Univ.-Prof. Dr. Joan Hemels

Self-regulation with regard to audiovisual productions in the Netherlands
Kijkwijzer and the development of the European PEGI system for games

"The policies of both the state and mass media institutions should focus more on providing information and materials which appeal to basic human values. Working for such goals should be seen as more productive and stimulating than the easy repetition of violence and other forms of human behaviour which are injurious, inter alia, to the child's well-being. On a global human scale, it cannot be considered a wise economic policy to spend large sums in order to make children believe the messages of the mass media (…) and, at the same time to spend large sums on media education to make them not believe what mass media tell them."

(Marian Koren, 1996: 483)

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Introduction

The papal message for World Communications Day 2004 was dealing with the risks and richness of the media and the family.[1] According to pope John Paul II the media play an important role in shaping today's families and tomorrow's decision makers. Their growth and increased availability has brought exceptional opportunities for enriching the lives not only of individuals, but also of families. At the same time, families today face new challenges arising from the varied and often contradictory messages presented by the mass media. They have the capacity to do grave harm to families by presenting an inadequate or even deformed outlook on life, on the family, on religion and on morality. This power either to reinforce or override tradional values like religion, culture, and family was seen already by the Second Vatican Council in the -often criticized- Council decret "Inter Mirifica" (1964). Fourty years later, the papal considerations are better-balanced and they testify to a clearer insight into the contemporary family life and media culture.

As a main focus for media activities of the Roman Catholic Church in the presently fundamentally changed media situation and way of life, the German theologian Helmut Rolfes (2004) points at two fields: the demand for using media in all ways of evangelization with strategies for pastoral activities and the demand for a developed ethics of media. Rolfes raises
the question whether there are authorized church teachings on social communication like the papal Enzyclicas on social questions for the catholic social teachings. To answer the question he explored the content of all church documents on this field since the publication of the Council decret "Inter Mirifica" fourty years ago.

Towards a community of good practice

On the background of catholics facing a crisis in moral leadership in Canada and the United States strengthened by the revelation of clerical sexual abuse and its cover-up by many bishops, another theologian, Richard Shields, proposes to examine the question of social communication within the catholic church for developing an effective moral discourse. Using the insights of social sciences, he shows that sharing moral conscience and knowing socially how to respond to evil and work towards good, is essential to the healthy functioning of religion. Shields suggests to find an effective official structure of moral social communication by fostering "communities of practice", as they are presently known in corporate thinking. Shields quotes Etienne Wenger e.a. who describe these communities in their guide to managing knowledge and management tools as "groups of people who share a concern, a set of problems, or a passion about a topic, and who deepen their knowledge and expertise in this area by interacting on an ongoing basis" (Shields, 2004: 257).

The communities of practice could be a dynamic element in the church, an alternative to the crisis of authority and the crisis of the sense of sin experienced in the church today. With reference to "the responsive community" of Amitai Etzioni, Shields expresses "a more guarded confidence that communities of practice can serve a positive function in balancing the need for moral authority and the force of moral autonomy in the church, (…) 'formatting social arrangements that can prevent social avalanches' (Etzioni), caused by the downward movement of an autocratic centre and the lack of resistance from a muted laity." (Shields, 2004: 260) The cancellation of the discrepancy between the moral teachings of the church authorities and the indifference of the people could also be in the interest of the public debate on the institutionalized media activities of all kinds and on all levels in society.

The self-regulation systems, as presented in this contribution, undoubtedly have characteristics of a community of practice –even of good communication practices- in a civil society with critical opponents of captains of a media industry who do not attach value to social responsibility with respect to the effects of their media content and games. Churches, but also mass media institutions, and the associations of professional communicators in the fields of journalism, media entertainment, advertising, public relations, government communication, and corporate communication are not yet desperately seeking new ethical standards appropriate for the changing communication world of the beginning of the third

millennium. However, in order to safeguard or to regain public credibility and individual confidence of their customers, they will be forced to reflect on their good, better, bad and worse practices. They have to commit themselves to self-regulation systems. If not, they will be regulated by the law.

The highest representative of the Roman Catholic Church is not the only one who is worrying about harmful media content and the protection of minors and human dignity. Mrs. Viviane Reding, European Commissioner for Education and Culture, addressed on October 16, 2003 the members of PEGI's Advisory and Complaints Boards convened in Brussels. Her address included critical remarks on computer and video games, generating more revenues than either the cinema box office or the video rentals. As she underlined, Europe is a very strong player in the market: his creative industry of games generates more than a third of world revenue and this sector continues to grow despite the general downturn in the information and communication technology sector at large. Mrs. Reding frankly said: "I feel it unacceptable that there are games in circulation who train people, mostly young people, to kill, to torture and to harm other beings. I find it even more unacceptable if policemen tell me that their training software is less realistic than some video games which are in the hands of some very young kids. That is why I believe it is high time to reflect about standards for what is acceptable and for what is not. I do hope that such reflection originates in the industry itself (…)."[2] Mrs. Reding said to be a strong believer in self- and co-regulation, but with teeth, because if it does not work well then the political decision makers have to intervene.

Withdrawal of the Dutch government

In this contribution, the Dutch rating system for audiovisual productions will be presented in connection with the European PEGI-initiative. Since the Dutch government was hiving off more and more executive tasks, the call for self-regulation was increasing in the most diverse areas. As early as the beginning of the eighties of the twentieth century, self regulatory measures were being urged within and from outside of the audiovisual world to protect young viewers against possible harmful influences. Discussions surrounding this then really flared up when the European Commission, influenced by the explosive expansion of audiovisual media, called all EU-member states to take action. This resulted in 1997 in the Dutch government policy document Not for all ages ("Niet voor alle leeftijden"). This text argued for the establishment of an "independent institution under private law as a national support service" for self-regulation within the audiovisual sector.

