



Issues of Democracy

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*A Free
Press*

Issues of Democracy

A Free Press

“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.”

The First Amendment to the Constitution of the United States, quoted above, is justly held to provide the basis for America’s tradition of a free press. In drafting the amendment, America’s Founding Fathers affirmed the fundamental right of citizens to be informed about all sides of an issue without governmental interference. Thomas Jefferson even went so far as to write: “If it were left to me to decide whether we should have a government without a free press or a free press without a government, I would prefer the latter.” Belief in the importance of a press free of governmental control has remained constant throughout American history. It is the reason why, among other things, the United States has no ministry of information to regulate the activities of journalists; no requirement that journalists be registered; and no requirement that they be members of a union.



In this issue, we examine the significance of a free press in its broader context. For as noted journalist Marvin Kalb observes in the interview that opens this issue, “a free press must have a legal, constitutional guarantee, but that is not all it needs.” Time and again, the American commitment to freedom of the press has been challenged in the courts by individuals and even the government in cases of alleged personal attack or threats to national security. James Goodale, legal adviser to *The New York Times* during the publication of the Pentagon Papers, cites a number of Supreme Court cases that have addressed such personal and governmental challenges to the First Amendment. He finds that the Court has generally upheld the right of the press to pursue its mission.

At the time the First Amendment was written, the printing press was the only means of mass communication. Today, freedom of the press is understood to apply to radio, television and telecommunications

as well. The First Amendment retains its pertinence even in a time of proliferating information resources, for the people ultimately decide how their press should act, says George Krimsky, the former head of the Associated Press World Services.

But how can we be sure that a free press will behave responsibly? Indeed, the American public is increasingly critical of the way its media investigate and present the news, says Bob Caldwell, editor of the daily *Oregonian*, who cites examples of how the media have tried to address this public concern.

Finally, contributing editors David Pitts and Deborah Brown report on a number of U.S. and international organizations that support the development of a free press around the world. One of these organizations, the Freedom Forum, has built a museum and a memorial to press freedom and the journalists who died trying to bring us the news.

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The People, the Press and the Government

*An interview with
Marvin Kalb*

The United States has learned in its 200-year history that “a free and unfettered press is the best underpinning of a society free to be liberal or conservative,” says Marvin Kalb in the following interview with editor Mark Smith. Kalb, who spent 30 years as an award-winning diplomatic correspondent with two major U.S. television news networks, heads the Joan Shorenstein Center on the Press, Politics and Public Policy at Harvard University’s John F. Kennedy School of Government.

Question. Alexander Hamilton, one of America’s Founding Fathers, once said that freedom of the press, “whatever fine declarations may be inserted in any constitution respecting it, must altogether depend on public opinion.” Would you agree with that?

Kalb. Hamilton had it both right and wrong. He had it right in the sense that the value of a journalist’s work, when repudiated by the public, when regarded as cynical and



Marvin Kalb

domineering, is thrown into doubt and confusion. For whom, after all, is the journalist writing or, in more recent times, broadcasting if not for the benefit of the public? If he/she loses the public, then the journalist loses his/her mandate. Put in purely commercial terms, if the public stops buying a newspaper, the newspaper goes out of business. Public support, therefore, is crucial in the marketplace. But Hamilton had it wrong—though he accurately reflected the conservative views of his time—for implying that public and/or the government’s approval of a journalist’s work is crucial. Public opinion can swing to the left or the right, but a journalist should be pursuing a fair rendition of truth without regard to popular moods. What we have learned in the United States after more than 200 years is that a free and unfettered press is the best underpinning of a society free to be liberal or conservative. The journalist should not be swayed by public opinion, only by the pursuit of truth, as close as he or she can get to it.

Q. Is the freedom of the press in the United States the consequence of First Amendment guarantees alone?

A: A free press must have a legal, constitutional guarantee, but that is not all it needs.

It needs an independent judiciary and an independent legislature—independent of the arbitrary power of the president or prime minister or chairman of a political party. Independence of governmental authority is the key. This is admittedly very difficult to achieve without the economic means to buy space and time.

Q. Yes, and most of us would agree that one of the cornerstones of press freedom in the United States is the abundance of privately owned, profitable media. But does the desire for profits make it difficult for private media, particularly television, to cover the news with the depth and seriousness it deserves?

A. There would appear to be a contradiction between serious news and the demands of the marketplace—increasingly so, as one watches prime-time television news magazines and even the evening newscasts. The salvation, however, lies in the technology itself, which produces a vast menu of choices. The viewer can now watch not just the three evening newscasts, whose joint rating has dropped to less than 50 percent of the audience, but also many other news programs on cable, such as CNN, CNBC, MSNBC, and more immediate, direct access to the Internet. It takes more time and effort initially for the viewer to find quality programming, but it does exist. It merely awaits the viewer’s discovery.

Q. How would you define the proper relationship of the press to government and the political process?

A. The press should be neither adversarial nor friendly, though if I had to choose one over the other, I would prefer adversarial. The press should go about its business of collecting and reporting the news without fear or favor from the government. It should keep its distance. My concern is that the Washington press corps, without doubt the most powerful and influential in the world, is too cozy with governmental officials. Competition is so severe

that journalists feel the need to cultivate and nurture sources, and sources take advantage of the situation to play one journalist off against another. Beware of all those smiles!

Q. Under what circumstances are governments justified in limiting access to information, and are journalists within their rights in publishing such information?

A. Governments are fully justified in limiting access to information considered too sensitive for general distribution, and journalists are fully justified in pursuing such information—and publishing or broadcasting such information. This is a never-ending struggle between two rights: The government's right—indeed, obligation—to protect national security; and the people's right to know, based on the journalist's ability to get the news. At the end of the day, however, theory retreats before reality. If the publication of a story, in the journalist's view, runs the risk of jeopardizing lives, then the journalist should decide not to publish or broadcast. But the decision must belong to the journalist, not to the government. This is very tricky turf.

Q. In a recent editorial you asked whether the news media can continue to function as independent observers "at a time of unprecedented mega-mergers and technological breakthroughs that change the economic underpinning of the entire enterprise of journalism." Would you care to hazard a preliminary response to your own question?

A. The question I raised in a recent issue of *The Harvard International Journal of Press/Politics* is central to the future of a free press, and the honest answer is I do not know. But I hope and pray and ultimately believe that the marketplace will find a balance between the mega-merged corporations and the emerging opportunities provided by high technology for new companies. The glory of the free marketplace is that it does not play favorites. A good idea is rewarded. Finally, what seems

dreadful and frightening today may be utterly different tomorrow. So rapidly is the world changing in this time of the communications revolution, opening doors but more important opening minds to new ideas. Today is only a prelude to the excitement of tomorrow.

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The First Amendment and Freedom of the Press

by

James C. Goodale

James C. Goodale served as general counsel to *The New York Times* when the U.S. Supreme Court decided that the *Times* could continue to publish the then-classified Pentagon Papers. In the following article, Goodale describes several Supreme Court cases in which First Amendment rights have been upheld, allowing the press to pursue its mission, no matter how odious that mission might seem to those in power. Goodale is an attorney with Debevoise & Plimpton, a New York law firm that specializes in first amendment and communications law. Craig Bloom, an associate, assisted in the preparation of this article.

The First Amendment to the United States Constitution provides that “Congress shall make no law... abridging the freedom...of the press.” Although the First Amendment specifically mentions only the federal Congress, this provision now protects the press from all government, whether local, state or federal.

The founders of the United States enacted the First Amendment to distinguish their new government from that of England, which had long censored the press and prosecuted persons who dared to criticize the British Crown. As Supreme Court Justice Potter Stewart explained in a 1974 speech, the “primary purpose” of the First Amendment was “to create a fourth institution outside the government as an additional check on the three official branches” (the executive branch, the legislature and the judiciary).

Justice Stewart cited several landmark cases in which the Supreme Court—the final arbiter of the meaning of the First

Amendment—has upheld the right of the press to perform its function as a check on official power. One of these cases—the 1971 Pentagon Papers case—lies especially close to my heart.

Back then I was general counsel to *The New York Times*, which had obtained a leaked copy of the classified Pentagon Papers, a top-secret history of the United States government’s decision-making process regarding the war in Vietnam. After a careful review of the documents, we began to publish a series of articles about this often unflattering history, which suggested that the government had misled the American people about the war.

