibiting discrimination against groups with "protected characteristics" defined in the Equality Act 2010: that is, age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation (legislation.gov.uk 2010). As in Germany, a shift towards differentiation according to marginalised groups can be observed in UK media regulation, as the 1984 Telecommunications Act (which primarily focused on promoting fair access to telephony) only explicitly mentioned disability and age as dimensions of inequality.

However, while each of the major UK media regulatory codes contain explicit clauses prohibiting journalists and news media outlets from publishing content that is discriminatory or prejudiced, little or no direct protection is offered to people experiencing socioeconomic inequality. Of the three codes, only Ofcom's prohibits discrimination or hatred relating to an individual's social position – under the nebulous term "social origin" (Ofcom 2023) – while IMPRESS is the sole regulator to extend its protections to people's "socio-economic status," while explicitly offering safeguards to those "receiving welfare and benefits payments" (IMPRESS [2013] 2024, n. p.). The IPSO Code confines itself to stipulating that the press "must avoid prejudicial or pejorative reference to an individual's race, colour, religion, sex, gender identity, sexual orientation or to any physical or mental illness or disability" – i.e. limiting itself to protected groups defined in the Equality Act 2010. This is almost identical to clause 9 of the NUJ Code, which states that a journalist "produces no material likely to lead to hatred or discrimination on the grounds of a person's age, gender, race, colour, creed, legal status, disability, marital status, or sexual orientation" (nuj.org.uk 2024, n. p.).

Of the main regulators, only Ofcom comes close to endorsing the IMPRESS Code's protections towards people affected by social inequality, through a patchwork of clauses focusing on "hatred and abuse." The Code's definition of hate speech embraces "all forms of expression which spread, incite, promote or justify hatred based on intolerance on the grounds of disability, ethnicity, social origin, gender, sex, gender reassignment, nationality, race, religion or belief, sexual orientation, colour, genetic features, language, political or any other opinion, membership of an ethnic minority, property, birth or age" – an extensive list encompassing several aspects of identity. Furthermore, people's religious views and beliefs should not be subject to abusive treatment.

Discussion and Conclusion

In examining the rise of right-wing populism in North America and Europe, Fukuyama (2019) posits that the Left's shift towards prioritising culture and the demands of marginalised groups has been detrimental to the fight over socioeconomic inequality. He states

that "what needed to be smashed was not the current political order that exploited the working class, but the hegemony of Western culture and values that suppressed minorities at home and developing countries abroad" (113). Examined from a *temporal-comparative perspective*, which contrasts historical with contemporary media legislation, the results of the study show that the global trend towards a stronger identity-political focus on marginalised groups is largely reflected in the analysed media regulation texts.

However, while cultural issues, such as gender, race, ethnicity, and age, have largely become central to these texts over the decades, socio-economic inequalities continue to be excluded, both in a democratic–corporatist media system (examined here using the example of Germany) and, even more so, in a liberal system (as in the UK). The de facto *absence* of socially disadvantaged people from the list of groups judged "deserving" of legal/regulatory protection, both historically and today, constitutes a denial of their importance (even existence) and – by extension – a form of symbolic annihilation by statute.

From a *spatial-comparative perspective*, the democratic–corporatist media model in particular appears to allow for a stronger normative weighting in favour of the triad of pluralism of opinion, anti-discrimination, and preventing dominant opinion power. In contrast, the liberal model focuses almost exclusively on anti-discrimination. However, as demonstrated by the German case, a democratic–corporatist interpretation is primarily applied to the regulation of private and public broadcasting and the press, where there is an absence of normative regulation in this direction in the law. By contrast, the arguments of anti-discrimination, suppression of hate speech and disinformation are invoked in internet regulation (Digital Services Act), as in the UK (to the detriment of pluralism, which is lacking here). While certain safeguards around media pluralism do exist in the UK, these are largely limited to maintaining plural ownership structures and/or plurality of perspective (often measured along the Left/Right/Centrist political spectrum). A first – and obvious – problem arising from this is the fact that laws enforcing plurality of ownership and political perspective do not automatically translate into promoting (let alone enforcing) plurality of voice or representation for people from divergent social groups. Conversely, such protections as exist in statute and regulation are largely confined to prohibitions on hate speech/discrimination targeting legally protected groups.

