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## Commentary

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## COMMENTARY

LEONARD J. THEBERGE\*

There has always been contention and conflict as to the role of the media in our society. In the 17th century, shortly after introduction of the printing press, when journalism was in its infancy in the West, Sir Henry Wootton, who is remembered for his statement that ambassadors are men of virtue sent abroad to lie in the interest of their nation, commented that journalists are men without virtue who stay at home to lie for their own interest. Now that was a harsh but true accusation. Coverage of wars in the 16th century often came from journalists in the hire of the state, who stayed at home to report the news from overseas.

We are concentrating on the role of the mass-media today and are addressing how we in this country and in the West learn about events in the great realm beyond our borders. The topics we should discuss are: what should be included in a New World Information and Communications Order (NWICO), what should be excluded and what type of statement or agreement, if any, should it contain. A number of different points of view over what, in effect, is the reality of the flow of information in the world are presented in this symposium. There are a number of important reasons why a great deal of thought ought to be given to the imposition of a New World Information and Communications Order. The ability of journalists to travel abroad, independent of government and unhindered in their travels, is an essential condition for a free society. The burden is on the NWICO proponents to prove that our 300 years of experience in liberating the press from government control are worth rejecting. Moreover, a NWICO is such a fundamental issue for our society that it could result in our rejection of UNESCO.<sup>1</sup>

The supporters of the NWICO allege a number of points about imbalances, inequities and injustices in the international flow of news. But the evidence is in dispute, as is pointed out by Mr. Dana Bullen, as well as by the experience of those who have first hand knowledge covering the news overseas.<sup>2</sup> I might add two other studies dealing with

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\* President, The Media Institute; Chairman, American Bar Association Section of International Law Committee on International Communications.

1. See Theberge, *U.N.E.S.C.O.'s "New World Information Order": Colliding With First Amendment Values*, 67 A.B.A. J. 714 (1981).

2. See Stevenson, *The Western News Agencies Do Not Ignore the Third World*, EDITOR & PUBLISHER, July 5, 1980, at 11.

this issue. One, published by Wilbur Schramm in Hong Kong, looked at a week's coverage by newspapers in the Far East of stories from the four major international wire services.<sup>3</sup> The coverage of development stories is contrary to what we have heard here. A great deal of development news is reported by the Western wire services from all of the countries in the area. However, for the same reasons editors all over the world exclude such stories, they were excluded by local editors in the Far East. For example, in the Philippines and Singapore, editors are not interested in what is going on with the development of a dam or with agricultural projects in India, because it is not of interest to their readers.

Another aspect that we never seem to come to grips with here is the concerns and interests of the consumers of news and information. These consumers are not some abstract group or entity, they are everyone. The issue addresses how the ordinary citizen receives information; it is what we want and don't want to know from the mass-media. Local editors tend to have the same news values in developing countries as they do in developed countries. Whether that is good or bad is a point that I am not going to argue. It depends on how high a value one places on individual freedom.

I might add that The Media Institute happens to be a rather serious critic of the way mass-media reports the news in this country. So we are not speaking from a point of view that apologizes for the media or that believes that the media is without fault. We recognize that some criticisms from developing countries have validity.

A study by Professor Kitatani examined how the First World reports news from the Third World.<sup>4</sup> There are two main complaints. First, there is too little news and second, it is distorted and undermines confidence in the ability of developing countries. Using Japanese, British and American television as examples of mass-media coverage of Third World affairs, Professor Kitatani found out that Third World countries receive substantial coverage on First World television. On the evening news programs that most people watch in the developed countries, approximately 35% to 50% of the news involves international coverage.<sup>5</sup> Moreover, this coverage is not as distorted as its critics allege.

The question of cultural imperialism is often raised in this con-

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3. W. SCHRAMM & E. ATWOOD, *CIRCULATION OF NEWS IN THE THIRD WORLD—A STUDY OF ASIA* (1981).

4. K. KITATANI, *ASSESSMENT OF NEW WORLD INFORMATION ORDER: A CONTENT ANALYSIS OF INTERNATIONAL AFFAIRS COVERAGE BY THE PRIMARY WESTERN TELEVISION NETWORKS* (1981).

5. *Id.* at 57-70.

text. The truth of the matter is that the United States receives considerable coverage in both developing and developed countries. It is not because of the international wire services or because of anything that the term cultural imperialism implies. Rather, it is simply that we are a robust, vigorous, vibrant and free society with many things happening which are of interest to people around the world. News is news; and that is what people want to hear, see and read, whether here or abroad.

The concept of a free flow of information and what it means is an extremely divisive issue. There are definite splits that can be perceived between those societies which have a free press and those which do not. There is a split in intellectual circles, between those who believe that controlling and directing the media, the source of power and influence in any society, is something which must be done for the common good, and those who do not accept those authoritarian principles and who are willing to let the free exchange of information reach its own level in society. This latter group is willing to tolerate some of the imperfections in the media for the benefit of getting information through independent sources from anywhere in the world. This is not merely an issue between the private Western media and UNESCO, it is an issue which concerns lawyers and all citizens everywhere. Recently, the American Bar Association passed a resolution on this point which confirms the support of that organization for the principles embodied in the Universal Declaration of Human Rights, and opposes attempts by UNESCO to set guidelines for the control of journalists and the restriction of journalists to travel overseas without identity cards.<sup>6</sup> I do not want to address the merits of that issue, although I must confess that I initiated the ABA resolution. I believe that the case has been made for concern about UNESCO's activities to suppress freedom of the press and of journalists.

Now, clearly there are information and communication needs in developing countries that cry for assistance and need to be addressed. The need is not for more meaningless rhetoric about inequities, imbalances and injustices, but for some practical, concrete programs to advance the development of media and communications efforts in developing countries. Instead of addressing irreconcilable values which are extremely contentious and which add little to the resolution of the underlying fundamental communications imbalances, UNESCO should move towards building programs that will further develop the media and communications capabilities of developing countries. What is required just to understand the dimensions of that problem and what would be extremely useful would be for UNESCO to keep track of the

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6. Winter, *Lawscope*, 68 A.B.A. J. 260 (1982).

needs of developing countries, to provide experts to analyze those needs and to assist in efforts to improve communications technology. It is these little nuts and bolts problems that are forgotten in the flow of words from UNESCO.

In short, it is time to end the sterile, ideologically inspired charges against the Western press and the attempts to control journalists and the flow of news, that have received encouragement and support through UNESCO. It is time for UNESCO to begin examining how the new communications technologies could be used in developing countries to leap-frog the development process. This is the important task ahead of us, if we care about the welfare of individuals rather than about the welfare of those who govern them. The challenge of the future should be adopting new technologies to the needs of developing countries rather than seeking to control the flow of news and information.