The day after our series began, we received a telegram from the U.S. attorney general warning us that our publication of the information violated the Espionage Law. The attorney general also claimed that further publication would cause “irreparable injury to the defense interests of the United States.”

The government then took us to court, and convinced a judge to issue a temporary restraining order which prohibited the *Times* from continuing to publish the series. Following a whirlwind series of further hearings and appeals, we ended up before the Supreme Court two weeks later. In *New York Times Co. v. United States*, 403 U.S. 713 (1971), the court ruled that our publication of the Pentagon Papers could continue. The court held that any prior restraint on publication “bear[s] a heavy presumption against its constitutional validity,” and held that the government had failed to meet its heavy burden of showing a justification for the restraint. We immediately resumed our publication of the series, and we eventually won a Pulitzer Prize, the profession’s highest

honor, for the public service we performed by publishing our reports.

Seven years before the Pentagon Papers case, the Supreme Court handed *The New York Times* another landmark First Amendment victory, this time in the seminal libel case *New York Times Co. v. Sullivan*, 376 U.S. 254 (1964). [See Bibliography for the citation for this and all cases mentioned or go to Findlaw: Supreme Court Opinions at “<http://www.findlaw.com/casecode/supreme.html>” and search the case under “citation search” or “title search.”] This action was brought by an elected official who supervised the Montgomery, Alabama police force during the height of the civil rights movement in the 1960s. The official claimed that he was defamed by a full-page advertisement, published in the *Times*, that accused the police of mistreating non-violent protestors and harassing one of the leading figures in the civil rights movement, the Rev. Martin Luther King.

The Supreme Court found that even though some of the statements in the advertisement were false, the First Amendment nevertheless protected the *Times* from the official’s suit. The court considered the case “against the background of a profound national commitment to the principle that debate on public issues should be uninhibited, robust and wide-open, and that it may well include vehement, caustic and sometimes unpleasantly sharp attacks on government and public officials.” In light of this commitment, the court adopted the rule that a public official may not recover damages for a defamatory falsehood related to his official conduct “unless he proves that the statement was made with ‘actual malice’—that is, with knowledge that it was false or

with reckless disregard of whether it was false or not.” The court later extended this rule beyond “public officials” to cover libel suits brought by all “public figures,” *Curtis Publishing Co. v. Butts* and *Associated Press v. Walker*, 388 U.S. 130 (1967).

Although the Sullivan case is best known for the “actual malice” rule, the Supreme Court’s decision included a second holding of great importance to the press. Noting that the challenged advertisement attacked the police generally, but not the official specifically, the court held that an otherwise impersonal attack on governmental operations could not be considered a libel of the official who was responsible for the operations.

The First Amendment also protects the right to parody public figures, even when such parodies are “outrageous,” and even when they cause their targets severe emotional distress. In *Hustler Magazine, Inc. v. Falwell*, 485 U.S. 46 (1988), the court considered an action for “intentional infliction of emotional distress” brought by Jerry Falwell—a well-known conservative minister who was an active commentator on political issues—against Larry Flynt, the publisher of *Hustler*, a sexually explicit magazine. (This case figures prominently in the critically-acclaimed film “*The People vs. Larry Flynt*,” which opened in the United States in late 1996.)

The *Hustler* case arose from a parody of a series of Campari liqueur advertisements in which celebrities spoke about their “first times” drinking the liqueur. The *Hustler* magazine parody, titled “Jerry Falwell talks about his first time,” contained an alleged “interview” in which Falwell stated that his “first time” was during a drunken, incestuous encounter

with his mother in an outhouse. The parody also suggested that Falwell preached only when he was drunk.

The Supreme Court held that the First Amendment barred Falwell’s contention that a publisher should be held liable for an “outrageous” satire about a public figure. The court noted that throughout American history, “graphic depictions and satirical cartoons have played a prominent role in public and political debate.”

Although the Supreme Court opined that the *Hustler* parody at issue bore little relation to traditional political cartoons, it nonetheless found that Falwell’s proposed “outrageousness” test offered no principled standard to distinguish between them as a matter of law. The court emphasized the need to provide the press with sufficient “breathing space” to exercise its First Amendment freedom. The court added that “if it is the speaker’s opinion that gives offense, that consequence is a reason for according it constitutional protection. For it is a central tenet of the First Amendment that the government must remain neutral in the marketplace of ideas.”

The protection of the First Amendment extends beyond press reports concerning major government policies and well-known public figures. The Supreme Court has held that if the press “lawfully obtains truthful information about a matter of public significance then [the government] may not constitutionally punish publication of the information, absent a need to further a state interest of the highest order,” *Smith v. Daily Mail Publishing Co.*, 443 U.S. 97 (1979).

Applying this principle, the Supreme Court has employed the First Amendment to strike down state laws which threatened to punish the press for reporting the following : information regarding confidential judicial misconduct hearings, *Landmark Communications, Inc. v. Virginia*, 435 U.S. 829 (1978); the names of rape victims, *Cox Broadcasting Corp. v. Cohn*, 420 U.S. 469 (1975); and the names of alleged juvenile offenders, *Smith v. Daily Mail Publishing Co.*, 443 U.S. 97 (1979). The court also struck down a law which made it a crime for a newspaper to carry an election day editorial urging voters to support a pro-proposal on the ballot, *Mills v. Alabama*, 384 U.S. 214 (1966).

The First Amendment also prevents the government from telling the press what it must report. In *Miami Herald Publishing Co. v. Tornillo*, 418 U.S. 241 (1974), the Supreme Court considered whether a state statute could grant a political candidate a right to equal space to reply to a newspaper's criticism and attacks on his record. The court struck down the law, holding that the First Amendment forbids the compelled publication of material that a newspaper does not want to publish. The court held that the statute would burden the press by diverting its resources away from the publication of material it wished to print, and would impermissibly intrude into the functions of editors.

The Supreme Court has not, however, afforded similar protection to the broadcast media. In a pre-Tornillo case, *Red Lion Broadcasting Co. v. FCC*, 395 U.S. 367 (1969), the Supreme Court upheld a Federal Communications Commission rule that required broadcasters to provide a right of reply under certain circumstances. The court justified this regulation by citing

the scarcity of the broadcast spectrum and the government's role in allocating frequencies.

Today, the scarcity problem is much reduced in light of technological advances in the division of the spectrum, and the rise of new media outlets such as cable television and the Internet. Although many issues regarding the reach of the First Amendment to these new media remain unresolved, First Amendment advocates hope to convince the Supreme Court to provide these media with the highest level of First Amendment protection.

Although the First Amendment generally prevents the government from restraining or punishing the press, the First Amendment usually does not require the government to furnish information to the press. However, the federal government and the state governments have passed freedom of information and open meetings laws which provide the press with a statutory right to obtain certain information and to observe many of the operations of government. In addition, the First Amendment does furnish the press with the right to attend most judicial proceedings.

The First Amendment also provides journalists with a limited privilege not to disclose their sources or information to litigants who seek to use that information in court. In *Branzburg v. Hayes*, 408 U.S. 665 (1972), the Supreme Court held that reporters did not have a privilege to refuse to answer a grand jury's questions that directly related to criminal conduct that the journalists observed and wrote about.

However, the court's opinion noted that news gathering does have First Amendment protections, and many lower courts have applied a qualified First Amendment privilege to situations in

which the need for the journalist's information was less compelling than in *Branzburg*. These courts require litigants to prove that the material sought is relevant to their claim, necessary to the maintenance of the claim, and unavailable from other sources. In addition, more than half of the states have adopted statutes called "Shield Laws," which provide a similar privilege to journalists.

Although the press normally must obey generally applicable laws, the First Amendment prevents the government from enforcing laws which discriminate against the press. For example, the court has struck down a law which imposed a special tax on large newspapers, *Minneapolis Star & Tribune Co. v. Minnesota Commissioner of Revenue*, 460 U.S. 575 (1983), and a law which imposed a tax on some magazines but not others based on their subject matter, *Arkansas Writers' Project, Inc. v. Ragland*, 481 U.S. 221 (1987).