In both countries, the issue of internet regulation to limit the flow of mis/disinformation adds a layer of complexity to efforts to address social inequality, as there is a danger that it could contribute to further disempowering and stigmatising already marginalised groups. At the same time, mis/disinformation has also increasingly been associated with people who are less formally educated and/or socially marginalised themselves (e.g. Graeupner and Coman 2017). There is a risk that one (unintended) consequence of efforts to remove hate speech from mainstream media and political discourse is the further marginalisation of people, such as the working-class and/or the economically "poor." This phenomenon, in turn, could exert a detrimental societal effect, manifesting in the further alienation of these individuals from the mainstream public sphere and social norms, and engendering an escalation in their levels of distrust towards institutions – including (for the purposes of this article) the commercial and public service media. In the German context, this assumption can also – at least to some extent – be made with regard to the country's East–West divide. Although a wide range of social groups are now "legally protected" in media legislation and recognised in (self-)regulatory media texts, East Germans are not explicitly included when it comes to addressing their specific needs or representing them in decision-making bodies.

Certainly, as Bayer (2019, 127) notes regarding equality, "legal regulation alone may achieve only limited results in this area." Consequently, consideration must be given to broader economic, social and cultural factors influencing media inequality, raising questions about the appropriate weighting of legal frameworks in relation to these determinants. Moreover, the extent to which various dimensions of inequality are addressed through the implementation of media regulation is contingent upon, and shaped by, dynamics of structural power (see e.g. Sarikakis and Nguyen 2009; Schejter 2008) and symbolic violence. In this respect, this article identifies a research gap concerning the practical interpretation and enforcement of media regulation with regard to social inequality.

Based on the chosen case studies, our findings demonstrate that social inequality is addressed differently within mass media regulation depending on whether the system is liberal or democratic–corporatist. However, further research is required to clarify which form of regulation is more effective in reducing inequality. Moreover, consideration should be given to whether media regulation is, *per se*, the most appropriate mechanism for achieving social equality. Civil society organisations and professional associations might more effectively address this question through iterative self-reflection, given that the media industry has a vested interest in decentralisating regulatory authority (Mai 2005). However, any self-regulatory body formed by journalists' associations and trade unions must address the question of its own effectiveness if social inequalities persist, as highlighted in the article's introduction. The challenge lies in addressing a situation where the essential forums – those of the media itself – are already "bequeathed," necessitating the creation of new avenues for dialogue. Self-regulation is only viable if media organisations are collectively willing to accept limitations that contradict market logic.

NOTES

1. *Laws (German federal parliament, Bundestag):* Telecommunications Act (2023), Digital Services Act (2024), Network Enforcement Act (2024), General Equal Treatment Act (AGG 2006); *Laws (Federal states parliaments, Landtage):* Interstate Broadcasting Treaty (1987), Interstate Media Treaty (2024), Interstate Treaty on the Protection of Human Dignity and Minors in Broadcasting and Telemedia (JMStV 2021), State Treaty on Broadcasting Licence Fees (RBStV 2020), Interstate Treaty on the Financing of Broadcasting (RFinStV 2020), 14 federal media laws for commercial broadcasting (2021–2024), 12 state treaties and federal media laws for public service broadcasting (2015–2024), 14 federal press laws (2018–2023); *Statutes by state media authorities:* Youth Protection Statutes (2004), Statutes for the concretisation of the provisions of the Interstate Media Treaty on media platforms and user interfaces (MB-Satzung 2021); *Codes of conduct:* Press Code (German Press Council 1973, 2019), German Communication Code (DRPR 2012), Code of Ethics for Specialist Journalists in the DFJV (DFJV 2007), Media Code (Netzwerk Recherche 2016), Code of Conduct against the denigration and discrimination of persons (German Advertising Council 2014). *Note: The textual analysis is based on the latest version of the texts as of 31 May 2024.*
2. *Laws (UK Parliament):* Telecommunications Act (1984), Crime and Disorder Act (1998), Enterprise Act (2002), Communications Act (2003), Racial and Religious Hatred Act (2006), Equality Act (2010), Sentencing Act (2020), Hate Crime and Public Order (Scotland) Act (2021); *Codes of Practice:* Editors' Code of Practice (Independent Press Standards

