THE UNENDING STRUGGLE FOR THE FREEDOM OF THE PRESS

Sir LINTON ANDREWS, LL.D.

Editor of "The Yorkshire Post," Chairman of the British Press Council, Past President of the Institute of Journalists and of the Guild of British Newspaper Editors.

WE English editors are intensely proud of the freedom of the Press. We regard it as one of our national glories. It helps to make our newspapers lively and readable. But, as is evident to the thoughtful reader, it achieves far more than that. It enables our papers to play a most valuable, indeed an indispensable, part in the democratic running of the country.

We often claim in our speeches that, like a free Parliament, a free Press keeps the people free. It helps them, inspires them, and defends them through many crises. This freedom, to a veteran English journalist, seems almost as natural as the air we breathe. But there are times when we are shocked and jolted into the realization that abroad, and even in parts of the Commonwealth, what seems to us eminently proper, eminently right, looks very different to men who may be in power: it may inspire not their patriotic pride and trust, but a narrow-minded suspicion. On such occasions I recall the truth spoken by an Arab to that widely-travelled daughter of Yorkshire, Gertrude Bell. She said we British had come to give liberty to the Arabs. "Princess," replied her friend, "liberty is never given. It is always taken." And to this I add: "It has to be defended when men in office oppose the liberty of those they rule."

Even with my long experience of the hostility shown to the Press by some politicians in even the more enlightened countries, I was astounded to read the proposals for censorship in the Report of the South African Commission of Inquiry into Undesirable Publications. I have no doubt the authors of the Report had grave problems to consider and thought the most drastic remedies would be the best. We in Britain have similar problems. Alleged pornographic and worthless reading matter has been the subject of stern complaints in Great Britain by the Churches, reform societies and even such broadminded men as those vociferous London journalists, Mr. Randolph Churchill and Mr. John Gordon. An evil that may corrupt young readers

and perhaps even older ones must be rooted out. But that must surely be done with due care to preserve what is harmless and healthy. Some of our newspapers at times have been sharp and inflaming thorns in the flesh of the British Government and of the armed forces. But even under the hardest pressures of war it has never been thought necessary to attempt a despotic control of the Press by censors working in secret and composed of Government nominees. A voluntary censorship, a system with which the Press eagerly co-operated, sufficed Britain in the recent war. Undesirable political publications may have to be curbed, but why should what some people consider undesirable publications be curbed by what even more people consider undesirable methods?

Even if *Die Burger* and the *Cape Argus* had not already said it, I am sure British Press opinion would have quoted immediately the precedents of pouring out the baby with the bath water and burning down the house to roast a pig. The South African censorship scheme looked like an attempt to murder freedom in the name of freedom. It is true that foul waters will quench fire. There are times when we cannot be particular about our means in putting out a dangerous blaze. We may have to sacrifice much that is of value. But do conditions in South Africa force on the authorities such hateful measures as we heard about in September last? Why should there be such a savage attack on Press freedom?

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In a controversy like this it is always well to define your terms. To those who do not know England and the English Press it may seem that I have made large and somewhat oratorical claims on behalf of the freedom that I described as one of our national glories. In what precisely does our Press freedom consist? It means the right to print books, newspapers, pamphlets or any other similar matter without getting Government permission first. A journalist may say what he likes in an English paper about the Government, the Royal family, his local council, the Jockey Club, the latest lovely from Hollywood or anyone else, though, of course, like any other citizen, he is subject to the laws of libel, blasphemy and contempt of court.

There are, naturally, certain statutory requirements of the Press as well. You will find a compulsory imprint at the end of an English newspaper, "Printed and published by so-and-so at such-and-such an address on such-and-such a date." The

object of the imprint is to enable printers and publishers to be traced if they are alleged to have committed some libel or other offence in the paper. Newspapers are allowed for the good of the State to print fair reports of public meetings, Parliament, proceedings in the law courts (with certain exceptions), and so forth. This is termed privilege (a legal term), but it does not mean that the journalist has some exceptional privilege (in the wide non-legal sense) denied to other people. His freedom is merely one aspect of the freedom of the subject.