As the cases discussed above illustrate, over the course of the 20th century the Supreme Court has breathed life into the text of the First Amendment by upholding the right of the press to pursue its mission, no matter how odious that mission might seem to those in power. The courts have imposed some limits on this liberty, and questions remain as to how far this liberty will extend to new media, and to some of the more aggressive efforts employed by journalists to obtain the news. Still, I am confident that the Supreme Court will continue to recognize that, as Justice Stewart wrote in the *Pentagon Papers* case, "without an informed and free press there cannot be an enlightened people."

The Pentagon Papers Case

No recent Supreme Court case better illustrates the potential conflict between the imperatives of press freedom and national security than that of the Pentagon Papers.

In 1971, the Pentagon Papers—the Defense Department's top-secret study of the growth of United States military involvement in Vietnam—were leaked by a government official to *The New York Times*. On June 13 of that year, the newspaper began publishing articles based on the documents. When the government learned of this, the Department of Justice asked for a temporary restraining order, which was granted.

In its petition to the court, the executive branch of the government asserted that it should be the sole judge of national security needs and should be granted a court order to enforce that viewpoint. The newspaper countered that this would violate First Amendment press freedoms provided for under the U.S. Constitution. It also argued that the real government motive was political censorship rather than protection of national security.

On June 30, the Supreme Court—in *New York Times v. the United States*—ruled in favor of the newspaper, and the documents were subsequently published. The Constitution, the justices asserted, has a “heavy presumption,” in favor of press freedom. The Court left open the possibility that dire consequences could result from publication of classified documents by newspapers, but said that the government had failed to prove that result in this instance.

The publication of the Pentagon Papers helped fuel the debate over the wisdom of U.S. involvement in Vietnam; however, most observers agree that the publication of the papers did not do injury to the national security of the United States.

The Pentagon Papers case proves the value of the First Amendment, says Jim Goodale, general counsel to *The New York Times* during the time of this landmark decision. “It serves as a shield against an overzealous government.”

Goodale points out that the government has sought to stop publication of classified documents in other cases. Although it has won temporary restraining orders in some instances, he says he knows of no case where a court order to prevent publication has been “permanently granted.”

The Role of the Media in a Democracy

by

George A. Krimsky



In a free-market democracy, the people ultimately make the decision as to how their press should act, says George Krimsky, the former head of the Associated Press' World Services and author of *Hold the Press (The Inside Story on Newspapers)*. In the following article Krimsky reviews the history of the U.S. media and outlines the challenges it faces in this electronic age.

Volumes have been written about the role of the mass media in a democracy. The danger in all this examination is to submerge the subject under a sludge of platitudes. The issue of whether a free press is the best communications solution in a democracy is much too important at the close of this century and needs to be examined dispassionately.

Before addressing the subject, it helps to define the terminology. In the broadest sense, the media embraces the television and film entertainment industries, a vast array of regularly published printed material, and even public relations and advertising. The “press” is supposed to be a serious member of that family, focusing on real life instead of fantasy and serving the widest possible audience. A good generic term for the press in the electronic age is “news media.” The emphasis in this definition is on content,

not technology or delivery system, because the press—at least in developed countries—can be found these days on the Internet, the fax lines, or the airwaves.

A self-governing society, by definition, needs to make its own decisions. It cannot do that without hard information, leavened with an open exchange of views. Abraham Lincoln articulated this concept most succinctly when he said: “Let the people know the facts, and the country will be safe.”

Some might regard Lincoln’s as a somewhat naive viewpoint, given the complexities and technologies of the 20th century; but the need for public news has been a cornerstone of America’s system almost from the start.

Thomas Jefferson felt so strongly about the principle of free expression he said something that non-democrats must regard as an absurdity: “If it were left to me to decide whether we should have a government without newspapers or newspapers without a government, I should not hesitate a moment to prefer the latter.” The implication of those words is that self-governance is more essential than governance itself. Not so absurd, perhaps, if you had just fought a war against an oppressive government.

In the wake of America’s successful revolution, it was decided there should indeed be government, but only if it were accountable to the people. The people, in turn, could only hold the government accountable if they knew what it was doing and could intercede as necessary, using their ballot, for example. This role of public “watchdog” was thus assumed by a citizen press, and as a consequence, the

government in the United States has been kept out of the news business. The only government-owned or -controlled media in the United States are those that broadcast overseas, such as the Voice of America. By law, this service is not allowed to broadcast within the country. There is partial government subsidy to public television and radio in the United States, but safeguards protect it against political interference.

Because the Constitution is the highest law in the land, any attempts by courts, legislators and law enforcement officers to weaken protected liberties, such as free expression, are generally preventable.

Fairly simple in theory, but how has all this worked out?

Generally speaking, pretty well, although the concept of a free press is challenged and defended every day in one community or another across the land. The American press has always been influential, often powerful and sometimes feared, but it has seldom been loved. As a matter of fact, journalists today rank in the lower echelons of public popularity. They are seen as too powerful on the one hand, and not trustworthy on the other.

In its early days, the American press was little more than a pamphleteering industry, owned by or affiliated with competing political interests and engaged in a constant war of propaganda. Trust was not an issue. What caused the press to become an instrument for democratic decision-making was the variety of voices. Somehow, the common truth managed to emerge from under that chaotic pile of information and misinformation. A quest for objectivity was the result.

The Origin of Objectivity

The concept of a reliable, information-based press emerged quite late in America's evolution.

As the press became more of a mass medium in the mid-19th century, it shed its preponderant role as a tool of the political elite. Technology had conspired with the growth of American cities and the industrial revolution to usher in what became known as the "penny press," a product that was affordable by and of interest to a broad section of the population. It was a wild, competitive and intensely personal press, fostering both sensationalism and crusades on behalf of the common citizen or newspaper buyer. Papers sprang up like mushrooms, circulation rose, and owners got rich.

In the midst of all this frenzy, the American press began to see some value in straight information. The word "objectivity" joined the lexicon. This development was caused primarily by business motives and technological change. During America's Civil War, publishers and editors came to realize that the reading public first wanted to know what was happening on the battlefield and in the corridors of power, not just what some correspondent felt about it. At about the same time, the telegraph appeared, but its use required something foreign to the press of that day—brevity. To be brief meant to stick to the facts.

This new technology also greatly enhanced the emergence and importance of a new creature called the "wire services," now known familiarly as news agencies. Organizations like the Associated Press (AP) were formed to act as centralized gatherers and disseminators of the news, serving newspapers that could not afford to have correspondents in far-away places. In order to serve a variety of different publications (on the left, right and center), the AP could take no political or ideological position. It just delivered the facts as best and fast as it could, and stayed out of politics.

What started as a business necessity gradually took on the mantle of moral righteousness. But business still pulled the strings. By the 1950s, screaming headlines were no longer needed to sell newspapers. Americans were headed out to the suburbs, where a paper, magazine, radio and television became part of the monthly bill.

Credibility was becoming a necessity. You couldn't reach mass audiences in a multicultural society by adhering to a rigid ideology or by fabricating the news.

Competition remained fierce and money continued to pour into the press coffers; and to protect this new bastion of integrity, walls were erected to keep business and political interests out of the newsroom. The readers could see this change for themselves, as papers strictly segregated opinion and news on separate pages. The broadcast industry (which is partially regulated by government in the United States) followed the print media's lead to a limited degree.

Once poorly paid, reporters now started earning higher salaries, becoming full-fledged members of the middle class. In return, they gave up their traditional entitlements—the payoffs, moonlighting jobs, free meals and free tickets—that conflicted with their new role as pristine communicators. They adopted "codes of conduct" and spoke unashamedly of serving the public with integrity.

They still launched crusades to right injustices, and even stepped up that effort with "investigative teams" who, unlike their predecessors in the wild turn-of-the-century period, painstakingly researched their subject. Every fact had to be sought out, checked and double-checked—not just because it was the right thing to do, but because they didn't want to lose a libel suit in court.

Traditionalists regard this as a "golden age" of the American press, which lasted for about three decades until the early 1980s. It reached its zenith when journalists exposed the Watergate scandal that toppled a president.