Organisation [IPSO]), Broadcasting Code (incorporating the Cross-promotion Code and the On Demand Programme Service Rules) (Office of Communications [Ofcom]), Standards Code (Independent Monitor of the Press [IMPRESS], Code of Conduct (National Union of Journalists [NUJ]).

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REFERENCES

AGG. 2006. "Allgemeines Gleichbehandlungsgesetz [General Equal Treatment Act]". https://www.antidiskriminierungsstelle.de/SharedDocs/downloads/DE/publikationen/AGG/agg_gleichbehandlungsgesetz.pdf?__blob=publicationFile.

Arcila, Beatriz B., and Rachel Griffin. 2023. *Social Media Platforms and Challenges for Democracy, Rule of Law and Fundamental Rights*. Brussels: European Union.

Bayer, Judit. 2019. "The Illusion of Pluralism: Regulatory Aspects of Equality in the New Media." In *Digital Media Inequalities: Policies against Divides, Distrust and Discrimination*, edited by Josef Trappel, 127–140. Göteborg: Nordicom.

Bernhard, Thomas. 2023. *Medienintermediäre und Auffindbarkeitsdiskriminierungen: Eine Analyse des Verhältnisses von §94 MStV zu den Vorschriften der kartellrechtlichen Missbrauchskontrolle*. Wiesbaden: Springer.

Beyerbach, Hannes. 2021. "Social Media im Verfassungsrecht und der einfachgesetzlichen Medienregulierung." In *Rechtshandbuch Social Media*, edited by Gerrit Hornung and Ralf Müller-Terpitz, 507–593. Berlin: Springer.

Bourdieu, Pierre. 1990. *The Logic of Practice*. Cambridge: Polity Press.

Brogi, Elda, Danielle Borges, Roberta Carlini, Iva Nenadic, Konrad Bleyer-Simon, Jan Kermer, Urbano Revligio, Matteo Trevisan, and Sofia Verza. 2023. *The European Media Freedom Act: Media Freedom, Freedom of Expression and Pluralism*. Brussels: European Union, 2023. https://www.europarl.europa.eu/RegData/etudes/STUD/2023/747930/IPOL_STU(2023)747930_EN.pdf.

Clementi, David. 2016. "Independent Review Recommends Overhaul of How the BBC Is Governed". https://www.gov.uk/government/news/independent-review-recommends-overhaul-of-How-the-bbc-Is-governed.

Communications Act. 2003. "Communications Act 2003". https://www.legislation.gov.uk/ukpga/2003/21/contents.

Costache, Andreea. 2014. *De-Regulation of European Media Policy: The Debate on Media Governance and Media Pluralism in the EU*. Bellaterra: Facultat de Ciències de la Comunicació.

Couldry, Nick, Clemencia Rodriguez, Göran Bolin, Julie Cohen, Ingrid Volkmer, Gerard Goggin, Marwan Kraidy, et al. 2018. "Media, Communication and the Struggle for Social Progress." *Global Media and Communication* 14 (2): 173–191.

Council of Europe. 2009. *Media & Diversity: The Next Steps to Promote Minority Access to the Media*. Strasbourg: Council of Europe.

Crime and Disorder Act. 1998. "Crime and Disorder Act 1998". https://www.legislation.gov.uk/ukpga/1998/37/contents.

DFJV. 2007. "Ethik-Kodex für Fachjournalisten im DFJV". https://www.dfjv.de/wp-content/uploads/DFJV-Ethik-Kodex.pdf.

Digital Services Act [Digitale-Dienste-Gesetz]. 2024. "Digitale-Dienste-Gesetz vom 6. Mai 2024 (BGBl. 2024 I Nr. 149)". https://www.gesetze-im-internet.de/ddg/BJNR0950B0024.html.

