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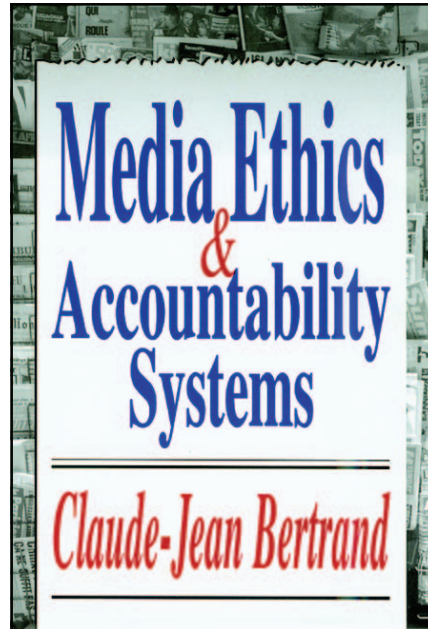
## Campaigning with passion for an 'arsenal for democracy'

***Media Ethics and Accountability Systems***, by Claude-Jean Bertrand. New Brunswick, USA, and London: Transaction Publishers, 2000. 164 pp. ISBN 1560004207

***An Arsenal for Democracy: Media Accountability Systems***, by Claude-Jean Bertrand. Cresskill, NJ: New Hampton Press, 2003. 420 pp. ISBN 1572734264

WORKING IN Paris in the mid-1970s for the news agency Agence France-Presse, I carried a pale blue 'passport' identifying me as a bona fide journalist registered with the statutory but independent journalists' commission. The impressive document was a reminder of a journalist's rights and responsibilities on behalf of the public.

This was a contrast with coun-

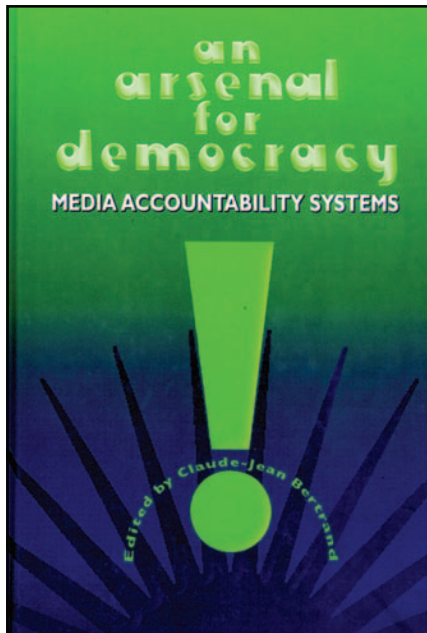


tries such as Australia or New Zealand where press cards were issued by the union, or in the case of non-union journalists today, the media company.

In a sense, this symbolised a very different approach to the autonomy of journalists in Europe—and its offshoot former colonies—and the US, for example.

Sweden was the pioneer of the establishment of press freedom when a law was enacted and incorporated into the Constitution in 1766.

It was also the first country to adopt a press council in 1916. Also, Sweden is typical of the Scandinavian countries that are models of democ-



racy with media characterised by a highly developed sense of 'social responsibility'.

These two companion volumes by Claude-Jean Bertrand, professor emeritus of the French Press Institute at the University of Paris-2—and a predecessor of mine as Australian Press Council fellow (1996)—provide a thoughtful and stimulating insight into the public accountability of journalists and state of media credibility.

The situation is dire. For example, one poll suggests that 21 percent of Americans don't regard journalists as being very trustworthy, rating them slightly below car mechanics and on

a par with members of Congress (Maier, 2004). This reflects two decades of poor credibility ratings—and much the same applies in Australia, New Zealand and the Pacific.

In the wake of the invasion of Iraq and the 'weapons of mass distraction' furore, media credibility has taken another severe beating.

In *Media Ethics and Accountability Systems*, Bertrand sets out some core definitions of personal morality, media ethics and 'quality control' for journalists, reminding us that unlike the other three estates of power in a democracy, the Fourth Estate is in the hands of people who have neither been elected nor appointed for their competence.

He points to an infamous quote by Tory prime minister Stanley Baldwin of Britain in the 1920s, saying that media proprietors of the popular press were aimed at 'power without responsibility—the prerogative of the harlot throughout the ages' (p. 26).

In a discussion of codes of ethics, he offers a 'synthetic code' of common universal values, starting with the 'fundamental values' of respecting life and solidarity among humans. The 'fundamental prohibitions' are not to lie, not to appropriate someone else's property and not to hurt anyone needlessly (p. 45).

Listed under 'journalist princi-

ples' are being competent (capable of admitting errors); being independent; doing nothing that may undermine public trust in the media; having a 'deep' definition of news (not just superficial); giving a full and accurate report of the news; serving all groups (including minorities); defending and promoting human rights and democracy; working towards an improvement in society.

The human rights and democracy factor would surely interest journalists in Fiji, given that several of them threw in their lot with attempted coup front man George Speight when the elected government was seized at gunpoint in May 2000.