Various representatives of the audiovisual sector heeded the call by the government. They decided in consultation with one another to create a self-regulation body. Those involved brought forward the arguments that they:

- wished to accept their social responsibility on the basis of harmonized, central agreements between the various members of the sector in the area of the classification of media productions;
- wished to make a contribution to the improvement of the image of the audiovisual sector;
- were aware of the effect of the increasing convergence of audiovisual media, as well as further globalization in the development of media;
- wished to make a contribution to the protection of young viewers;
- wished to move forwards uniform product information.

The consultations finally resulted, in 1999, in the establishment of the Netherlands Institute for the Classification of Audiovisual Media, abridged: NICAM (Nederlands Instituut voor de Classificatie van Audiovisuele Media). The institute was set up in close cooperation with the Ministry for Education, Culture and Sciences (Ministerie van Onderwijs, Cultuur & Wetenschappen, OC&W), the Ministry of Health, Welfare and Sport (Ministerie van Volksgezondheid, Welzijn en Sport, VWS), and the Ministry of Justice (Ministerie van Justitie). The six most important umbrella organizations from the audiovisual sector participating in NICAM are: the association of producers and importers of picture and sound carriers, the association of video retailers, the association of gramophone record retailers, the federation

for cinematography, the Netherlands Broadcasting Foundation (Nederlandse Omroep Stichting, NOS), representing all national public broadcasters, and the association for satellite television and radio programme suppliers, representing all commercial broadcasters in the Netherlands.

NICAM played an initiating and coordinating role in the development of an appropriate classification system. The institute also was in charge to operate the outcome of the preparation of such a system, resulting in Kijkwijzer. Kijkwijzer is the name of the rating system in the Netherlands in use since 2001 to provide information about the possible harmful effects of movies, home videos and television programs on young people. The legislative proposals that were to put Kijkwijzer in place were 2000 passed by a large majority of the Dutch Parliament. Most members of Parliament expressed a preference for self-regulation and believed the audiovisual sector to be capable of taking its responsibility. Furthermore, there was general approval for the idea to supply uniform information on the content of audiovisual productions alongside age classifications. The amendments to the Acts in question took effect on February 22, 2001. One of the consequences of this was that the Film screenings act ("Wet op de filmvertoningen") was no longer in force. The Film Classification Board for the younger people, supervised by the government, was thereby abolished.

Kijkwijzer is an example of horizontal rating of audiovisual content. In the context of audiovisual media content classification 'horizontal classification' means classifying the content of different audiovisual media (for example films, videos, digital versatal discs (DVDs) and computer or video games on the basis of a common regulatory framework. (Palzer, 2003)

The Dutch Kijkwijzer-institute, NICAM, is also playing an important role in the Pan-European Game Information System, the so called PEGI-classification. The PEGI-system is meant for Europe-wide content descriptions of computer games. Before introducing both systems in this contribution to the fields of media ethics, media self-regulation, media education, and media competency, it could be useful to pay some more attention to the timely voice of the pope in the public debate on an issue that has been neglected or -may be- even repressed during the last decades in several European countries.

A contextual view on media and family

On the one hand, according to the pope in his message on January 24, 2004, marriage and family life are frequently depicted in a sensitive manner, realistic but also sympathetic, that celebrates virtues like love, fidelity, forgiveness, and generous self-giving for others. This is true also of media presentations which recognize the failures and disappointments inevitably experienced by married couples and families –tensions, conflicts, setbacks, evil choices and hurtful deeds –yet at the same time make an effort to separate right from wrong, to distinguish true love from its counterfeits, and to show the irreplaceable importance of the family as the fundamental unit of society. On the other hand, the family and family life are all too often inadequately portrayed in the media. Infidelity, sexual activity outside of marriage, and the absence of a moral and spiritual vision of the marriage covenant are depicted uncritically, while positive support is at times given to divorce, contraception, abortion and homosexuality. Such portrayals, by promoting causes inimical to marriage and the family, are, as the pope is arguing, detrimental to the common good of society. Citizens who take their part of the responsibility for moral standards -christians and even roman christians, can agree or disagree with these disputed papal ideas. However, everyone has not only the right to exchange opinions on vexed questions in his own way, but also the duty to develop his ethical criterion of respect for the truth and for the dignity of the human person.

In his message, John Paul II is not denying that it is difficult to resist commercial pressures or the demands of conformity to secular ideologies, but that is what responsible communicators must do. For the pope the stakes are high, since every attack on the fundamental value of the family is an attack on the true good of humanity. Without resorting to censorship, it is according his message imperative that public authorities set in place regulatory policies and procedures to ensure that the media do not act against the good of the family. Family representatives should be part of this policy-making. Policy-

makers in the media and in the public sector also should work for an equitable distribution of media resources on the national and international levels, while respecting the integrity of traditional cultures. The media should not appear to have an agenda hostile to the sound family values of tradional cultures or the goal of replacing those values, as part of a process of globalization, with the secularized values of consumer society.

John Paul II appeals parents, as the primary and most important educators of their children, to be the first to teach them about the media. When parents do that consistently and well, family life would be greatly enriched. Parents also should regulate the use of media in the home. This would include planning and scheduling media use, strictly limiting the time children devote to media, making entertainment a family experience, putting some media entirely off limits and periodically excluding all of them for the sake of other family activities. Above all, parents should give good example to children by their own thoughtful and selective use of media. Often they would find it helpful to join with other families to study and discuss the problems and opportunities presented by the use of the media. Families should be outspoken in telling producers, advertisers, and public authorities what they like and dislike. Recognizing the positive potential of the media for promoting sound human and family values and thus contributing to the renewal of society, the pope also has the following message for the professional communicators: "The media of social communication have an enormous positive potential for promoting sound human and family values and thus contributing to the renewal of society. In view of their great power to shape ideas and to influence behaviour, professional communicators should recognize that they have a moral responsibility not only to give families all possible encouragement, assistance, and support to that end, but also to exercise wisdom, good judgement and fairness in their presentation of issues involving sexuality, marriage and family life."