Dimopoulos, Andreas. 2017. "The Representation of Disability in the Media in the UK and France: Implications for Free Speech and Diversity in Light of Article 8 of the Convention on the Rights of Persons with Disabilities." *Cambridge International Law Journal* 6 (1): 43–61.

DRPR. 2012. "Deutscher Kommunikationskodex". http://www.kommunikationskodex.de/wp-content/uploads/Deutscher_Kommunikationskodex.pdf.

epd. 2016. "Die Entwicklung der Diskriminierungsrichtlinie 12.1 des Presserats". https://www.evangelisch.de/inhalte/132586/09-03-2016/die-entwicklung-der-diskriminierungsrichtlinie-121-des-presserats.

Enterprise Act. 2002. "Enterprise Act 2002". https://www.legislation.gov.uk/ukpga/2002/40/contents.

Equality Act. 2010. "Equality Act 2010". https://www.legislation.gov.uk/ukpga/2010/15/contents.

Fiedler, Anke, Tomasz Rawski, Krzysztof Świrek, and Julia Traunspurger. 2023. "The Perception and Interpretation of Conflicting Mnemonic Narratives: Post-Communist Remembrance in East Germany and Poland." *International Journal of Comparative Sociology* 64 (2): 143–160. https://doi.org/10.1177/00207152221115434.

Filipović, Alexander. 2021. "Ethik der Pluralität: Impulse für eine Medienethik pluraler Gesellschaften'." *Communicatio Socialis* 54 (3): 288–297. https://doi.org/10.5771/0010-3497-2021-3-288.

Fukuyama, Francis. 2019. *Identity: Contemporary Identity Politics and the Struggle for Recognition*. London: Profile Books.

Gerbner, George. 1972. "Violence in Television Drama: Trends and Symbolic Functions." In *Television and Social Behavior, Vol. 1: Media Content and Control*, edited by George A. Comstock and Eli A. Rubinstein, 28–187. Washington, D.C.: U.S. Government Printing Office.

German Press Council. 1973. *Deutscher Presserat: Tätigkeitsbericht 1973*. Bonn: Zeitungs-Verlag und Zeitschriften-Verlag GmbH.

German Advertising Council. 2014. "Verhaltensregeln des Deutschen Werberats gegen Herabwürdigung und Diskriminierung von Personen". https://werberat.de/wp-content/uploads/2023/06/dwr_flyer_diskriminierung_2019.pdf.

German Press Council. 2019. "Publizistische Grundsätze (Pressekodex)". https://www.bjv.de/fileadmin/user_upload/lv_bjv/lv_bayern/dokumente/pressekodex.pdf.

Głuszek-Szafraniec, Dagmara, and Katarzyna Brzoza. 2019. "Gender Equality in Media Legislation: Cases of Spain and Poland." *Studia Medioznawcze* 20 (2): 173–187. https://doi.org/10.33077/uw.24511617.ms.2019.2.93.

gov.uk. 2024. “Media Merger Laws to be Modernised for the Digital Age”. https://www.gov.uk/government/news/media-merger-laws-to-be-modernised-for-the-digital-age.

Graeupner, Damaris, and Alin Coman. 2017. “The Dark Side of Meaning-Making: How Social Exclusion Leads to Superstitious Thinking.” *Journal of Experimental Social Psychology* 69:218–222. https://doi.org/10.1016/j.jesp.2016.10.003.

Grätz, Reinhard. 2005. “Der Rundfunkrat des WDR.” In *Handbuch Medienselbstkontrolle*, edited by Achim Baum, Wolfgang R. Langenbucher, Horst Pöttker, and Christian Schicha, 133–158. Wiesbaden: Verlag für Sozialwissenschaften.

Griffin, Rachel. 2023. “Rethinking Rights in Social Media Governance: Human Rights, Ideology and Inequality.” *European Law Open* 2 (1): 30–56. https://doi.org/10.1017/elo.2023.7.

