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## National Policies in a Global Context: The British Case

### Abstract

The title of this paper was based on an assumption that nations can no longer think about their communication systems in isolation, and that national regulators are now forced to consider the place of their communications systems within a broader international or global context. In many ways, these conclusions are valid but they are valid up to a point only: national regulators do need to think about the global context, but, in practice, how they think about regulatory systems in the 21<sup>st</sup> Century is still very much influenced and affected by national considerations. As I shall point out in relation to the current proposals to change the regulatory structure of broadcasting and communications in Britain, the debates and controversies have been very much about *domestic issues and reinforcing domestic priorities*, not about the considerations of the global context. This paper will be divided into 3 parts. Part 1 will look at some general trends in British broadcasting and communications, more generally; Part 2 will look at recent proposals contained in the Communications Bill; Part 3, the concluding part, will consider the interplay between national and international factors.

### Küresel Bağlamda Ulusal Siyasetler: Britanya Örneği

*Bu yazının başlığı ulusların, iletişim sistemleri hakkında artık yalıtılmışlık içinde düşünemeyecekleri ve artık ulusal düzenleyicilerin kendi iletişim sistemlerini daha geniş uluslararası ya da küresel bağlam içinde değerlendirmeye zorlandıkları varsayımına dayanıyor. Bu sonuçlar pek çok anlamda geçerlidir, ancak geçerliliklerinin de bir sınırı vardır: Ulusal düzenleyiciler gerçekten de küresel bağlam hakkında düşünmek zorundadırlar, ama pratik olarak, düzenleyici sistemlerini 21. yüzyıl içinde nasıl düşündükleri önemli ölçüde ulusal kaygıların etkisi altında kalmaktadır. Britanya'da yayıncılık ve iletişimin düzenleyici yapısını dönüştürmeye yönelik yürürlükteki öneriler için göstermeye çalışacağım gibi, tartışma ve çatışmaların pek çoğunun ülke içi konular üzerindedir ve ülke içi öncelikleri desteklemektedir, küresel bağlama dair meseleleri değil. Bu çalışma 3 bölüme ayrılmıştır: Birinci Bölüm, Britanya yayıncılığı ve iletişimindeki genel eğilimlerden bazılarını bakacaktır; İkinci Bölüm "İletişim Yasası" içindeki en son önerileri inceleyecektir; Üçüncü Bölüm ise sonuç bölümüdür ve, ulusal ve uluslararası unsurlar arasındaki etkileşimi değerlendirmektedir.*

Ralph Negrine  
Centre for  
Mass Communication  
Research  
Leicester, İngiltere

## National Policies in a Global Context: The British Case

<sup>1</sup> The Human Rights Act of 1998 is modifying practices a little, but not as much as some would have predicted. see [www.pcc.org.uk/2001/human\\_rights.html](http://www.pcc.org.uk/2001/human_rights.html).

<sup>2</sup> More of this is below.

### The British media scene

There are several key factors that need to be taken into account when looking at the British context. First, newspapers are not regulated in any real sense. There is a framework - based on competition rules - that controls for changes of ownership to allow for plurality of views, but there is no licensing system as such. There is also a system of self-regulation in respect of what newspapers and journalists can/ cannot write about, for example, with respect to privacy.<sup>1</sup> Most importantly, though, there are cross-ownership rules that prevent the build up of both television and newspaper interests.<sup>2</sup> The aim here has always been to prevent any one media owner from having a dominant role in the marketplace of opinion.

Like television systems, radio is also regulated but given its reputation as a less important national medium it generally gets neglected. Very simply, the regulations are such as to prevent a monopoly in local and national radio or, more likely, a concentration of ownership and cross-ownership in local areas. Telecommunication services, very briefly, are also regulated to provide for competition amongst providers and they are licensed in such a way as to balance the need for growth and consistency across services, and the connections between services.

But it is television, as a medium but also as part of the communications landscape, that receives most attention and generates the greatest amount of controversy. Consequently, it will feature very prominently in this paper.