How important the role of parents, as stressed by the pope, is can be demonstrated by referring to the results of a Dutch research project. By means of internet-survey among 536 parent-child dyads (with children and teenagers between eight and eighteen years), Peter Nikken researched which media mediation strategies parents use for their children's video gaming. In previous research on television mediation, the following variants had been discovered: restrictive mediation (controlling the time spent by children to television watching and the programs they see), evaluative mediation (discussing with children the programs they watch), and social-co-viewing (watching television together with the children and talking in general about television programs). Nikken's principle factor analysis shows that the same types of strategies are used for parental mediation of children's video game playing: restrictive mediation, evaluative mediation, and conscious co-playing. Mediation is most strongly predicted by the age of the child and by parents' own gaming. Furthermore, parents are more restrictive and evaluative when they fear negative media-effects on behaviors and attitudes of their children. They more often play together with the children when they suppose positive social-emotional effects of gaming. Playing illicit games mostly occurs when parents omit the restrictive mediation. (Nikken, 2003, 2004)

Not only in the Netherlands (Valkenburg & Buijzen, 2003), but also in a quite different European country like Estonia, the interest in playing computer games and using the internet for games decreases remarkably with age: older pupils use both for schoolwork more than for playing games. Use of computers and the internet for games and schoolwork also depends on gender. Boys are twice as eager in playing computer games than girls, while there is no remarkable difference in using computers for schoolwork. The same applies to the use of the internet for the same purposes. (Lauk, 2004: 341).

Protection of children from negative effects

Children in the information age and their use of different media, computers, and the internet in their time budget are important fields of study in the "old" and the new member states of the European Union. From the Netherlands as far as Estonia, research has been published on children's new media environment. (Beentjes, 2000; Lauk, 2004) Infant cyborg desire and Teletubbies, perhaps the most

popular children's television show in the world at the beginning of the third millennium, are studied with regard to the fear of global visual culture. (Mirzoeff, 2001; Holloway & Valentine 2003) Adults, in particular in their role of parents, are inclined to be unhappy with the entertainment taste of their infants of the digital generation.

Not only in the Netherlands, but in several European countries there is a revival of discussions about values in society as a whole, and in journalism, media entertainment, and advertising. Sweden and Norway, for example, have laws prohibiting television advertising that targets children. These exceptional governmental regulations often attracted public attention in the Netherlands. In short, the Swedish law, for example, prohibits commercial messages that are designed to attract the attention of children younger than twelve years. Nor may commercial messages of any kind be transmitted directly before or after (or during) children's programs. The law applies only to the channels that transmit from Swedish soil; the European Court of Justice has determined that channels shall be subject to the law of the country from which they transmit. The issue of the Swedish prohibition has aroused considerable interest in the rest of Europe, including the Netherlands. Various commercial interests have put a significant amount of time into the issue. Some Dutch politicians tried to discuss the question pro and contra television advertising addressing children from a more ethical point of view and communication scientists focused on an survey of research on the subject published within and outside Europe. (Buijzen & Valkenburg, 2002, 2003a, 2003b;Valkenburg & Cantor, 2002)

Surveying the research on children and advertising on television the Swedish researcher Gunilla Jarlbro found that many different actors having economic and political stakes in the subject are active in the policy debate. Proponents as well as opponents of television advertising aimed at children have initiated and financed studies, the results of which often serve their respective interests. In conclusion Jarlbro writes: "The fact that a majority of the studies on this subject have been steered by extra-scientific interests, e.g., the policy decision whether or not advertising to young children should be banned or regulated, means that the studies have had different starting points and perspectives. Thus, we find that those favouring television advertising aiming at children prefer to cite research based on observations, the results of which indicate that even very young children can recognize and comprehend commercial messages. Opponents of such advertising tend, on the other hand, to cite findings based on verbal responses that show that only after some years children can distinguish commercials from other programme content and perceive its intent." (Jarlbro, 2001: 76)

In early research on international protection of children, more attention is paid to protection from the ideological influence of drugs, obscenity and discriminations on the child's perception than on protection from violence in the media. The history of media protection shows that both adults and children have been protected from injurious publications. (Koren, 1996; Carlsson & von Feilitzen, 1998; von Feilitzen & Bucht, 2001) The rise of visual media culture in modernity caused an academic attention to vision itself as a source of knowledge and other mental processes since the early 1990s. Insight into visuality and the rapidly expanding visual culture in contemporary daily life is in great demand. Nevertheless: "Theory and research into visual culture continue to be seen as peripheral to the field of media and communication theory, despite the centrality of image flows and visual technologies in both the private and public spheres of contemporary media." (Becker, 2004: 149)

The introduction of a new medium causes always an increase in the number of regulations and prohibitions, for example with respect to comics, film, television, video and the use of internet, whereafter the protection for adults disappears but stays for children. However, the state regulations on licensing, content control, qualifications enforced by penalties tend to be replaced by self-regulation of the media industry, whereby penal law applies in severe cases of racism, pornography and violence. Such a self-regulatory policy is defended by reference to the self-determination of citizens, making choices for themselves on what they wish to see, read, hear and experience. "This kind of policy serves

well the interests of an increasing media industry", as Marian Koren is concluding in her briljant study on the significance of a right of the child to information. (Koren, 1996: 286)

No general and immediate course of cause and effect in communication processes seems to be proved, as too many factors are involved but academic research is still going on. Even without knowing how exactly effects come into being, it cannot be denied that children react to media performance with fear, imitation of violence, distorted views and confusing concepts, all of them injurious to their well-being. According to the participants of an early United Nations Seminar on the rights of the child, held already in 1963, media messages potentially harmful to children include: obscene publications, publications which portray crime in a favourable light, which glorify war or incite to racial hatred and violent scenes on television. Anxiety and fear could be effects of publications emphasizing horror and suspense. Harm in a more subtle way could be caused by publications, films and television programs depicting life as a world of easy success. The overall conclusion of the United Nations Seminar was that there was a need for striking a balance between the fundamental right of freedom of expression of the media and the right of the child to be protected against the harmful influence of certain kinds of publications.