Hallin, Daniel C., and Paolo Mancini. 2004. *Comparing Media Systems: Three Models of Media and Politics*. Cambridge: Cambridge University Press.

Hate Crime and Public Order (Scotland) Act. 2021. "Hate Crime and Public Order (Scotland) Act 2021". https://www.legislation.gov.uk/asp/2021/14/contents.

Holtz-Bacha, Christina. 2020. “Medienregulierung der Europäischen Union.” In *Handbuch Medienökonomie*, edited by Jan Krone and Tassilo Pellegrini, 1367–1387. Wiesbaden: Springer.

IMPRESS. (2013) 2024. “Guidance on the Standards Code”. https://www.impressorg.com/wp-content/uploads/2023/02/Impress-Standards-Code.pdf.

Interstate Broadcasting Treaty. 1987. "Staatsvertrag zur Neuordnung des Rundfunkwesens (Rundfunkstaatsvertrag)". https://www.urheberrecht.org/law/normen/rstv/RStV-00a-1987/text/1987_00.php.

Interstate Media Treaty. 2024. “Medienstaatsvertrag”. https://www.die-medienanstalten.de/fileadmin/user_upload/Rechtsgrundlagen/Gesetze_Staatsvertraege/Medienstaatsvertrag_MStV.pdf.

IPSO. 2014. "The Editors’ Code of Practice". https://www.ipso.co.uk/editors-code-of-practice/.

JMStV. 2021. "Staatsvertrag über den Schutz der Menschenwürde und den Jugendschutz in Rundfunk und Telemedien (Jugendmedienschutz-Staatsvertrag – JMStV)". https://www.landesrecht-bw.de/bsbw/document/jlr-JMedienSchStVtrGBWV8StVtr.

Just, Natascha, Alena Birrer, and Danya He. 2022. *Rechtsrahmen und Indikatoren medialer Konzentrations- und Meinungsmachtkontrolle*. Universität Zürich: Institut für Kommunikationswissenschaft und Medienforschung.

Karis, Tim. 2018. “Koschere Kochshows, muslimische Rundfunkräte und Das Wort zum Sonntag: Religion und Medienregulierung in Deutschland und den Niederlanden.” In *Religionspolitik heute: Problemfelder und Perspektiven in Deutschland*, edited by Daniel Gerster, Viola van Melis, and Ulrich Willems, 261–283. Freiburg: Herder.

Kassa, Bruktawit E., Izabela Korbiel, Krisztina Rozgonyi, Lisa Winter, and Katharine Sarikakis. 2023. “Media Governance, supranationale Medienpolitik und Feminismus.” In *Handbuch Medien und Geschlecht*, edited by Johanna Dorer, Brigitte Geiger, Brigitte Hipfl, and Viktorija Ratković, 509–527. Wiesbaden: Springer.

Kreißig, Wolfgang. 2023. “Die Medienanstalten im Wandel – Ganzheitliche Medienaufsicht im digitalen Zeitalter.” *AfP* 54 (3): 199–206. https://doi.org/10.9785/afp-2023-540304.

Kretschmer, Martin, Ula Furgal, and Philip. Schlesinger. 2022. “The Emergence of Platform Regulation in the UK: An Empirical-Legal Study.” *Weizenbaum Journal of the Digital Society* 4 (1): 1–36.

legislation.gov.uk. 2010. “Equality Act 2010.” https://www.legislation.gov.uk/ukpga/2010/15/contents.

Lueg, Klarissa. 2012. "Karriere und soziale Ungleichheit im journalistischen Feld: Die Feld-Habitus-Passung von Journalistenschülern." In *Ungleichheit: Medien- und kommunikationssoziologische Perspektiven*, edited by Christian Stegbauer, 151–165. Wiesbaden: VS Verlag für Sozialwissenschaften.

Macharia, Sarah, and Joan Barata Mir. 2022. *Global Study: Gender Equality and Media Regulation*. Linnaeus University: Fojo.

Mai, Manfred. 2005. *Medienpolitik in der Informationsgesellschaft*. Wiesbaden: VS Verlag für Sozialwissenschaften.