The first regular newspaper in London started when John Milton, the poet, was in his boyhood. Authority looked with extreme disfavour on this way of letting people know what was happening and form opinions possibly hostile to the Government. It exercised tyrannical censorship. In 1644 Milton wrote "Areopagitica: A Speech for the Liberty of Unlicensed Printing, to the Parliament of England." This pleaded with burning eloquence the case for a free Press, by which the poet had chiefly in mind freedom in printing books. "Debtors and delinquents," he said, "may walk abroad without a keeper, but unoffensive books must not stir forth without a visible jailor in their title. . . . A good book is the precious life-blood of a master spirit. . . . We should be wary therefore what persecution we raise against that seasoned life of man, preserved and stored up in books." Milton was not contending against punishment for opinions deemed to be pernicious, but condemning the right to forbid publication through the instrumentality of a licensee.

Parliament, believing it was right to stifle free opinion (which perhaps it assumed to be nearly always irresponsible and vicious), refused at that time to abandon the censorship, and it was not till 1695, when the author of "Paradise Lost" had been in his grave for twenty-one years, that Parliament let the Act regulating the Press pass out of existence. Immediately newspapers gained in numbers, popularity and influence.

A person of the highest importance to us in the history of the Fourth Estate is that wild and adventurous politician, John Wilkes, who started the *North Briton* and fell foul of King George III. Wilkes was attacked so vindictively and defended himself so valiantly under the banner of "Wilkes and Liberty" that he became a popular hero. He massed together the interests of the City against the Court and Ministry, and, through

his efforts, the City's judicial powers were successful in preventing the arrest of printers who reported House of Commons debates. Thus the right to publish Parliamentary reports was established. This, with the right to a free expression of opinion, represented a triumph for the Press, and newspapers became more and more useful to the nation.

There began to develop a firm belief in the value of the Press and the rightness of public opinion. Junius, who wrote the famous letters in the *Public Advertiser* from 1769 to 1772, spoke for the mass of intelligent men when he wrote:—

"Let it be impressed upon your minds, let it be instilled into your children, that the liberty of the Press is the palladium of all the civil, political and religious rights."

Long before Carlyle hailed every able editor as a ruler of the world, our elders took for granted the inestimable blessing of a free Press. They held public opinion to be a means and stronghold of the rule of Providence. You had only to know the facts, utter them boldly, base on them a reasonable policy, and sooner or later the fair-minded men of the nation would give you their support. It often seemed to be just as simple as that. Even a letter to *The Times* at Printing House Square, fair and factual, could do wonders.

The arrival of what in effect was a new Estate of the Realm was certain to rouse jealousy from the older Estates. Why should these upstart journalists imagine they could understand public problems quite as well as politicians did? Why should they dare to contradict and lecture their superiors? Why should the reader pay more attention to what some confident, scurrilous scribbler said in the paper than to what some statesman said in a long speech which, alas, was not very fully reported and did not grip the attention of the newspaper reader?

Many a politician thought the Press must be put in its place. Many still think so. The classic doctrines in the rivalry of Government and Press were clearly stated little more than a century ago. *The Times* rebuked Lord Palmerston, then Foreign Secretary, for his recognition and approval of the *coup d'état* by which Louis Napoleon, President of the French Republic, made himself Emperor of France. Lord Derby declared that, "As in these days the English Press aspires to share the influence of statesmen, so also must it share in the responsibilities of statesmen."