In her dissertation on the right of the child to information, Koren is stressing the role of parents in a continuing dialogue with the state following: " In carrying out its responsibilities, the state has to respect the primary role of parents to be responsible for media use by their children. Less attention is often paid to non-interference based on respect for privacy of both child and parents. The state supports the parents by various conditioning measures, for example, supplying information, based on classification and codes, which make the selection easier and reliable; preventive measures like warnings, scheduling broadcasts at later times; and, prohibitive measures like examination by a council of elements of violence, and pornography, and setting age limits on the viewing of cinema films, and the buying or renting of videos. The way in which such examination or censorship of films and other media takes place varies from country to country and leads to the classification of all kinds of age groups." (Koren, 1996: 287-288)

Preparing Kijkwijzer as a system to give parents and other consumers information on the possible harmful effects of media productions (movies, home videos, and television programs) on young people, nearly fourty years after the Warsaw seminar, Dutch scientists developed a rather similar inventory of content categories. (Valkenburg e.a., 2002) In the meantime, times had changed and Dutch parents indicated that they would use a rating system to provide audiovisual productions with both age-based and content-based ratings.

The development of Kijkwijzer in the Netherlands

Parents' wishes and opinions in the Netherlands were assessed by means of two consumer surveys. In 1997, the Dutch Broadcasting Audience Research Department (NOS-KLO: Nederlandse Omroep Stichting – Kijk- en Luisteronderzoek) asked parents to indicate their major concerns about the subject children and media. This survey revealed that parents were worried in particular about their children picking up bad (coarse) language from the media, becoming frightened or having nightmares, imitating media violence, becoming more aggressive in dealing with other children, and being exposed to sexual content too early. A new survey asked parents in 1999 whether they would like to have at their disposal a rating system, and if so, what sort of rating system they wanted. This survey revealed that more than 70% of the respondents reported that they would actually use such a system. The majority of parents chose information on the content of media productions. In particular, they would like to be informed about violence, frightening scenes, sexual content, discrimination, drugs abuse, and coarse language. In addition, parents wanted the rating system to contain age categories. As Valkenburg and her colleagues of the academic committee that –advising on the design and content- closely was involved in the creation of the Dutch rating system for audiovisual products quite rightly concluded, the decisions taken concerning the system were largely guided by consumer research among parents as the users of the future. Research among users should be of great significance, "in particular because academic

research into children and the media can form only a limited basis for the development of a rating system" (Valkenburg e.a., 2002: 82).

Formally responsible for the development and application of the Dutch rating system was the Netherlands Institute for the Classification of Audiovisual Media (NICAM[3]). This institute is, as has been explained above, a joint initiative of the entire audiovisual industry, including all public service and commercial broadcasting organizations, film and video/DVD producers, and computer games distributors in the Netherlands. Cinemas, video stores, and shops also cooperate. It is a form of self-regulation supported by the Dutch government: three government departments were involved in the establishment of NICAM in 1999 as an independent body. In addition, a large number of academics and several academic organizations have links with NICAM through their membership of the advisory committee or the independent complaints and appeals boards.

NICAM was set up to provide since 2000 an effective and uniform system of classification for all audiovisual media. The aim of NICAM is to generate uniform (standardized) information to consumers (e.g. parents) that can help them to decide whether an audiovisual product can be harmful for their children or young people in general. The basis is formed by a classification system developed by the independent experts of the academic committee. The system is called "Kijkwijzer", a name which literally translates as "viewing guide": NICAM aims to provide consumers with information enabling them, on the basis of descriptive information about a film, television program or video/DVD, to come to a rational decision as to whether or not the product concerned is not harmful for young people. In addition, "Kijkwijzer" also can mean "watch wiser": the information service that NICAM launched in February 2001 is offering consumers uniform age recommendations plus explanatory information in the form of content descriptors. Kijkwijzer has been used in the Netherlands since 2001 for the classification of cinema and television films, videos and DVD's. Computer games and internet content were not classified, although these markets were monitored. In the meantime the European PEGI-classification has been introduced for descriptions of computer games, as will be dealt with below. NICAM not only draws up classification guidelines, the institute also deals with complaints and is the Netherlands' principal knowledge centre when it comes to protecting young people from possible detrimental effects of audiovisual media.

Kijkwijzer as a self-classification system

The fact that NICAM is self regulatory also means self rating/coding by the affiliated organizations. Kijkwijzer is based on the computer-aided self classification of audiovisual products by the supplier. This is an important organizational characteristic. Each member company has one or more coders who carry out the classification. In total there are more than 150 registered coders. They use a special internet application to classify films and television programs. This internet application can be entered with a personal password. A company employee (the coder) fills out a computerized questionnaire provided by NICAM. All data (answers to questions) are online transmitted to NICAM. The product is then evaluated using a computer program, which works out its rating. The results of the evaluation are stored in a central database, which is available to the public (www.kijkwijzer.nl). Coders are trained by NICAM in order to ensure the information submitted in the questionnaires as accurate as possible. One of the principles of Kijkwijzer is that there is only one classification per audiovisual product, valid throughout the rest of its life. Each product is classified by one coder. In principle, every coder should be able to produce a reliable classification following clear instruction with the coding form. Should doubts nevertheless arise concerning the result of a classification, the problem of the coder can be submitted to the NICAM Coders Commission. This consists of a number of coders from various segments of the audiovisual sector. In cases of serious doubt, they will consult and issue a well-balanced recommendation –which indeed is not binding.