Mazzoli, Eleonora M. 2023. "The Politics of Content Prioritisation Online Governing Prominence and Discoverability on Digital Media Platforms." PhD diss., School of Economics and Political Science.

MB-Satzung. 2021. "Satzung zur Konkretisierung der Bestimmungen des Medienstaatsvertrags über Medienplattformen und Benutzeroberflächen". https://www.die-medienanstalten.de/service/rechtsgrundlagen/satzung-zu-medienplattformen-und-benutzeroberflaechen/.

McCracken, Katie, Ana FitzSimons, Sarah Priest, Sylvia Girstmair, and Brenda Murphy. 2018. "Gender Equality in the Media Sector". European Parliament, 2018. https://www.europarl.europa.eu/RegData/etudes/STUD/2018/596839/IPOL_STU(2018)596839_EN.pdf.

Media Reform Coalition. 2023. *Who Owns the Media?* London: Goldsmiths Leverhulme Media Research Centre". https://www.mediareform.org.uk/wp-content/uploads/2023/10/Who-Owns-the-UK-Media-2023.pdf.

Moebius, Stephan, and Angelika Wetterer. 2011. Symbolische Gewalt." *Österreichische Zeitschrift für Soziologie* 36 (4): 1–10. https://doi.org/10.1007/s11614-011-0006-2.

Montalbano, Kathryn. 2018. Net Neutrality, the Fairness Doctrine, and the NRB: The Tension between United States Religious Expression and Media Regulation." *Media and Communication* 6 (1): 5–12.

Morrison, James. 2024. "Abusing the Unprotected 'Poor': The Prevalence of Povertyist Stigma and Hate Speech on Unmoderated Newspaper Comment Threads." *Journal of Applied Journalism and Media Studies* 13 (2): 237–257.

Nenova, Mira B. 2007. "The Reform of the European Community Audiovisual Media Regulation: Television without Cultural Diversity." *International Journal of Cultural Property* 14 (2): 169–204.

Netzwerk Recherche. 2016. "Medienkodex". https://netzwerkrecherche.org/wp-content/uploads/2018/10/nr-Medienkodex-2016.pdf.

Network Enforcement Act [Netzwerkdurchsetzungsgesetz]. 2017. "Gesetz zur Verbesserung der Rechtsdurchsetzung in sozialen Netzwerken (Netzwerkdurchsetzungsgesetz – NetzDG)". https://www.gesetze-im-internet.de/netzdg/BJNR335210017.html.

nuj.org.uk. 2024. *Code of Conduct*. London: National Union of Journalists. https://www.nuj.org.uk/about-us/rules-and-guidance/code-of-conduct.html.

Ofcom. 2023. *The Ofcom Broadcasting Code (with the Cross-Promotion Code and the on Demand Service Rules)*. London: Ofcom. https://www.ofcom.org.uk/tv-radio-and-on-demand/broadcast-standards/broadcast-code.

Oschmann, Dirk. 2023. *Der Osten: eine westdeutsche Erfindung*. Berlin: Ullstein.

Paal, Boris P. 2017. "Current Issues and Recent Developments on Media Concentration in the Context of Competition Law and Media Law." *Journal of Intellectual Property Law & Practice* 12 (7): 610–616.

Perez Portilla, Karla. 2018. "Challenging Media (Mis)Representation: An Exploration of Available Models." *International Journal for Crime, Justice and Social Democracy* 7 (2): 4–20.

publications.parliament.uk. 2008. Select Committee on Communications First Report. https://publications.parliament.uk/pa/ld200708/ldselect/ldcomuni/122/12209.htm.

Puppis, Manuel. 2008. "National Media Regulation in the Era of Free Trade: The Role of Global Media Governance." *European Journal of Communication* 23 (4): 405–424.

Quent, Matthias. 2020. "Warum steht der Begriff "Rasse" im Grundgesetz?" Bundeszentrale für politische Bildung. https://www.bpb.de/themen/politisches-system/abdelkratie/312945/warum-steht-der-begriff-rasse-im-grundgesetz/

Racial and Religious Hatred Act. 2006. "Racial and Religious Hatred Act 2006". https://www.legislation.gov.uk/ukpga/2006/1/contents.