The last chapter on fact-based journalism has not yet been written, and perhaps never will be. But the pendulum has clearly swung back to a more personalized, engaged and consumer-oriented journalism in America. Its proponents say this is merely a reflection of American reality, and the old tools don't work so well any more. Its critics say the more honest reason is that objectivity alone doesn't sell any longer.

Whatever the reasons, the impact on public discourse and decision-making is not incidental.

Many critics have questioned whether there is such a thing as “objectivity.” Indeed, no human being can be truly objective; we can only seek objectivity and impartiality in the pursuit of truth. Journalists can try to keep their personal views out of the news, and they employ a number of techniques to do so, such as obtaining and quoting multiple sources and opposing views.

The question is whether the truth always serves the public. At times, the truth can do harm. If the truthful report of a small communal conflict in, say, Africa, leads to more civil unrest, is the public really being served? The journalistic purists—often those sitting in comfortable chairs far from conflict—say it is not their job to “play God” in such matters, and that one should not “shoot the messenger for the message.” This is without a doubt the most troubling conundrum in journalism, and it forces fair-minded professionals (yes, they still exist) to a middle ground that might be termed “responsible restraint.”

If, however, one takes the rigid view that the truth always needs to be controlled—or Lenin’s dictum that truth is partisan—the door is wide open for enormous abuse, as history has demonstrated time and again. It is this realization (and fear) that prompted Jefferson to utter that absurdity about the supreme importance of an uncensored press.

What Jefferson and the constitutional framers could not have foreseen, however, was how modern market forces would expand and exploit the simple concept of free expression. While media with meager resources in most developing countries are still struggling to keep governments from suppressing news that Westerners take for

granted, the mass media in America, Britain, Germany and elsewhere are preoccupied with their role as profitable businesses and the task of securing a spot on tomorrow’s electronic superhighway. In such an environment, truth in the service of the public seems almost a quaint anachronism.

Is the capitalist drive an inherent obstacle to good journalism? In one sense, the marketplace can be the ally, rather than the enemy of a strong, free media. For the public to believe what it reads, listens to and sees in the mass media, the “product” must be credible. Otherwise, the public will not buy the product, and the company will lose money. So, profitability and public service can go hand in hand. What a media company does with its money is the key. If it uses a significant portion of its profits to improve its newsgathering and marketing capabilities and eliminate dependence upon others for its survival (e.g. state subsidies, newsprint purchases, or access to printing facilities), the product improves, and the public is served. If it uses its profits primarily to make its owners rich, it might as well be selling toothpaste.

The assumption in this argument is that the public overwhelmingly wants to believe its news media, and that it will use this credible information to actively and reasonably conduct its public affairs. Unfortunately, that assumption is not as valid as it was in simpler times. In affluent societies today, media consumers are seeking more and more entertainment, and the news media’s veracity (even its plausibility) is less important than its capacity to attract an audience. This trend is not lost on the big media conglomerates, such as Time-Warner, Disney/ABC and Rupert

Murdoch's worldwide media empire. It is arguable that these companies have as much created the public demand for non-stop entertainment as they have tried to fill it.

But, you say, look at the new technology that can penetrate any censorship system in the world. Look at the choices people have today. Look at how accessible information is today. Yes, the choices may be larger, but a case can be made they are not deeper—that big money is replacing quality products and services with those of only the most massive appeal. The banquet table may be larger, but if it only contains “junk food,” is there really more choice? Declining literacy, for example, is a real problem in the so-called developed world. That's one reason why newspapers are so worried about their future. But if panic sends the print media running to the Internet and cable television to serve the shortened attention span, it is difficult to see how literacy will be served.

Where is the relevance of all this to the emerging democracies around the world? Certainly the American experience, for all its messiness, provides a useful precedent, if not always a model.

For example, when one talks about an independent media, it is necessary to include financial independence as a prerequisite, in addition to political independence. The American revenue-earning model of heavy reliance on advertising is highly suspect in many former communist countries, but one has to weigh the alternatives. Are government and party subsidies less imprisoning? If journalists are so fearful of contamination by advertiser pressure, they can build internal walls between news and business functions,

similar to those American newspapers erected earlier in this century.

If they are fearful of political contamination of the information-gathering process, they can build another wall separating the newsroom from the editorial department—another important concept in modern American journalism.

The problem in many new democracies is that journalists who once had to toe the single-party line equate independence with opposition. Because they speak out against the government, they say they are independent. But haven't they just traded one affiliation for another? There is little room for unvarnished truth in a partisan press.

Is objectivity a luxury in societies that have only recently begun to enjoy the freedom to voice their opinions? Listen to the comment of a Lithuanian newspaper editor shortly after his country gained its independence: “I want my readers to know what their heads are for.” His readers were used to being told not only what to think about, but what to think. Democracy requires the public to make choices and decisions. This editor wanted to prepare citizens for that responsibility with articles that inform but do not pass judgment. His circulation increased.

Though nearly 60 percent of the world's nations today are declared democracies—a monumental change from a mere decade ago—most of them have nevertheless instituted press laws that prohibit reporting on a whole array of subjects ranging from the internal activity and operations of government to the private lives of leaders. Some of these are well-intentioned efforts to “preserve public stability.” But all of them, ALL of them, undermine the concept of self-governance.

The watchdog role of the free press can often appear as mean-spirited. How do the government and public protect themselves from its excesses? In the United States, it is done in a variety of ways. One, for example, is the use of “ombudsmen.” In this case, news organizations employ an in-house critic to hear public complaints and either publish or broadcast their judgments. Another is the creation of citizens’ councils which sit to hear public complaints about the press and then issue verdicts, which, although not carrying the force of law, are aired widely.

Last, and most effective, is libel law. In the United States, a citizen can win a substantial monetary award from a news organization if libel is proven in a court of law. It is much harder for a public official or celebrity than an ordinary citizen to win a libel case against the press, because the courts have ruled that notoriety comes with being in the limelight. In most cases, the complaining notable must prove “malice aforethought.”

There is nothing in the American constitution that says the press must be responsible and accountable. Those requirements were reserved for government. In a free-market democracy, the people—that is the voters and the buying public—ultimately decide as to how their press should act. If at least a semblance of truth-in-the-public-service does not remain a motivating force for the mass media of the future, neither free journalism nor true democracy has much hope, in my opinion.

The nature and use of new technology is not the essential problem. If true journalists are worried about their future in an age when everyone with a computer

can call themselves journalists, then the profession has to demonstrate that it is special, that it offers something of real value and can prove it to the public. There is still a need today—perhaps more than ever—for identifying sense amidst the nonsense, for sifting the important from the trivial, and, yes, for telling the truth. Those goals still constitute the best mandate for a free press in a democracy.

George Washington’s admonition, uttered at the Constitutional Convention, still stands: “Let us raise a standard to which the wise and honest can repair.”

The Press and the Public

Here is a hypothetical example of how the public in a democracy uses the news media to govern itself:

A serious car accident occurs at a busy street intersection. The local (independent) newspaper reports the incident, noting it was one of five accidents that have occurred at that same spot in the past two months. Nearby residents read the article, and decide to petition the city council to install a traffic light at that crossing in front of their homes. The elected officials on the council agree with the petitioners (either on the merits of the case or out of fear of losing votes in the next election, or both). Thus, the taxpayers have decided how their tax dollars should be spent, and have prevailed upon their representatives in government to implement and enforce that decision. Democracy in action.

If the newspaper happened to be owned and controlled by the local government, it might have decided against publishing that article. Perhaps the city mayor would not want the people to think his traffic department is inefficient. Or perhaps he has other plans for spending tax revenues.

Seldom is the equation so simple, however, even at the community level. In the traffic case, let us say there is a counter-petition from citizens who do not want a light at that intersection, because they say it will seriously slow down traffic in the middle of the city—inconveniencing a lot more people a lot more often than the few who live near that intersection. The newspaper, which has an opinion section, takes an editorial stand in favor of the traffic light. But because the newspaper wants to reflect a broad cross-section of voices in the community, it also publishes letters from citizens opposed to installing a new light. It may even run a commentary by one of its columnists who takes a position opposing the newspaper's own editorial (reflecting the publisher-owner's opinion). The newspaper also runs news articles

quoting the mayor, who is against installing the traffic light.