Bertrand's recognition of journalists having a higher responsibility to society, more than just to media employers, is illuminating. This parallels the International Federation of Journalists 'Munich Charter' of 1971 final declaration of duties, which states journalists exclude 'every kind of interference by governments or *others* (author's emphasis) (UNESCO Guide, 1996, p. 17).

While 'autonomy' from employers might appeal to some in the profession, Bertrand regards this IFJ clause as 'archaic and totally unjustified': journalists should be accountable to the public.

However, Bertrand considers that far too much criticism is made of the

individual journalist when in fact much of it really should be levelled at media organisations themselves.

He makes the point that it is generally accepted that it is unethical for an editor to 'kill' a story in exchange for a bribe or other influence. Yet what of a radio station, for example, which would rather increase the profits than hire an additional reporter needed for better coverage?

And while it is contrary to ethical codes for journalists to accept presents and other favours, what about media that 'seduce advertisers' by supporting their ads with promised editorial content?

Another among many examples given by Bertrand is the failure to cover major Third World stories such as famine and epidemics in black Africa because correspondents are so expensive.

When comparing the 'antisocial behaviour' of some journalists and mega media companies, the 'difference of scale is sometimes so great that the discussion of ethics may sound rather futile. Indeed, it could turn dangerous' (p. 147).

After the fall of the Soviet totalitarian bloc, the main threat to media freedom and quality, in Bertrand's view, has been the growth of the mega media corporations: 'No one should dream that their greed can be curbed by ethics.'

Bertrand questions whether perhaps news people are given the illusion of being true professionals when their lack of independence and funds actually prevent this. Also, while public discontent focuses on them (rather than the media owners), the journalists become the scapegoats.

So what is the solution? Bertrand is actually rather more optimistic than he seems at first glance. He regards the growing critical media role of the public is becoming more activist and more demanding of media. Media consumers increasingly want reform.

In his view, the reliance on ethics and self-regulation and media councils as buffers to state intervention is insufficient. He argues for an 'arsenal of democracy', a multi-layered network of media accountability systems (M\*A\*S, as he coined the acronym).

Among his suggestions for M\*A\*S are higher education (more than three-quarters of young French and US journalists, for example, have been to university); continuous education (based on case studies); critical media studies in schools; consulting with reader focus groups; 'critical media research (on behalf of readers); ethical 'audits'; non-profit empirical media research and newspaper ombudsmen.

Media monitoring by non-government organisations and alternative

media; debate in journalism reviews (eg. *Columbia Journalism Review* and others) and 'media watch' style programmes are also in the mix.

Another factor is that some of the young professionals—often products of the journalism schools—are fighting for the freedom and responsibility of the media with great passion.

Quality control is becoming both more useful and feasible. One of the best ways of making this happen is becoming even more accomplished craftspeople—to excel in observation of events and trends, providing meaningful data, and explaining facts, ideas and issues.

In *An Arsenal for Democracy*, Bertrand explores some of the M\*A\*S scenarios in far more detail. He has gathered together 22 diverse contributors for the purpose, including Jim Richstad on the right to communicate in the Internet Age; Ken Morgan on the genesis of the British Press Commission; Al Jacoby on the newspaper ombudsmen and Carl Jensen on monitoring censorship.

As Bertrand describes it, this volume offers a 'vast and precise panorama of quality control as applied to media' (p. ix). But the author cautions against the M\*A\*S concept being confused with 'media ethics'—too often limited to books and fine speeches—or with self-regulation. For Bertrand, self-regulation is too

often merely little more than a promise of self-censorship by media trying to avoid legal restraints.

M\*A\*S involve the public as well as media organisations and journalists. And they mean ‘doing, not just talking’. The focus shifts to accomplishing the necessary good things, not just abstaining from certain bad things.

By producing excellent media products and by providing the public with ‘unimpeachable journalistic services’, the Fourth Estate will survive as a critical institution of information in a democracy.

No doubt some journalists may cynically regard Bertrand’s scenario as potentially producing a ‘chilling’ effect on media freedom. But others will agree with him that not only are M\*A\*S the best, but the only reliable protection of press freedom. And this is a timely wake-up call about public faith in the media.

#### References

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- UNESCO. (1996). *Practical Guide for journalists investigating infringements of press freedom*. Paris: UNESCO and Reporters Sans Frontières.

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## Unchallenged bible of NZ media law

*Media Law in New Zealand* (5th ed.), by John Burrows and Ursula Cheer. South Melbourne: Oxford University Press, 2005, 742 pp. ISBN 0 19 558499 6.

*The Journalist’s Guide to Media Law: Dealing with Legal and Ethical Issues* (2d ed.), by Mark Pearson, Crows Nest: Allen & Unwin., 2004, 380pp. ISBN 1 86 508914 1.

IT IS hard to imagine any New Zealand law or academic office with a news media focus—or press organisation, for that matter—without a copy of John Burrows QC, and Ursula Cheer’s *Media Law* on its shelves.

The unchallenged bible of local media law, first appearing in 1974, has been re-emerging, chrysalis-like, every few years, each time with carefully considered amendments and expansions. This year’s version—the fifth edition—is impressive, nearly 200 pages fatter than its previous incarnation.