As is well known, the British broadcasting system is a heavily regulated system though there are differences between the ways in which national public broadcasters such as the BBC and Channel 3 (ITV) are regulated, and the systems that are in place for satellite services and cable services. Over the last 20 or so years, different levels of regulations have been imposed on different services. So, for example, the BBC and Channel 3 have to provide news services and local broadcast services, and they have to provide a mixed menu of programming whilst satellite services can concentrate on thematic programming (news, music, etc...) and they are not required to engage in other activities in the same way as the public service broadcasters. European Directives, where applicable, will impact on all services.

The different origins of these services - different origins in time and regulatory arrangements - had given rise to a number of different bodies charged with the regulation of parts of the communications sector (Table 1). Some of these bodies license services (ITC, for example), others look at issues of content (BSC).

Radiocommunications Agency
ITC - Channels 3,4,5, Cable & Satellite divisions
OFTEL - telecommunications
Radio regulatory Authority
Broadcasting Standards Commission (BSC)

Table 1: Regulating communication systems in the UK, pre-2002

<sup>3</sup> The Government published the final draft of the Bill after this paper was written. Extracts used in this paper are drawn from the Draft Communications Bill.

The BBC is not really part of this framework. It is overseen by its own Board of Governors and not by any of the bodies listed above, although the BSC's remit does extend to it. The press is not in this framework either.

There is another tension that explains this mosaic of bodies and that is their origin, in regulatory terms, in different governmental departments. Broadcasting has traditionally been overseen by the Home Office, but it is now overseen by the Department of Culture, Media and Sport, whilst newer aspects of the communications system have been overseen by the Department of Trade and Industry. More recently, and particularly with the advent of cable and satellite systems, determined efforts had been made to try to have both departments overseeing developments. This has now gone a stage further since the proposals contained in the Communications Bill of 2002<sup>3</sup> will bring all these diverse bodies and interests together under one roof, in the shape of OFCOM, the Office of Communications. Inevitably, though, there will be some obvious tensions between looking after the interests of the sector as a whole and those of consumers, customers or citizens.

What of the content side of broadcasting?

The new body, OFCOM, will seek to ensure that the content of the broadcasting system is of a high-quality, and that it appeals to a variety of tastes and interests. The intention, however, is not to guarantee that this happens within any single channel but that it happens within the broadcasting system as a whole. As Clause 3(1)e of the Draft Communications Bill noted, one of the duties of OFCOM is

*(e) to secure, so far as practicable, that the range of television and radio services that are available throughout the United Kingdom comprise services which (taken as a whole) are both of high quality and calculated to appeal to a variety of tastes and interests (My Emphasis).*

But, it could be argued, the only way you might be able to achieve these objectives is if you have a thriving and active publicly funded organisation such as the BBC and/ or a publicly funded institution alongside a regulated commercial one. We often

underestimate the importance of Channel 3 (and Channel 4) but they too are part of the public service framework. Without those sorts of institutions, the broadcasting landscape would be a very different one and it would face future challenges in a very different way. How can one justify this assessment of the situation?

Consider, first, the share of the audience across the broadcasting services in the UK. The three providers of much of the original content in the UK - the BBC, Channel 3, and Channel 4 - between them have about 70% share of the viewing audience. The BBC has the largest share of this. On average, according to BBC data, people spend around 40% of their viewing and listening with the BBC although data with respect to "reach" suggests that the BBC's services were used by 93% of the UK population in 2000/2001.

Those who have the other 30% of the share - the satellite and cable services - focus on particular genres, especially news and sport. Whilst these do provide "domestic content" of sorts, they produce little, if any, original drama or other sorts of content that would ordinarily be seen as part of a mixed menu of programming. The content of satellite and cable services in general now make significant inroads into the national television audience but these services probably fall outside the sorts of discussions that highlight the importance of content for building national identities, communities or even media literacy. Programmes on Extreme Sports, Calendar Girls and the Shopping Channel are not so much "a nation speaking to itself", as a nation watching or consuming some of its activities, be it news, sports, or music programmes. The terrestrial services, therefore, continue to support the public service project despite competition and a declining audience share.