Dutch academics have spent more than a year working on the development of the classification system. They were assisted in this task by an advisory committee made up of a range of specialists, as well as by the management team and director of NICAM. Experiences made with existing classification systems in the Netherlands and abroad were also of great help in the realization of Kijkwijzer, as was previous research into the harmful influence of audiovisual products on children and young people. In addition, the wishes of parents and guardians, as expressed in the already mentioned Viewing and listening survey undertaken in 1999 by the central organization of the Dutch public broadcasting service NOS (Nederlandse Omroep Stichting) were taken into account. All of which has resulted in classification by age and relevant content categories and the development of the questions for coding.

The coding form contains only questions concerning the content categories violence, sex, fear, discrimination, drugs and alcohol abuse and swearing or other bad language. Therefore, the rating produced by the computer comprises an age restriction as well as content descriptions in the form of pictograms. The age categories are: AL (= for all ages), 6 (= not recommended for children under six), 12 (not recommended for children under twelve) and 16 (not for children and young people under sixteen).

The six content describers are: violence, fear (raising feelings of fear), sex, drug/alcohol abuse, discrimination and coarse language. For each category an age rating is established, and the final age rating is determined by the highest content descriptor score. If a film for example scores 6 for violence, 16 for fear, all ages for sex, language and discrimination, and 12 for drug/alcohol abuse, the final rating will be 16 with the fear descriptor.

Kijkwijzer pictograms

Legend

AL = For all ages   [pictogram] = violence

6   = Not recommended for children under six   ,,   = Sex

12 = Not recommended for children under twelve   ,,   = Fear

16 = Not for children and young people under sixteen   ,,   = Discrimination

                                                                   ,,   = Drugs and/or
                                                                                  alcohol abuse

                                                                   ,,   = Coarse language

Kijkwijzer key

-   For each content category, an age is determined as the result of filling in the coding form.
-   The age classification finally applied is that of the content category with the highest score.

A Kijkwijzer example:

_____

Product x has the following scores per content category:		In this case, sex is the content category that sets the age limit at 16. This is therefore the classification to be applied: [16 und pictogram]
violence	6	
sex	16	
fear	12	
discrimination	AL	
drugs	AL	
coarse language	AL	

_____

The other scores are not shown, but stored in the NICAM database. The general public has access to this detailed information on the website.

- If several content categories score equally highly, these are also included in the Kijkwijzer classification. For example:

_____

Product x has the following scores per content category:					In this case, violence and fear set the age limit at 12
violence	[pictogram]	12	[pictogram	12]	[pictogr. 12 and two other pictograms, sehe Vorlage]
sex	,,	AL	,,	AL	
fear	,,	12	,,	12	
discrimination	,,	AL	,,	AL	
drugs	,,	AL	,,	AL	
coarse language	,,	AL	,,	AL	

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- For the sake of clarity of information, the Kijkwijzer classification will never include more than three pictograms alongside the age classification, whereby priority is given to the categories violence, sex and fear.
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[illustrations: please place here the icons AL, 6, 12 and 16 with explanations; Lieber Siegfried, ich schicke Dir diese Illustrationen über den alten Postweg)]

[illustrations: please place here the six pictograms with explanations]

The Kijkwijzer pictograms are visible in many places. For DVD and video they appear on the box, on the tape itself prior to the film and in advertisements. For film, the pictograms are shown in advertisements and cinemas and on posters. For television the pictograms are shown on screen at the beginning of the programs, they are published in the weekly program guides of the broadcasting magazines, they should be published in daily program guides of newspapers, and can be found on teletext and the electronic program guide.

Self-regulation and the role of the state
Although state bodies in the Netherlands are not involved in the classification system of Kijkwijzer, there are certain links between this privately operated system and state regulations on youth protection. Indeed, the Dutch government has incorporated NICAM and the Kijkwijzer system into the national regulatory framework. For example, an amendment to the Media Act (Mediawet) and the Criminal Code (Wetboek van Strafrecht) states that the distribution and broadcasting of media content that may cause harm to the young is subject to self-regulation, whereas the broadcast and distribution of media content that can cause serious harm is governed by the Media Act and the Criminal Code. To this end, a new article (52d) was added to the Media Act, prohibiting the broadcast on television of programs that can cause serious harm to persons younger than sixteen years of age, for example films featuring child pornography. This basic rule that film productions that could harm children should not be broadcast on television unless they have been assessed by an independent ratings body puts considerable pressure on product suppliers to join NICAM and participate in Kijkwijzer. The ban on distribution of seriously harmful media productions through video rental shops and cinemas is described in article 240 of the Criminal Code.

Supervision of compliance with the Media Act is the responsibility of the Dutch Media Authority (Commissariaat voor de Media). The computer-aided self-classification system of Kijkwijzer is not monitored either internally or by the state. NICAM (currently) only checks ratings if this institute receives a complaint. However, the effectiveness of the whole system is evaluated annually by the Dutch Media Authority. It was also assessed at the end of 2002 by an independent group of experts commissioned by Dutch Parliament and government. Both investigations concluded that NICAM had been a success and functioned well, and that the system had met the approval of the industry and consumers alike. A number of improvements were also proposed, including recommendations that NICAM itself should randomly monitor the ratings awarded and that the complaints system should be reviewed. NICAM accepted the critical notes and adopted most suggestions for further development and improvement of Kijkwijzer, "a system in progress that can only be optimized if systematic research demonstrates if and where incorrect ratings are occurring, who is making these, and why they are being made." (Valkenburg e.a., 2002: 99)

After their evaluation in 2003, the Dutch Media Authority and the government concluded in general that the integrated NICAM approach for film, television and video has resulted in clearly positive effects in society. NICAM should have more than proved its worth. Before and during the parliamentary debate on the effectiviness of the system in Dutch Parliament at the beginning of 2004, NICAM however, has been confronted –in particular in the press and by a parents association- with some weak points. Different proposals and critical comments has been made. NICAM is inclined to adopt most of the suggestions, but the institute is –with reference to the need to protect his independency- resisting to the strong claim of parents associations, to have their representative(s) in the board of NICAM. The Undersecretary of State who is in charge of media affairs now will have to cut the knot. Recent surveys among parents with growing children show that approximately 90% value Kijkwijzer and some 70% actually use the pictograms when it comes to choosing television programs, films and videos for their children. The European Commission is recommending the NICAM model for wider application in Europe.