Now we have a full-scale fight, and the newspaper is right in the middle of it. Some might even say that the newspaper caused the argument in the first place by publishing all those contradictory views, stirring up what had been a fairly calm and simple situation. But most agree that the newspaper provided a useful public service. In the end, the city council weighs all the evidence and arguments, including those from the powerful merchants who oppose the light, and decide to install the new light. Democracy in action.

Now to complicate the matter even more, let us say the publisher and editor of the newspaper, who are worried about declining sales, decide to take advantage of this minor public crisis to boost the paper's circulation.

They also want to use the crisis to embarrass the mayor, whom the newspaper dislikes and fiercely opposed for re-election. So, they devise a scheme to whet readers' appetites and at the same time make some political points. In this effort, they decide to run a false story that the mayor himself had a car accident at that intersection but tried to hide it. The mayor sues the newspaper for libel, and wins his case in court. As a result, the newspaper's plan backfires: Readers become so angry, they cancel their newspaper subscriptions, and the city council decides not to install that traffic light after all. Democracy in action?

One can say in this case that the marketplace worked fine—the newspaper paid for its sins when the public voted with its pocketbook. But good governance suffered as well, because the city council made its decision for the wrong reasons (anger over press lies). In the end, the problem at that street intersection was not solved.

Issues of Democracy, USIA Electronic Journals, Vol. 2, No. 1, Feb. 1997

Media Conscience and Accountability

by

Bob Caldwell

News organizations in the United States are responding, albeit often reluctantly, to increasing consumer complaints in a number of ways that demonstrate their accountability, says Bob Caldwell, who has been a writer, editor and ombudsman with *The Oregonian*, the largest daily newspaper in the Pacific Northwest.

Although the policies, practices and quality of the news business in the United States have become the targets of a renewed wave of public and political criticism in recent years, the industry has been surprisingly ineffective in responding to this disapproval.

The First Amendment to the United States Constitution, of course, grants the press broad rights and makes government regulation—beyond the limited scope of libel laws—a virtual impossibility. As valuable as a free, independent press is to the proper functioning of America’s democracy—and it is impossible to overstate its importance in that respect—many Americans believe that independence also implies a responsibility for the press to regulate itself, or at least to make itself more accountable and open to public scrutiny.

American courts once granted broad latitude to the press in order to encourage

discussion of public and governmental affairs. In the late 1960s and 1970s, it was extremely difficult for public officials and public figures to win libel judgments against news organizations. But in more recent years, concerns that the press has misused that latitude to invade the privacy of public figures—whose private conduct may have no bearing whatever on the democratic process—have resulted in court decisions that have narrowed the media’s latitude. Public perceptions of the media have changed, too. Readers and viewers routinely return low ratings when they are asked to assess the credibility of the media; more and more Americans seem inclined to judge the quality of the media by the conduct of its least responsible practitioners.

A recent case in which a U.S. supermarket chain successfully challenged the covert methods employed in a television news investigation of the market’s alleged improper food-handling practices—but not the accuracy of the network’s story—promises to ignite yet another round of scrutiny of media methods, regardless of how the case is decided on appeal.

Newspapers have come a little further down the road from the days in which they debated whether even to acknowledge their common, everyday errors, but not very far. Gary Gilson, the executive director of the Minnesota News Council, points out that most newspapers treat corrections perfunctorily. He thinks more news organizations should follow the example of The New York Times, which offers, along with daily corrections, occasional lengthy examinations of the paper’s journalistic quality in a feature called *Editors’ Notes*.

Gilson’s organization, established by

newspapers and television stations in Minnesota in 1971, has not been widely copied although its success is no longer a matter of serious debate. The Minnesota News Council investigates complaints about the news media, conducts hearings and issues findings in a quasi-judicial process. It receives its financial support from the news media, Minnesota businesses and other non-governmental sources. Since its inception, the 24-member council (12 from news organizations and 12 from other walks of life) has considered 1,560 complaints and adjudicated 107. It has found against the news media in roughly half of its cases.

The Minnesota News Council’s approach to disputes about media quality recently received national attention when the popular CBS-television magazine show, *60 Minutes*, featured the council’s decision to criticize a Minneapolis-St. Paul television station for its handling of an investigation into Northwest Airlines, which has its headquarters in Minneapolis.

The council’s findings suggested that the station took good information—Federal Aviation Administration reports that were critical of the airline’s maintenance practices—and mishandled it. The station overlaid the maintenance story with a broad, and baseless, tale of intrigue and employee intimidation that, the news council found, unfairly tarred Northwest Airlines.

Viewers of *60 Minutes* could easily have concluded that the council’s role was partly to intimidate the Minneapolis television station, thus exerting a chilling effect on its willingness to pursue news stories aggressively. But the general manager of the station (who took over after the

Northwest Airlines report) said the station would continue to support the council and its efforts.

Interestingly, both the station and Northwest Airlines are financial contributors to the Minnesota News Council. Gilson said the *60 Minutes* story has prompted a flurry of interest in the news council's activities from around the country, mostly from people outside the news business.

The news council plays two roles that should be considered vital to the news media: It independently explains to the public how the media work and it serves as an alternative to the courts as a method of resolving disputes. People with complaints before the Minnesota council, for example, must agree in advance to forego legal action against the media companies that are the targets of their complaints. Considering what newspapers and television stations spend on attorneys' fees and libel insurance, they should be receptive to the news council idea.

But they are not. Attempts to start a national news council and an effort to establish councils in Oregon and Washington state in recent years have failed. Outside of Minnesota, the Honolulu (Hawaii) Community Media Council—which was established about the same time—appears to be the only functioning news council in the United States.

Another model of accountability and self-criticism is the ombudsman, or reader representative, inside a news organization. The ombudsman is usually a staff member who is given a certain amount of freedom to pursue inquiries and complaints from consumers. The more freedom granted the ombudsman, the better, of course. Some newspapers, like *The Washington Post* and *The Seattle Times*, have tried to assure the

independence of ombudsmen by employing them on non-renewable contracts. Despite the examples set by some leading news organizations—*The Washington Post*, *The Chicago Tribune*, *The Boston Globe* and CBS News, for example—media companies have shown a distinct lack of enthusiasm for the idea of establishing news ombudsmen. There are more than 1,500 daily newspapers in the United States. However, fewer than 40 have news ombudsmen.

Art Nauman, who is the driving force behind the Organization of News Ombudsmen (ONO), one of the smaller professional associations in American journalism, says that ONO's American membership has remained at or near its current 36 members for nearly two decades. Interestingly, the organization's foreign membership has grown in recent years. It now includes about 20 ombudsmen from other countries, including Japan, Spain, Israel, Mexico and Brazil. In 1997, for the first time in its history, ONO's annual meeting will be held outside the United States, in Barcelona, Spain.

Gilson suggests that news councils, ombudsmen and just plain straight talk from news organizations fills a vast unmet need for American news consumers. "You would hope you would find more of a thirst for talking straightforwardly to the reader about what goes into decision-making and acknowledging shortcomings," he says. "A time when the news business is terribly concerned about the loss of readership and trust is a time when it should be more open."

It is difficult to understand why the concept has not been embraced by the news business. Some newsroom editors and managers say that the editing and checking of accuracy is always done with the

consumer in mind and therefore more formal efforts at accountability are unnecessary. But anyone who has ever set foot in a working newsroom knows that readers and viewers are rarely seen or heard there.

My own experience, as a reporter, editor and publisher for more than 20 years, certainly did not prepare me for the onslaught of inquiry, concern and criticism that I encountered upon becoming the first ombudsman in the history of my newspaper, *The Oregonian*. My job description was fairly typical of newspaper ombudsmen across the United States. I was to take reader complaints and address them inside the newsroom by whatever means was appropriate. This meant passing along the complaints to reporters and editors via memo and a periodic internal critique. It also meant writing a weekly column on reader complaints and other issues involving the paper's journalistic quality. Sometimes my column was critical of *The Oregonian*, sometimes it defended the paper against reader criticism.

On a typical Monday, I would be greeted by 20-40 telephone messages from readers. A typical week would see dozens of letters, faxes and electronic-mail messages from readers. I heard more direct criticism and concern about our newspaper—and American journalism in general—in two years as reader representative than I had in the previous 20 years. Other ombudsmen report similar experiences.