One other and, in my view crucial, point needs to be made here. Although the BBC is significant - its annual income mainly from the licence fee is £2,591 million in 2000/1 - it, and its commercial terrestrial rivals, are continually being challenged by those who are concerned about its dominance and its favoured position within the communications landscape.<sup>4</sup> Its continued survival, whilst not really

<sup>4</sup> For some comments on the BBC from Rupert Murdoch see The Guardian 9 November 2002: [www.guardian.co.uk\\_news/story/0,3604,836556,00.html](http://www.guardian.co.uk_news/story/0,3604,836556,00.html)

in doubt, must always be seen as part of the continuing adaptation of public broadcasting systems to a more commercial environment. But it can only be a successful adaptation if the funding is reasonably secure - which it is for the foreseeable future. The fact that the BBC is still so dominant means that one can tolerate competition and change. I wish to return to this in the concluding remarks.

### Regulating the media: the Communications Bill, 2002

What, then, has been the underlying philosophy or approach to regulating (or, more precisely, deregulating) British broadcasting in the last 20 or so years?

The simplest answer to give is to point to the continuity that is in evidence in the approach to regulating the broadcasting system, a continuity that goes back to the early 1990s and one that is captured in statement from a Department of National Heritage (DNH) report of 1995 (and therefore pre-New Labour move to power in 1997):

*The government believes that a number of changes should now be made in order to preserve the diversity of the broadcast and press media in the UK, whilst introducing greater flexibility in ownership to reflect the needs and aspirations of the industry, against a background of accelerating technological change, including the introduction of digital broadcasting (DNH, 1995: 1).*

Here you have a very clear exposition of the challenges and the tensions: the need to preserve diversity, to be flexible in ones approach, to meet the challenge of technological change. In very many ways, the Communications Bill of 2002 does no more than try to find a way of meeting these challenges and reconciling the tensions. This was fairly obvious in the Communications White Paper which identified OFCOM's principal duty

*to further the long-term interests of all citizens by - ensuring the availability of a diversity and plurality of high quality content in television and radio and encouraging the optimal use for wireless telegraphy of the electro-magnetic spectrum; and to further the long-*

*term interests of consumers by promoting the efficiency of electronic communications networks and services, and broadcasting and to do so wherever possible by promoting effective competition in national, regional and local communications markets throughout the United Kingdom. (Puttnam, 2002: Para 26)*

These continuities carry over into the Communications Bill which established OFCOM, the Office of Communications, in order to bring together the five regulatory agencies that existed separately (Table 1) and to achieve some element of coherence in the way the media are regulated. So, the Bill has listened to those who argued that there were too many different bodies in charge of parts of the media landscape. But in creating OFCOM, the government has also created a body that will attempt to reconcile different approaches to media, and sometimes conflicting demands: between consumers/customers, and the industry as a whole. These are the same tensions have underpinned policy considerations since the mid-1980s. For example, some of the duties of OFCOM, as set out in Clause 3 of the Draft Bill, are as follows:

- (1) *It shall be the duty of OFCOM, in carrying out their functions-*
  - (a) *to further the interests of the persons who are customers for the services and facilities in relation to which OFCOM have functions;*
  - (b) *to promote competition in the provision and making available of those services and facilities;*
  - (c) *to encourage, in the interests of all persons, the optimal use for wireless telegraphy of the electro-magnetic spectrum;*
  - (d) *to secure, so far as practicable, that a wide range of television and radio services are available throughout the United Kingdom;*
  - (e) *to secure, so far as practicable, that the range of television and radio services that are available throughout the United Kingdom comprise services which (taken as a whole) are both of high quality and calculated to appeal to a variety of tastes and interests;*

From the above, we can see that Clause 3(1)a considers the needs of customers, whilst 3(1)b the interests of the industry. Clause 3(1)e focuses on issues of quality and appeal of content. As always, it is a matter of striking a balance between different aspects of a sector.