European PEGI system for the game industry

Designed between May 2001 and May 2002 by a working group of multinational experts representing governments, associations and the game industry, endorsed by the European Commission and the European Parliament, supported last but not least by the interactive software industry, and owned by its trade body, the Interactive Software Federation of Europe (ISFE), the Pan-European Game Information (PEGI[4]) system has been in operations since early April 2003. The PEGI system is spearheading the industry's move to protect minors and to build trust with consumers by making available adequate information about interactive software. On joining the PEGI system, publishers sign up to a Code of conduct committing them to provide parents with objective –i.e. independently checked-, intelligible and reliable information regarding the age category deemed suitable for a given interactive product. By signing the Code, the publisher also undertakes to secure the consistency of the advertising of its product, and to refrain from putting products likely to be in breach of human decency on to the market. PEGI is based on the principle that the more stakeholders are involved in the process of producing ratings, the more robust the ratings produced. Accordingly, step one of the PEGI process is based on the principle of self-classification common to the Dutch voluntary NICAM-system Kijkwijzer. Game publishers are invited to complete an online assessment form which instantly and automatically classifies their production. However, instead of stopping at this first step, the classification goes on to NICAM in Hilversum (the Netherlands), an independent body as has been stressed above, that –in conjunction with the experienced Video Standards Council (VSC[5]) in the United Kingdom- ensures that the proposed classification is appropriate. If so, they grant a license authorizing the publisher to use a specific logo able to provide the most robust and detailed information to European consumers, especially parents.

The mentioned VSC was established in 1989 in the United Kingdom as a non-profit making body set up to develop and oversee a Code of practice designed to promote high standards within the video industry. In 1993 this Code was expanded to include the computer games industry. The VSC is the only organization in the UK that represents the whole of the video and computer games industries. As such, it is in a unique position to bring the various sectors of the industries together to discuss and resolve matters of public concern. In 1994 the VSC joined forces with the Entertainment & Leisure Software Publishers Association to establish the ELSPA system for the voluntary age rating of computer games which are exempt from legal classification under UK law. Since that time until the beginning of 2003 the VSC administered the ELSPA system and rated over six thousand games. In 2003 the ELSPA system was superseded by the PEGI system and the VSC now acts as NICAM's agent in the UK, where a large percentage of European games publishers are based. It also examines all games applying for a higher rating under the PEGI system (16+ and 18+) to ensure that such games have been correctly rated and have not lost their general exemptions from legal classification in the UK.

PEGI is structured to provide more intelligible information to those discriminating consumers eager to make more educated purchasing decisions. To that effect, a set of five icons defining the age suitability, along with up to six pictograms describing the content of the interactive product has been approved by a team of experts coming from eleven different countries.

[please place here the five PEGI-icons 3+ 7+ 12+ 16+ 18+]

[and place also the six PEGI-pictograms]

Designed to be self-explanatory, these pictograms help to assist consumers in determining the reasons for the particular age rating of their interactive product whether they live in Finland or Norway as those living in Portugal or in Greece. No other age rating system has managed to achieve this in the past. The third key innovation that PEGI is bringing about is harmonized information. Through its ability to reconcile Europe's highly diverse cultures and sensitivities, PEGI embodies the dream of a vast economic area where cross-border shopping will be as comfortable for consumers as shopping at home, and where selling cross-border will be as easy on manufacturers and service providers as selling domestically.

The services of NICAM within the PEGI-system

The PEGI-procedure of self-classification starts with participating publishers signing on with ISFE and designating its own representatives, or "coders", with NICAM. These coders are recognized and trained by NICAM in order to be able to complete the detailed assessment form that walks them through the appropriate rating of the product concerned. The proposal rating is then forwarded via internet, together with the completed assessment form, to NICAM for validation. All the additional tools necessary to enable NICAM to make a judgement are also made available to NICAM. After a maximum of three days for the 3+, 7+ and 12+ categories, ten days for the other classes (16+ and 18+), NICAM informs the publisher about the appropriate rating and grants a license for the use of a specific logo, to be displayed along with the adequate pictogram(s).

In the event that, following a thorough dialogue with NICAM, a publisher does not agree with the logo and/or pictogram(s) assigned by NICAM, the case may be taken to NICAM's Complaints Board. The Complaints Board comprises a pool of at least twenty five independent experts chosen for their individual skills in relevant areas, from media rating to child psychology or social and communication sciences, or for their ability to contribute views from key stakeholders, like the academic world, government agencies, the legal profession or, more broadly, the so-called civil society (parents, teachers, consumers associations). Each case is heard and decided upon by a team of three experts drawn from this broader pool, with due consideration given to the nature of the complaint and the skills needed to resolve it. In addition to resolving differences between publishers and NICAM, the Complaints Board is also established to hear complaints placed with ISFE by consumers concerning age ratings displayed in the market, or possible breaches of publishers' commitments as defined in the Code of conduct. Decisions taken by the Complaints Board are referred to an Enforcement Committee for immediate implementation.