Editors who think they can adequately listen to consumers without assigning someone to the job are simply kidding themselves. “Some editors and publishers like being more visible in the community than maybe they did 20 years ago,” says Elissa Papirno, the reader advocate for *The*

Hartford Courant. “So they take on the reader representative role. In reality, they just don't have the time.”

Papirno and other ombudsmen suggest, too, that news people are perhaps more thin-skinned than the people they write about. This makes them less willing to support formal self-critique, even while consumers clamor for it.

“Sometimes you wonder if it wouldn't be better if newsroom people took the flak directly,” Papirno says. “That might change their behavior.” But news people are only human and it is all too human to be defensive about your own work. If you add in the prickliness with which American journalists defend perceived threats to their independence, you do not find many active listeners in newsrooms when it comes to outside criticism.

There are, of course, other methods of connecting with readers and other ways to make news organizations accountable. Arnold Ismach, a professor at the University of Oregon and sometime consultant to the Minnesota News Council, points out that the vigorous growth of press criticism in the alternative press, magazines, national newspapers and the Internet has advanced that cause. This development also may have reduced the need for news councils, ombudsmen and other formal “accountability” methods. Organizations such as the Society of Professional Journalists (<http://www.spj.org>) and the Associated Press Managing Editors (<http://apme.com/apme.htm>) group have adopted and distributed model codes of ethics, which some news organizations try to follow.

Additionally, there are plenty of examples of self-restraint in the American news media that do not involve any formal

action. Most American news organizations, for example, decline to print the names of rape victims, even though those names are on public record in every courthouse and police station in the country. By withholding the name, the media agree to safeguard the privacy of the victim. In a case involving the larger American community, the editors of *The Washington Post* and *The New York Times* decided to accede to the terrorist Unabomber's demands and print his rambling anti-technology manifesto in exchange for his promise to put a stop to his mailing of letter bombs. In an ironic development, the manifesto's style and content—which the papers never would have printed without his demand and threat—led directly to the arrest of the suspect.

The Sacramento Bee's Art Nauman points to his own newspaper's effort to connect with readers through a variety of ways, including improved telephone access of writers and editors and the paper's active participation at community meetings. Such efforts are becoming more common throughout the country. Says Nauman: "Anything a newspaper can do to understand, or listen to, or connect to its readers builds credibility."

At their best, those efforts assure consumers that news organizations have an interest in their community and in improving their news products. In addition to "connecting" with readers, news organizations must make a greater effort to hear their critics, think about the criticisms and then address them. In short, they need to take the advice offered by Gina Lubrano, the reader representative for the *San Diego Union-Tribune*. "My role," she says, "is to be the conscience of the newspaper."

Remembering and Supporting Journalists

by

David Pitts

and

Deborah M. S. Brown

Across the river from Washington, D.C. stands a memorial to journalists who were killed while covering the news around the globe. Their fate and the work of a free press is of concern to a number of organizations that assist journalists worldwide, report staff writers David Pitts and Deborah M.S. Brown.

In the midst of high-rise office buildings across the Potomac River from the monuments of Washington stands a steel and glass structure that looks like a whirlwind shooting up into the morning sun, its panels reflecting rainbow colors. It too, is a monument: a memorial to slain journalists.

Built by the Freedom Forum, a nonpartisan organization devoted to press freedom, the Freedom Forum Journalists Memorial commemorates the life and death of journalists around the world.

Some of the journalists listed on the memorial were killed covering wars, natural disasters or violent crimes; others fell ill while on assignment. Some were murdered to silence their reporting. Journalists who died as a result of accidents unrelated to an assignment are not listed on the memorial, nor are those who contributed to the violence that resulted in their deaths.



The Journalists Memorial stands in a courtyard called Freedom Park, a 1.5-hectare area located in Arlington, Virginia, a suburb of Washington, D.C. Each glass panel on the monument lists the name of the journalist, his or her news organization, the date of death and the country where the journalist died in the line of duty. Nearly 1,000 names are inscribed on the glass.

In May 1996, a ceremony was held to dedicate the memorial. Speaking in front of the glass panels, First Lady Hillary Rodham Clinton paid tribute to the slain journalists by calling them “democracy’s heroes,” because “democracy depends on the free flow of information.”

Journalists have “inspired countless movements of liberation,” and their work “sustained the fight against slavery, fascism, communism, and apartheid,” the first lady continued. The purpose of journalism “is to report the truth about the

world around us,” and that often has proved a dangerous endeavor, she added.

In a letter, then-U.N. Secretary-General Boutros Boutros-Ghali commended the Freedom Forum for building the memorial. “The United Nations is committed to the unhindered flow of information and opinions in all parts of the world, both between and within nations,” he said.

The Freedom Forum plans ceremonies on World Press Freedom Day in May each year to add the names of more journalists to the memorial. This year, the names of an additional 210 journalists who lost their lives will be added.

Of that total, 44 were killed in 1996, the rest in previous years. Their names, together with those of the 934 reporters currently listed on the memorial, are in a computer database which contains detailed biographical information on the journalists. It can be accessed at both the memorial site in Freedom Park and at Freedom

Forum's website at "<http://www.freedomforum.org/memorial/#journalist>". The list is updated periodically.

In addition to the memorial, Freedom Park displays a number of icons of freedom, such as huge concrete chunks of the Berlin Wall, a ballot box from South Africa, and a replica of a boat used by two Cuban refugees—husband and wife—who risked everything to sail the lonely sea to freedom.

Next to Freedom Park, located within Freedom Forum headquarters, a so-called "newseum" will open in April 1997 and will feature interactive exhibits about the past, present and future of journalism, including simulations in which visitors can play the role of a TV news moderator.

Visitors will also be able to see news events that occurred in the month and year of their birth, thanks to a special "birthday database."

One of the major highlights of the newseum will be a 38.4-meter-long video wall that will feature every major satellite feed in the world to bring in up-to-the-minute news. The newseum will also house a 220-seat domed theater which will run programs about news, journalism and the role of a free press.

In an effort to focus attention on the plight of journalists worldwide, the Freedom Forum also organized in 1996 a series of regional media forums titled, "Journalists Under Fire: Media Under Siege."

The first such media forum in Hong Kong explored the future of a free press there as China assumes sovereignty, and focused on the working conditions of the press in Asia.

One of the 15 speakers scheduled to address participants at the second forum in London was Veronica Guerin, an Irish journalist who was shot to death in Dublin two days before she was due to appear. Guerin had been working on an exposé of criminal elements in Ireland. Her murder was a tragic reminder that repressive governments are not the only threat to journalists. The European media forum also held a session in Dublin to discuss press coverage of the conflict in Northern Ireland.

The focus of the third media forum in Buenos Aires was the role of the press during the transition to democracy in the Americas. Although all countries south of the U.S. border, except Cuba, now have democratic governments, journalists still face roadblocks and risks in many countries. Panel discussions focused on these problems and looked at how to strengthen a free press in the region.

Difficulties and triumphs experienced by African journalists were discussed in the fourth media forum in Cape Town.

The forums concluded with a session discussing summary reports from the different regions, held at Freedom Forum headquarters.

Throughout these worldwide deliberations, the Journalists Memorial stood as a reminder that people put themselves in danger every day just to report the news. On a wall facing the memorial, the words of Thomas Jefferson sum up the ultimate challenge: "To pursue the freedom of the human mind...and freedom of the press, every spirit should be ready to devote itself to martyrdom."

Journalists Who Died in 1996

Listed below are the names, organizations and countries of origin of the 44 journalists who died in 1996.

Freedom Forum defines a journalist as a regular contributor of news, commentary or photography to a publication or broadcast outlet; an editor or other news executive; a freelance reporter; a producer, camera operator, sound engineer or other member of a broadcast crew; or a documentary filmmaker. The memorial does not include employees of official government agencies whose primary function is to transmit government information.

Names of journalists who might qualify for inclusion on the memorial may be submitted to the Freedom Forum Newseum for consideration. Freedom Forum asks that full information be provided, including background on the individual, name of news organization and its location, and the circumstances of the death. Letters and supporting materials cannot be returned.