So, although there is some continuity in the way in which the needs for regulation are perceived - see, for example, the statement from the DNH, above p. , and the duties of OFCOM - one could also argue that there has been a shift away from seeing the BBC as the only provider of good broadcasting. Such a shift is significant because it signals the importance of other broadcasters, including private ones, and it emphasises the critical importance of all elements that make up the broadcasting landscape. Whereas in the past one might have caricatured British broadcasting as consisting of the good (the BBC) and the not so good (the others), the shift has been away from this simplistic dichotomy and towards a more sophisticated appreciation of the mix that emanates from a public-private broadcasting system.

When did this shift take place? As always, it is not possible to give precise dates but by the late 1990s, reports about broadcasting begin to display such tendencies. And, curiously, the argument is not presented as a case against the existence of the BBC, but in support of its continuation, or at least the continuation of a well funded, publicly owned broadcasting service. There is no better example of this than in the Davies review on the Future Funding of the BBC for the Department of Media, Culture and Sport in 1999.

The review argued that there were three broad principles that could guide thinking about broadcasting systems and regulations.

*The first is that, while the BBC is a public sector broadcaster, this does not mean that everything it does is public service broadcasting. Still less does it mean that the output of other broadcasters falls outside the definition of public service. To support the continued existence of the BBC as the recipient of a universal compulsory charge, we need to believe both that a large share of the Corporation's output falls into the public service category, and also that by no means all of the private sector's output does so.*

*The second principle is that some form of market failure must lie at the heart of any concept of public service broadcasting. Beyond simply using the catch-phrase that public service broadcasting must "inform, educate and entertain", we must add "inform, educate and entertain in a way which the private sector, left unregulated, would not do".*

*Otherwise, why not leave matters entirely to the private sector?*

*The third principle is that, in order to believe in a full-scale BBC, we need to accept that a combination of the private sector's profit motive, plus regulation, is insufficient to repair the market failure and deliver what we want. After all, the existence of public service broadcasting on ITV, and the success of Channel Four, shows that a fair ration of public service output can be generated from the private sector. In order to argue in favour of maintaining an expensive organisation dedicated to public service television, we need to be satisfied that regulation of the private sector is not, on its own, enough. (Davies, 1999)*

This recasting of the argument for why we need public service broadcasting emphasises both the benefits of such a service but also the importance of competitors in the system. It is a far cry from the more traditional view that tended to emphasise the positive aspects of public broadcasting and the negative aspects of commercial broadcasting. Indeed, some of the elements in the Communications Bill, 2002, lend support to this appreciation of the importance of the public-private mix.

What does the Communications Bill of 2002 have to say about ownership - always a contentious issue - and content?

Briefly, in terms of the rules governing ownership, and cross-ownership, the Bill does not depart from many of the currently existing rules. The Bill makes clear the intention to deregulate but within a particular context. Thus, part of Clause 9 reads... (all extracts are from the Communications Bill)

9.2.1 The Bill will deregulate to a significant extent, but will place a few basic limits on the market. Proposals are based on three core beliefs:

- that there should be no disqualification on any particular group being able to hold a broadcasting licence, unless there are compelling reasons to expect serious adverse effects;
- that within individual media markets (TV, radio and newspapers) deregulation can promote healthy competition, as long as minimum guarantees of plurality remain;
- that there needs to be a safeguard against the joint ownership

of significant newspaper assets and mass audience, universal access public service television services, and that this is where specific rules must be retained.

...

9.2.3 In the future new technologies may increase choice and competition in communications markets to the point where there is no longer any need for ownership rules to guarantee plurality of media voices. Almost all the rules that we retain will therefore be subject to regular review, providing flexibility in the longer term as well as certainty for the foreseeable future.