PEGI as a bridge between diverse cultures

PEGI has been working since April 4, 2003. PEGI statistics show that 69 publishers –world leaders and local outfits alike- have signed up with ISFE until August, 2003. A total of 1373 games have got a final PEGI rating on eight platforms from February 1, 2003, until January 31, 2004. The different platforms (and the total of final ratings for each platform) are: Apple Macinthos (1), Microsoft Windows PC (564), Microsoft Xbox (177), Nintendo Gameboy Advance (112), Nintendo GameCube (114), Nokia Mobile Phone (18), Sony Playstation 1 (75), and Sony Playstation 2 (312). Number of ratings on each age category shows following spread over the five categories: 3+ (635), 7+ (121), 12+ (401), 16+ (190), and 18+ (26).[6]

To make sure PEGI will move in the right direction, an Advisory Board makes recommendations to help PEGI steer the most appropriate course in the midst of changes in relevant law, in technology, and –not unimportant for a body with the ambition to be a bridge between diverse cultures and national sensitivities in Europe- in the broader political and social environment. As the Complaints Board embraces many skills and many cultures, likewise the Advisory Board is a twelve-strong serene body of experts in media rating, child psychology, public administration, etc. They are scheduled to meet twice a year and advise the ISFE Board regarding changes they deem necessary to PEGI instruments,

structures and methods. To supplement the wide-ranging input of this high level group, a Criteria Committee, composed of interactive software and age-rating experts, will oversee the adjustment of PEGI's key instruments, namely the Assessment Form for determining the age rating. The efforts of the Criteria Committee are also aimed to keep the questionnaire as a prime tool underpinning the PEGI system relevant. The committee had a difficult task making a compromise between different European moral standards. The questionnaire is the result of this compromise, and should not be changed too easily, according the chairman, Dag Asbjornsen (Norway): "However, some of the questions might turn out to be ambiguous and some new games might not fit into the questionnaire. The challenge is to adjust the questions to reduce ambiguity, and at the same time not disturb the balance reached in the original compromise. But everything has to be tested against experience, and if coders do not interpret the questions correctly, we have to be willing to adjust them!"[7]

There is an obvious dimension of public service to PEGI, because it is a system intended to improve the information of the general public. In particular, according to the Board of ISFE huge communication campaign was a prerequisite if a majority of consumers and parents were to come to appreciate how PEGI could help them make more informed choices through improved information. The industry thus far has focused on retail and distribution as trusted intermediaries between publishers and parents, supplying them with all sorts of educational material regarding PEGI. Gamers too have been served advance notice through game inserts and advertisements in specialist magazines, etc. However, the sheer magnitude of this communication challenge means that there is much work still to be done. Joining forces with public authorities or agencies, at national and/or EU level, will be the next step in insuring that PEGI resonates with its target audiences of parents and educators.

Raising public awareness of the PEGI system on a massive scale after its introduction would prove instrumental to the success of the new rating system. In the UK this is happening since autumn 2003 through a joint endeavour between Electronic Arts and ELSPA.

The "invention" and implementation of a self-regulation classification system like Kijkwijzer in the Netherlands and PEGI in Europe means that it is no longer necessary to report audiovisual productions to an external board of coders. Film and video companies, as well as broadcasters, can classify productions themselves on the basis of the self-regulation code formula. Having viewed a production, the in-house coder answers thirty questions by intranet, whereupon the correct classification immediately appear on his screen. Coders have participated in the NICAM instruction sessions. These are designed to make them familiar with how the classification system works and its theoretical background. They then completed test classifications at different stages, after which the coding form was given for further fine-tuning. Testing continued untill no more discrepancies occurred in answering the questions and the reliability of the system was satisfactory. Nevertheless, during the next few years the coding form will undoubtedly be updated on the basis of advancing insights. Alongside any gaps found by the coders, the results of new academic research and social developments will be reflected in adjustments to the questions.

Conclusions and suggestions for the future

Kijkwijzer is used succesfully in the Netherlands within the context of self-regulation by the audiovisual sector and the rating is performed rather reliable by individual coders associated with one of the parties that have an immediate interest in the outcomes of the ratings. On February 18, 2004, Dutch Parliament decided to continue the Kijkwijzer-experiment of the three previous years. Suggestions, also from outside the political parties, and governmental proposals has been discussed and most of them in all probability will be implemented. A point of discussion still is, whether the video distributors should be forced by law to join the Kijkwijzer classification cordially -without any exemption and without any reservation. Some of them try to avoid the full consequences of the self-regulation system. The

question of participation of parents associations in the board of NICAM has to be solved on the level of the government.

Another concern has to do with the publication of Kijkwijzer ratings in the print media, not only more widespread, but also in another typographical style. In my opinion the pictograms in printed media are still too indistinct, because the reader hardly can distinguish them. Especially in newspaper advertising, the icons/pictograms are unreadable, even if the reader has the right-reading glasses. On the editorial pages of most of the daily newspapers with information and critics about films and television programs, the reader even will not find any reference to Kijkwijzer ratings. There is something strange in this case, because there seems to be no discussion on this topic with editors in chief and publishers, who can continue the necessary independency of their newspapers, even when they are mentioning the Kijkwijzer ratings. Another desire seems to be that film pictograms are visible on the television screen for the time the film can be watched.

However, the first improvement of Kijkwijzer has been realized already in the beginning of the system: the "6PG" rating ("Parental guidance recommended for children younger than six years") was abolished on September 25, 2002, and replaced by the rating 6 ("not recommended for children under six"). According to four members of the academic committee of NICAM, Patti Valkenburg, Hans Beentjes, Peter Nikken, and Ed Tan, the 6PG label could be misleading for parents. Firstly, it could arouse the incorrect assumption that a media production that may be harmful to children below six years of age, can be watched by this age group as long as an adult is co-viewing. However, as the committee members made clear in a publication published 2002 (Valkenburg e.a.), children below the age of seven cannot yet apply the "adult discount". Even if an adult should watch with the children and explain that what they are seeing is not real, young children could still be adversely affected by productions that are not suitable for them. The 6PG label should be particularly misleading in the case of cinema films, which are highly impressive because of the volume of the sound and the size of the screen, because it should give parents the impression that watching with their children (accompanying them to the cinema) is sufficient to counteract negative effects in young children. This should not be the case: some films should be unsuitable for children below the age of seven, irrespective of whether a parent watches with the children or not.