They should be sent to:
The Freedom Forum Journalists Memorial
Newseum
1101 Wilson Boulevard
Arlington, VA 22209
USA

| <i>Name</i> | <i>News Organization and Location</i> | <i>Location of Death</i> | <i>Name</i> | <i>News Organization and Location</i> | <i>Location of Death</i> |
|---------------------|---------------------------------------|--------------------------|-------------------------|---------------------------------------|--------------------------|
| Khaled Aboulkacem | L'Independant Algeria | Algeria | Mohamed Mekati | El Moudjahid Algeria | Algeria |
| Kutlu Adali | Yeni Duzen Cyprus | Cyprus | Ulrich Mett | RI Germany | Germany |
| Allaoua Ait M'barak | Le Soir D'Algerie Algeria | Algeria | Viktor Mikhailov | Zabaikalsky Rabochy Russia | Russia |
| Mohamed Amin | Camerapix Publishers Great Britain | Indian Ocean | Yama Musleh | RI Germany | Germany |
| Niksa Antonini | Slobodna Dalmacija Croatia | Croatia | Nathaniel C. Nash | The New York Times United States | Croatia |
| Djilali Arabdiou | Algerie Actualité Algeria | Algeria | Viktor Nikulin | Ort Russia | Tajikistan |
| Achour Belghezli | Universal Com Algeria | Algeria | John O'Hara | ABC United States | United States |
| Abdallah Bouhachek | Revolution et Travail Algeria | Algeria | Viktor Pimenov | Vaynakh Russia | Russia |
| Thun Bun Ly | Odom Katek Khmer Cambodia | Cambodia | Gunter Puschnig | RI Germany | Germany |
| Stefan Burkle | RI Germany | Germany | Mohammad Quamruzzaman | Neel Sagar Bangladesh | Bangladesh |
| Antonio Casimiro | Angolan Popular TV Angola | Angola | Henrik Reissner | Flashpoint Germany | Germany |
| Nadezhda Chaikova | Obshchaya Gazeta Russia | Russia | Ferdinand Reyes | Press Freedom The Philippines | The Philippines |
| Parag Kumar Das | Asomiya Pratidin India | India | Ghulam Rasool Sheikh | Saffron Times India | India |
| Djamel Derraz | Le Soir D'Algerie Algeria | Algeria | Oleg Slabyanko | Moment Istiny Russia | Russia |
| Mohamed Dorbane | Le Soir D'Algerie Algeria | Algeria | Felix Solovyov | [Freelance] | Russia |
| Norvey Diaz | Radio Colina Colombia | Colombia | Saengchai Sunthornwat | Mass Communication Thailand | Thailand |
| Metin Goktepe | Evrensel Turkey | Turkey | Fuad Muhammad Syafruddi | Berita Nasional Indonesia | Indonesia |
| Sergei Grebenyuk | Interfax Russia | Uzbekistan | Brian Tetley | Camerapix Publishers Great Britain | Indian Ocean |
| Igor Grouchetsky | Ukraine-Centre Ukraine | Ukraine | Melih Uzunyol | Turkish Radio & TV Turkey | Georgia |
| Veronica Guerin | Sunday Independent Ireland | Ireland | Juan Jose Yantucho | TV Noticias Guatemala | Guatemala |
| Mohamed Guessab | Radio Koran Algeria | Algeria | Nina Yefimova | Vozrozhdeniye Russia | Russia |
| Ramzan Khadzhev | Ort Russia | Russia | Valery Zufarov | Itar-Tass Russia | Russia |

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Organizations Dedicated to Promoting a Free Press

Following is a list of several organizations that are devoted to promoting a free press throughout the world:

Committee to Protect Journalists (CPJ)

330 7th Avenue, 12th Floor
New York, NY 10001
(212) 465-1004
(212) 465-9568 (Fax)
<http://www.cpj.org/>

Supports journalists who have been subject to human rights violations. Confronts governments that limit the ability of foreign correspondents and local reporters to do their jobs. Brings exiled journalists to the United States for interviews and press conferences. Serves as a liaison with press groups worldwide and exchanges information. Releases reports on press conditions in countries around the world and maintains a database and speakers' bureau. Produces a publication titled, *Attacks on the Press*, a comprehensive country-by-country breakdown of threats to free press. The report is released in March each year.

Freedom Forum

1101 Wilson Boulevard
Arlington, VA 22209
(703) 528-0800
(703) 528-7766 (Fax)
<http://www.freedomforum.org>

Supports journalism education for reporters around the world. Also promotes free press rights through projects, programs and publications and by funding grant proposals. Also operates the Freedom Forum Media Studies Center (<http://www.mediastudies.org>) and The First Amendment Center (<http://www.fac.org>), as well as the Freedom Forum Journalists Memorial (<http://www.freedomforum.org/Memorial/#journalist>).

Freedom House

120 Wall Street
New York, NY 10005
(212) 514-8040
(212) 514-8050
<http://www.hsv.tis.net/~hrweb/groups/fh.html>

Surveys free press and other political rights and civil liberties throughout the world. Publishes a widely disseminated annual report on relative freedom in countries around the world. When *Comparative Survey of Freedom* first was established in the early 1970s, democracy was on the defensive in many countries. Now called *Freedom in the World*, the survey draws attention not only to those countries that lack democratic institutions, but also details flaws in nations considered democratic. Also produces a quarterly newsletter describing conditions. Holds seminars on freedom of the press and other civil liberties topics. Maintains an archive on press freedom issues.

Inter American Press Association (IAPA)

2911 NW 39th Street
Miami, FL 33142
(305) 634-2465
(305) 635-2272 (Fax)

(Although the web addresses below are not operational as yet, they will be up at a later date.)

<http://www.pdiaros.com/SIP/pag1.html> (English)
<http://www.pdiaros.com/SIP/pag2.html> (Spanish)
<http://www.pdiaros.com/SIP/pag6.html> (Portuguese)

As an organization of Western hemisphere newspapers and publications, promotes and protects freedom of the press in the Americas. Gives awards for outstanding journalism in the Western hemisphere. Provides scholarships both for practicing journalists and for students. IAPA long has been regarded as a pioneer in the development of an inter-American professional, independent, and self-sufficient pressure group. It also has earned a reputation for unrelenting opposition to the dictatorships that were once all too common in the hemisphere. Article II of its charter reads: "Without freedom of the press, there is no democracy."

International Center for Foreign Journalists (ICJ)

1616 H Street, NW
Washington, D.C. 20006
(202) 737-3700
(202) 737-0530 (Fax)
E-mail: editor@cfj.org
E-mail for clearinghouse: editor @cfj.org
<http://www.friends-partners.org/oldfriends/ccsi/csusa/media/forjour.html>

Formerly known as the Center for Foreign Journalists, the ICJ works to strengthen quality of journalism worldwide through professional training and exchanges. In particular, ICJ designs fellowship programs for American and foreign journalists, the most prominent of which is the Knight-Ridder International Press Fellowship Program. Also conducts evaluations and assessments of media throughout the world. Most of ICJ's work consists of training workshops and onsite consultations. In addition, the Center maintains the ICJ Clearinghouse on the Central and East European Press. The main program is a computerized database of more than 1,000 media organizations and media outlets in the United States, Europe, and states of the former Soviet Union. The database contains information on U.S. organizations that provide assistance to the media in Central and Eastern Europe. The Center was founded by American journalists who felt that the U.S. media had an obligation to share its know-how with colleagues in countries where media is less developed.

International Women's Media Foundation (IWMF)

1001 Connecticut Avenue, N.W.
Suite 1201
Washington, D.C. 20036
(202) 496-9112
(202) 496-1977 (Fax)
<http://www.iwmf.org/>

Works to strengthen the role of women in the news media worldwide, based on the belief that the press cannot be truly free unless women enjoy equal opportunities to cover issues of importance to the public. Strives to create networks among women dedicated to journalism. Provides training sessions, forums, and seminars. Also gives annual "courage in journalism" awards to journalists who have demonstrated excellence under dangerous circumstances. Publishes a quarterly newsletter and an annual directory listing over 1,000 women journalists. Sponsors programs for women journalists in Eastern and Central Europe, Russia, Africa, Latin America and the United States.