The one major change that will be made to the legislation is the removal of the prohibition that non-EU citizens should not be allowed to own broadcasting interests. This caused an enormous amount of concern, particularly as it opened the way for American companies to buy into British broadcasting systems. The public fears were expressed as follows:

- "the programme supply market would become less open, with rights from US network only" available to UK subsidiary;
- (there would be a) cultural loss, with greater priority given to American programmes;
- (it would damage the) tradition of public service broadcasting of licensees;
- (there was a) lack of reciprocity (Puttnam, 2002: paras 243-244).

(W)hat is more likely (than dumping) is a determined and sophisticated attempt, backed by enormous marketing expertise, to shift the balance of audience and regulatory expectations away from domestic content produced primarily with a British audience in mind, towards a more US or internationally focused product mix (Puttnam, 2002: para 248).

Those who argued that American ownership of, for instance, Channel 5 would be no worse than Greek or French ownership, suggested that American ownership might give rise to

- An inflow of investment and managerial expertise;

- Foreign influence "is generally a benign one" as in the case of European investment in Channel 5;

- "audience preference for domestically originated programming and the tough control regime... represent adequate safeguards.." (Puttnam, 2002: para 247).<sup>5</sup>

Significantly, the Puttnam joint committee did not argue that the prohibitions should never be removed, only that there should be a delay until a proper study of supply market was carried out. The results of that study could then inform the decisions about non-EAA ownership. As it was, however, the recommendations for delaying the proposal were not taken on board. One could argue that this may have been because of the rules of ownership and cross-ownership that themselves create limits to any one company becoming too dominant. For example, the cross-ownership rules will "continue to be rules preventing the most influential media in any community being controlled by too narrow a range of interests" (Clause 9.4.1). With limits on the extent of ownership permitted, e.g. "9.4.2(a) no one controlling more than 20% of the national newspaper market may hold any licence for Channel 3", the fear of conglomeration are reduced. Overall, the government's position and view is that

*9.4.3 ... The deregulation proposed will allow newspaper proprietors to buy into national and local radio markets, and into Channel 5, creating many new opportunities for investment and growth.*

However, in the Government's judgement, joint ownership of a substantial share of the national newspaper market and a substantial part of Channel 3, the only commercial public service broadcaster that currently has universal access to a mass audience, would represent an unacceptable concentration of influence in the current circumstances.

*9.5.2 The rule preventing joint ownership of a national Channel 3 licence and the Channel 5 licence will also be removed.*

The existence of the BBC and Channel 4, in addition to the commercial channels, will still ensure the existence of at least 3 separately controlled free-to-air public service TV broadcasters, in addition to the expanding range of digital channels. (My emphasis)

5

See also  
<http://search.ft.com/search/article.html?id=020924000579>

6

See, for example, the ITC's response  
<http://www.itc.org.uk/ofcom/index.asp>

As I argued above, it's the overall context - a strong BBC, a strong Channel 4, etc. - that frames the policy options in the Communications Bill of 2002.

Finally, what about the regulation of content?

The Bill proposes that there should be three tiers or levels of regulation. The first would deal with basic requirements across all television broadcasters. This would cover such things as advertising standards and standards of programmes. The second and third tier will focus on public service broadcasters. "Taken together these tiers define the broadcaster's individual 'public service remit' " (Clause 8.2.3.3). The sorts of areas covered in those tiers include quotas on independent and original productions (in tier 2) and "the qualitative public service obligations that they are expected to fulfil" (Tier 3). Part of the latter elements will clearly bring the BBC into direct negotiations with OFCOM in respect of its role as a public service broadcaster. So, although the BBC has its own management and regulatory system, it will now need to work more closely with OFCOM. This is part of the longer term process of streamlining the regulation of broadcasting systems in Britain, and one of the issues that will exercise the BBC, the regulators and the government in the next few years.

### Summary and conclusion

Does the Bill do anything to fundamentally alter the present system? Obviously, in tidying up the regulatory system it has created something new but it is difficult to argue that the Bill is a significant departure from the past. The general lack of substantive controversies about these topics is an indication of broad acceptance of the direction in which the government has continued to move.<sup>6</sup> The question of content regulation has also not been an enormously contentious issue. The way OFCOM will deal with the BBC, with the commercial broadcasters, with the satellite services will essentially support the existing pattern of activities. At times the wording of the

duties appears different, e.g. with respect to Channel Four for example, but one could argue that the underlying philosophy continues a trend that began in the 1990s, if not a little before. Nevertheless, the ways in which the arguments are now cast and cases justified does differ from the past.