Summarizing their objections, Valkenburg e.a. added in conclusion: "The 6PG label is also misleading because it gives the impression that parental guidance while watching is only important for children younger than six. Kijkwijzer is intended to inform parents about the content and the ages for which a media production is suitable. Based on this information, parents can decide themselves whether they should watch with their children or not. By associating the PG label exclusively with the age of six years, an implicit and incorrect suggestion is made that watching with children older than six is not necessary. This suggestion too is confusing and not in agreement with scientific studies that demonstrate that parental guidance of television also has positive effects on older children." (Valkenburg e.a., 2002:99)

Self-regulation in the community of good practice

The European system PEGI is really a great experiment and shows that self-regulation is possible on a pan-European level and as an industry-government cooperation. One of the success factors was that this transnational system for games did not have a history of government-regulation. The interactive software is relatively a new form of communication. One of the positive aspects from an education point of view is the interaction, but in this lies from a way of life point of view also the danger of isolation and becoming blunt. Other media, with their own historical roots an technological differences, like the cinema, television and video, are more nationally adapted, and have a long tradition of national regulation.

The Advisory Board of PEGI would like to receive as much feedback as possible from different countries as to how PEGI is working and what problems should be addressed on a national or a European level.

In previous years, both the Council of Europe and the EU has dealt generally with the protection of minors from harmful audiovisual content. They also issued recommendations for action in the member states, businesses and European institutions. Attempts to harmonize classification regulations in the European Union, with particular emphasis on self-regulation and the need for coordination, should be discussed more explicit and more profound in diverse parts of civil society.

PEGI as well as Kijkwijzer has to be open to criticism and flexible to new challenges. Both systems depend for their success on the long run from continuing efforts to improve the activities in the field of information. A weak point still is the awareness of the importance of the ratings in the minds of parents who are belonging to the lower social classes. To promote PEGI also requires that the games industry spends (more) time and money on informing both retailers and consumers about the system. In some countries more could be done, not only by the industry, but also by consumer associations and parents organizations. The active inclusion of civil society in the composition of rating bodies seems to be necessary.

Continuing action with the general and special interest media in favour of Kijkwijzer in the Netherlands has resulted in a high degree of acquaintancy of the system. The next step should be encourage parents in using the ratings in everyday life of their children. Teachers can further and support the media competence of their pupils of different ages. In the field of school education in the Netherlands, their is still a lack of education in media skills.

The communities of practice in the workplace, as advocated by Wenger e.a., bring together experts, intermediaries and representatives of consumers. They meet and become informally bound by the value that they find in learning together. They spend time in order to develop a   body of common knowledge by sharing information, insight and advice, a critical review of practices, and a reflection on different approaches which are relevant. Shields following is concluding: "Communities of practice are more than 'discussion clubs' and, to be effective in relation both to themselves and the larger organization of which they are part, one must acknowledge their structural fundamentals: domain, community, and practice."(Shields, 2004: 258) The Kijkwijzer and PEGI self-regulation systems have been developed in a way that one should plead a continuation of these "inventions" on the basis of communities of communication practice.

The first draft of this contribution has been presented at the conference on ethical challenges for the European media society: information, knowledge, competency ("Ethische Herausforderungen für die europäische Mediengesellschaft: Information, Wissen, Kompetenz"), organized by the European Union-working group "Ethics-Media" and the society for education and information "Gesellschaft für Pädagogik und Information", in co-operation with the Institute of Communication Sciences of the University of Vienna, on June 11, 2004, in Vienna (Austria).

About the author

Joan Hemels, professor, chair Department of Communication Science, Faculty of Social and Behavioural Sciences, Universiteit van Amsterdam, and researcher, The Amsterdam School of Communications Research, Amsterdam, the Netherlands; visiting professor, Department of Communication Sciences, Faculty of Social Sciences, Universiteit Antwerpen, Belgium.
Address: Kroonsingel 23, NL-6581 BK Malden, joanhemels@kabelfoon.net

Notes

1   John Paul II: "The Media and the Family: a Risk and a Richness", in: *UCIP Information* [quarterly published by the International Catholic Union of the Press (UCIP)], nr. 1 (March 2004), 6 (some extracts). The complete message is available at www.ucip.ch; see for the German translation Johannes Paul II: "Die Medien in der Familie: Risiko und Reichtum. Botschaft zum 38. Welttag der sozialen Kommunikationsmittel", in: *Communicatio Socialis*. Internationale Zeitschrift für Kommunikation in Religion, Kirche und Gesellschaft, 37 (2004), nr. 2, 186-189.

2   "Commissioner Reding welcomes the PEGI initiative", in: *PEGI-INFO*, nr. 2, 1. *PEGI- INFO* (Pan-European Game Information) is a free, quarterly newsletter for academics, civil servants, elected officials and all professionals concerned by the interactive software sector in Europe, published by the Interactive Software Federation of Europe (ISFE), 38, Avenue des Arts, B-1040 Brussels (World Wide Web: http://www.isfe-eu.org). 3   For more information about the VSC please go to: www.videostandards.org.uk

4   For more information about the NICAM-*Kijkwijzer* please go to: www.kijkwijzer.nl

5   Several issues of PEGI-INFO, published by ISFE in Brussels, offer background information, used for the description of the launch and the structure of ISFE's pan-European PEGI rating system.

6   See for more recent PEGI statistics the PEGI-INFO website http://www.pegi.info, opened on March 1, 2004. It features a number of enhancements:
-    The graphical style addresses the key target group: gamers and their parents/educators;
-    The homepage is dynamic and contains featured games and news;
-    The search is divided into a simple and an advanced search;
-    The game information is extended with a synopsis, title cover and an optional external weblink.

The textal content is restructured/rewritten to make it shorter and more intelligible. Due to the enlargement of the European Union on May 1, 2004, the new PEGI-INFO site features all the languages of the new EU-member states.

7   "Dag Asbjornsen: 'Spend time and money on informing consumers about PEGI'", in: *PEGI-INFO*, nr. 3, 1-2, here 2.

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