RBStV. 2020. "Rundfunkbeitragsstaatsvertrag". https://www.rundfunkbeitrag.de/e175/e4794/Rundfunkbeitragsstaatsvertrag.pdf.

RFinStV. 2020. "Rundfunkfinanzierungsstaatsvertrag". https://bravors.brandenburg.de/vertraege/rfinstv.

RStV. 1987. "Staatsvertrag zur Neuordnung des Rundfunkwesens (Rundfunkstaatsvertrag)". https://www.urheberrecht.org/law/normen/rstv/RStV-00a-1987/text/1987_00.php.

Sarikakis, Katharine, and Eliane Thao Nguyen. 2009. "The Trouble with Gender: Media Policy and Gender Mainstreaming in the European Union." *Journal of European Integration* 31 (2): 201–216.

Schejter, Amit. 2008. "'The Stranger That Dwelleth with You Shall Be unto You as One Born among You': Israeli Media Law and the Cultural Rights of the 'Palestinian-Israeli' Minority." *Middle East Journal of Culture and Communication* 1 (2): 156–179.

Schneiders, Pascal, Daniel Stegmann, Birgit Stark, Lisa Zieringer, and Carsten Reinemann. 2024. "Meinungsmacht unter der Lupe: Ein Ansatz für eine vielfaltssichernde, holistische Plattformregulierung." In *Regulierung, Governance und Medienethik in der digitalen Gesellschaft*, edited by Marlis Prinzing, Josef Seethaler, Mark Eisenegger, and Patrik Ettinger, 97–120. Wiesbaden: Springer.

Sentencing Act. 2020. "Sentencing Act 2020". https://www.legislation.gov.uk/ukpga/2020/17/contents.

Seufert, Wolfgang. 2017. *Medienregulierung in Deutschland: Ziele, Konzepte, Maßnahmen*. 2nd ed. Baden-Baden: Nomos.

Signer, Sara, Manuel Puppis, and Andrea Piga. 2011. "Minorities, Integration and the Media: Media Regulation and Media Performance in Multicultural and Multilingual Switzerland." *International Communication Gazette* 73 (5): 419–439.

Stapf, Ingrid. 2005. "Medienselbstkontrolle - Eine Einführung." In *Handbuch Medienselbstkontrolle*, edited by Achim Baum, Wolfgang R. Langenbucher, Horst Pöttker, and Christian Schicha, 17–36. Wiesbaden: VS Verlag für Sozialwissenschaften.

Suter, Christian. 2014. "Social Inequalities." In *Encyclopedia of Quality of Life and Well-Being Research*, edited by Alex C. Michalos, 6093–6097. Dordrecht: Springer.

Telecommunications Act. 1984. "Telecommunications Act 1984". https://www.legislation.gov.uk/ukpga/1984/12/contents.

Telecommunications Act [Telekommunikationsgesetz]. 2021. "Telekommunikationsgesetz vom 23. Juni 2021 (BGBl. I S. 1858)". https://www.gesetze-im-internet.de/tkg_2021/.

Valcke, Peggy. 2011. "Looking for the User in Media Pluralism Regulation: Unraveling the Traditional Diversity Chain and Recent Trends of User Empowerment in European Media Regulation." *Journal of Information Policy* 1:287–320.

Varney, Eliza. 2008. "The Protection of Age and Disability Rights in the Regulation of Digital Television in the European Union." *Utilities Law Review* 17:6–16.

Von Kalckreuth-Tabbara, Annette. 2001. "Die Regulierung von Geschlechtsrollenklischees im kanadischen Rundfunk." *Medien & Kommunikationswissenschaft* 49 (4): 498–527.

Youth Protection Statutes. 2004. "Satzung zur Gewährleistung des Jugendschutzes in digital verbreiteten privaten Fernsehangeboten (Jugendschutzsatzung – JSS)". https://www.kjm-online.de/fileadmin/user_upload/Rechtsgrundlagen/Satzungen/Jugendschutzsatzung.pdf.

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