World Press Freedom Committee (WPFC)

11600 Sunrise Valley Drive
Reston, VA 22091
(703) 648-1000
(703) 620-4557 (Fax)
<http://www.friends-partners.org/oldfriends/ccsi/csusa/media/wpfc.html>

As a coordination group of more than 30 national and international news media organizations, supports freedom of the press, especially in Eastern Europe and the Third World. Encourages news media everywhere to adopt high professional standards in their performance. Offers technical (both print and broadcast) assistance to Third World journalists. Conducts seminars and training programs. WPFC also administers the Fund Against Censorship, which investigates and protests governmental attempts to censor the press and assists with legal challenges to press censorship. In addition, WPFC established the Central and Eastern European Center for Communications in Warsaw, Poland to facilitate training in the region.

World Press Institute (WPI)

1635 Summit Avenue
St. Paul, MN 55105
(612) 696-6360
(612) 696-6306 (Fax)
wpi@macalester.edu

Offers journalists a comprehensive introduction to the press in the United States through WPI's international media fellowships—a four-month program for groups of ten foreign journalists. Includes travel throughout the United States and exposure to a wide variety of U.S. media. Fellowship applicants must have at least five years professional journalism experience and be currently employed outside the United States. WPI is based at Macalester College in St. Paul, Minnesota.

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Issues of Democracy, USIA Electronic Journals, Vol. 2, No. 1, Dec. 1997

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on a

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388 U.S. 130 (1967)

Hustler Magazine, Inc. v. Falwell,
485 U.S. 46 (1988)

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435 U.S. 829 (1978)

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384 U.S. 214 (1966)

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460 U.S. 575 (1983)

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376 U.S. 254 (1964)

New York Times Co. v. United States,
403 U.S. 713 (1971)

Red Lion Broadcasting Co. v. FCC,
395 U.S. 367 (1969)

Smith v. Daily Mail Publishing Co.,
443 U.S. 97 (1979)

Internet Sites

On Democracy and Human Rights Themes

Please note that USIA assumes no responsibility for the content and availability of those non-USIA resources listed below which reside solely with the providers:

FUNDAMENTAL U.S. DOCUMENTS

U.S. Constitution

<http://www.usia.gov/HTML/consteng.html>

Français

<http://www.usia.gov/HTML/constfr.html>

Español

<http://www.usia.gov/HTML/constes.html>

Bill of Rights

<http://www.usia.gov/usa/aboutusa/billeng.htm>

Français

<http://www.usia.gov/usa/aboutusa/billfr.htm>

Español

<http://www.usia.gov/usa/aboutusa/billes.htm>

Declaration of Independence

<http://www.usia.gov/usa/aboutusa/deceng.htm>

Français

<http://www.usia.gov/usa/aboutusa/decfr.htm>

Español

<http://www.usia.gov/usa/aboutusa/dec.es.htm>

The Federalist Papers

<gopher://spinaltap.micro.umn.edu/11/Ebooks/By%20Title/Fedpap>

U.S. GOVERNMENT

Executive Branch

<http://www.vote-smart.org/executive/>

Legislative Branch

<http://www.vote-smart.org/congress/>

U.S. Senate

<gopher://ftp.senate.gov>

U.S. House of Representatives

<http://www.house.gov>

Judicial Branch

An in-depth site on the U.S. judiciary, from the court system to legal terms.

<http://www.vote-smart.org/judiciary/>

The Cabinet

<gopher://198.80.36.82/11s/usa/politics/cabinet>

RELATED SITES FOR
ORGANIZATIONS
DEVOTED TO FREEDOM
OF THE PRESS

Committee to Protect Journalists (CPJ)

Supports journalists who have been subject to human rights violations. Serves as a liaison with press groups worldwide and exchanges information. Releases reports on press conditions in countries around the world and maintains a database and speakers' bureau. Produces a publication, released in March each year, titled, *Attacks on the Press*, a comprehensive country-by-country breakdown of threats to free press.

<http://www.cpj.org/>

Freedom Forum

Supports journalism education for reporters around the world. Also promotes free press rights through projects, programs and publications and by funding grant proposals. Also operates the Freedom Forum Media Studies Center and The First Amendment Center, as well as the the Freedom Forum Journalists Memorial.

Freedom Forum Homepage

<http://www.freedomforum.org>

Media Studies Center

<http://www.mediastudies.org>

The First Amendment Center

<http://www.fac.org>

Freedom Forum Journalists Memorial

[http://www.freedomforum.org/Memorial/
#journalist](http://www.freedomforum.org/Memorial/#journalist)

Freedom House

Surveys free press and other political rights and civil liberties throughout the world. Publishes a widely disseminated and respected annual report on relative freedom in countries around the world. Holds seminars on freedom of the press and other civil liberties topics. Maintains an archive on press freedom issues.

<http://www.hsv.tis.net/~hrweb/groups/fh.html>

Inter American Press Association (IAPA)

As an organization of Western hemisphere newspapers and publications, promotes and protects freedom of press in the Americas. IAPA long has been regarded as a pioneer in the development of an inter-American professional, independent, and self-sufficient pressure group. It also has earned a reputation for unrelenting opposition to the dictatorships that were once all too common in the hemisphere.

English: <http://www.pdiaros.com/SIP/pag1.html>

Espanol: <http://www.pdiaros.com/SIP/pag2.html>

em Portugues:
<http://www.pdiaros.com/SIP/pag6.html>

(NOTE: Although the websites listed above for IAPA are not available on the web as yet, they will be up at a later date.)

International Center for Foreign Journalists (ICJ)

Works to strengthen quality of journalism worldwide through professional training and exchanges. In particular, ICJ designs fellowship programs for American and foreign journalists, the most prominent of which is the Knight-Ridder International Press Fellowship Program.

[http://www.friends-partners.org/oldfriends/ccsi/
csusa/media/forjourn.
html](http://www.friends-partners.org/oldfriends/ccsi/csusa/media/forjourn.html)

International Women's Media Foundation (IWMF)

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networks among women dedicated to journalism. Sponsors programs for women journalists in Eastern and Central Europe, Russia, Africa, Latin America and the United States.

<http://www.iwmmf.org/>

The Organization of News Ombudsmen

With an international membership of 64 active and associate members in the United States, Canada, Japan, Israel, Spain, Brazil, Sweden, Ecuador and Paraguay, the Organization of News Ombudsmen establishes and refines standards for the job of news ombudsman or reader representative on newspapers and in other news media; aids in the wider establishment of the position of news ombudsmen on newspapers and elsewhere in the media; provides a forum for the interchange of experiences, information and ideas among news ombudsmen; develops contacts with publishers, editors, press councils and other professional organizations, provides speakers for special interest groups and responds to media inquiries.

<http://www5.infi.net/ono/intro.html>

The Reporters Committee for Freedom of the Press

The Reporters Committee for Freedom of the Press has played a role in virtually every significant press freedom case that has come before the U.S. Supreme Court, as well as in hundreds of cases in U.S. federal and state courts. The Committee has also emerged as an international resource in free speech issues, disseminating information in a variety of forms, including a quarterly legal review, a bi-weekly newsletter, a 24-hour hotline, and various handbooks on media law issues.

<http://www.rcfp.org/>

Reporters Sans Frontieres

Which countries flout press freedom? Who are the criminal gangs and fundamentalist groups that murder reporters? What are the new faces of censorship? Reporters Sans Frontieres brings you the answers, with the latest facts and figures, maps and copies of banned newspapers. Also publishes a report on infringements of press freedom throughout the world.

English:

http://www.calvacom.fr/rssf/RSF_VA/Acc_VA.html

Francais:

http://www.calvacom.fr/rssf/RSF_VF/Acc_VF.html

Espanol:

http://www.calvacom.fr/rssf/RSF_VE/Acc_VE.html

Deutsch: <http://fgidec.l.tuwien.ac.at/media/rog/>

World Press Freedom Committee (WPFC)

As a coordination group of more than 30 national and international news media organizations, supports freedom of the press, especially in Eastern Europe and in the Third World. Encourages news media everywhere to adopt high professional standards and performance. WPFC also administers the Fund Against Censorship, which investigates and protests governmental attempts to censor the press and assists with legal challenges to press censorship.

<http://www.friends-partners.org/oldfriends/ccsi/csusa/media/wpfc.html>



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