In bringing together under OFCOM the duties formerly done by others, the Bill does move a step nearer to a more rational sectoral regulatory framework. The issues that have been raised in respect of OFCOM have been procedural and detailed but fundamentally there is agreement that the move towards a body such as OFCOM is a wise one. How OFCOM will deal with the BBC and with the press - neither covered by OFCOM - will be an ongoing issue.

What of the interplay between national and international factors, and the general theme of national policies in a global context?

The discussion has concentrated almost exclusively on the British media scene and on the Communications Bill. I have not dealt with the more technical aspects of the Bill and the way that it deals with telecommunications, in general and in specific. But, as with broadcasting, the concern of the Bill has more to do with national and domestic considerations than with global ones. That is not to say that those who drew up the Bill were not aware of the global context, nor that the policies were not designed within a global context but that in thinking about these issues the national and domestic agenda was paramount.

One important reason why this should be so is clearly the desire to preserve an established and highly regarded system of broadcasting. Yet, at the same time, there is the realisation that adaptation and flexibility are both desirable elements. One should, therefore, encourage and embrace change. In the British context, this is relatively easy to do because of the existence of a strong broadcasting sector. Had that not existed, then the policies would clearly have been of a different kind and the aims and objectives of the regulators would have been completely different.

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## From Confucianism to Consumerism: Women, Food and the Media in Contemporary Korea

Dongju Yoo  
Sungkonghoe  
Üniversitesi,  
Güney Kore

### Abstract

This paper attempts to explore the cultural dynamics and contradictions women are experiencing in contemporary Korea. The process of modernization has created structural dilemmas in women's everyday lives. Women nowadays are caught up between traditional Confucian values and western values which is actively incorporated with consumerism in the name of modernity. The tension is clearly revealed in the widely shared values, beliefs and attitudes of food and eating, and the perceptions of women's body images. Although rapid transformation of social and economic environment has greatly modified food customs and eating styles, women's roles and expectations with regard to food and eating are much more ambiguous and problematic than ever before. The symbolic meaning of food in the discourses of television advertisements, as a central site of public cultural representation, is examined. Women's everyday expectations and negotiations with regard to food and eating are further analysed through interviews with women.

### Özet

#### Konfüçyenizm'den Tüketimcilğe:

#### Çağdaş Kore'de Kadınlar, Yiyecek ve Medya

Bu çalışma günümüz Kore'sinde kadın deneyimlerinin kültürel dinamiklerini ve gelişmelerini araştırmayı amaçlamaktadır. Modernleşme süreci kadınların gündelik yaşamlarında yapısal açmazlar yaratmıştır. Kadınlar bugünlerde etkin bir biçimde modernlik adına tüketimcilikle (consumerism) bütünleştirilen batılı değerler ve geleneksel Konfüçyen değerler arasında sıkışıp kalmışlardır. Gerilim, geniş anlamda yiyecek ve yeme edimine dair paylaşılan değerler, inançlar ve eğilimlerde, ve kadın bedeni imgesinin algılanmasında açıkça ortaya çıkmaktadır. Toplumsal ve ekonomik çevredeki hızlı dönüşümün yemek adetlerini ve yeme stillerini etkisi altına almasına rağmen, kadınların yiyecek ve yeme konusundaki rol ve beklentileri hiç olmadığı kadar muğlaklaşmış ve sorunsal hale gelmiştir. Yiyeceğin sembolik anlamı kamusal kültürel temsilin merkezî bölgesi olaran televizyon reklamlarında incelenmiştir. Kadınların gündelik beklentileri ve yiyecek ve yeme edimi ile olan müzakereleri kadınlarla yapılan görüşmelerle analiz edilmiştir.