The Times replied on behalf of the Press: "We cannot admit

that its purpose is to share the labours of statesmanship, or that it is bound by the same limitations, the same duties, the same liabilities as that of the Ministers of the Crown. The purpose and duties of the two powers are constantly separate, generally independent, sometimes diametrically opposite. The dignity and freedom of the Press are trammelled from the moment it accepts an ancillary position. To perform its duties with entire independence and consequently with the utmost public advantage, the Press can enter into no close or binding alliance with the statesmen of the day, nor can it surrender its permanent interests to the convenience of the ephemeral power of any Government."

In a later leading article the paper said: "The duty of the journalist is the same as that of the historian—to seek out the truth, above all things, and to present to his readers not such things as statecraft would wish them to know, but the truth as near as he can attain it."

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That superb judgment did not and could not settle once and for all the clashing between proud authority and the no less proud independent Press. The conflict recurs from time to time and will always recur. It is part of the democratic process. Each side points to gross faults in the other. This happened in the British House of Commons in October, 1946, when we had the debate that led to a Royal Commission—"with the object of furthering the free expression of opinion through the Press and the greatest practicable accuracy in the presentation of news, to inquire into the control, management and ownership of the newspaper and periodical Press and the news agencies, including the financial structure and the monopolistic tendencies in control, and to make recommendations thereon."

The Royal Commission heard a wide variety of evidence. It found that the British Press "is completely independent of outside financial interests and that its policy is the policy of those that conduct it"; there was evidence that the direct influence of advertisers on policy was negligible. After studying management and ownership, the Commission concluded that there was "nothing approaching monopoly in the Press as a whole, or . . . in any class of newspaper; nor is there in those classes of periodical which we have examined."

"It is generally agreed," the Royal Commission further reported, "that the British Press is inferior to none in the world. It is free from corruption; both those who own the

Press and those who are employed on it would universally condemn the acceptance or soliciting of bribes."

But since some faults existed, some triviality, some irresponsibility, the Commission recommended that a Press Council should be established with the objects of safeguarding the freedom of the Press; encouraging the growth of the sense of public responsibility and public service among all engaged in the profession of journalism—that is, in the editorial production of newspapers—whether as directors, editors, or other journalists; and furthering the efficiency of the profession and the well-being of those who practise it.

A Press Council has been set up, not a statutory one, not one including representatives of the public nominated by the Government, but a purely voluntary council composed of newspaper men chosen by various sections of the Press. I have the honour to preside over the Council, but I am not its voice in this article: here I am writing as a British editor with his own strong views. The Council seems to me to have done much good, as will be seen from its communiqués and, above all, its annual reports, but it has not brought to an end, and I think never will bring to an end, the rivalry between authorities on the one side and the independent Press on the other. Nor is it likely ever to satisfy those people who complain that the Press is not what it ought to be—that is, not what they themselves think it ought to be.

Those of us who believe most fervently in Press freedom are conscious that public opinion can be deceived by those in power, that it has been and is so deceived in lands under dictatorships, and that we ourselves must be ceaselessly on guard lest the freedom we cherish should be jeopardized and lost. For it is borne in upon us that we do not enjoy freedom if we are told only what our rulers or other powerful interests think it is good for us to know. Unless we can get at the facts and think about them freely in our own way, those who can manipulate and suppress the facts can exercise the deadliest power over our thinking.

The events leading up to the recent Great War showed us with what force, in Germany, Italy, Japan and elsewhere, the minds of people could be inflamed and distorted by false reports, the truth of which they were unable to check. The lie became a gigantic weapon of war. The falsehoods used were not just old-fashioned ruses of war or the suppression of military

information in the interests of security. Whole populations were lashed by atrocity tales into a bellicose fury. The judgment of nations was deceived by men who put the interests of their power-drunk masters before any consideration of truth.

We may try to cheer ourselves by the thought that that monstrous nightmare of war-time tyranny is over, that Hitler's methods perished with his power, that the defenders of truth and freedom wrested victory and that the worst kinds of mind control by the State have been destroyed by a horrified world. With all its wrongs and sufferings, the world is indeed a better place to live in than it was when the war was raging. But truth is not to everyone all-powerful, not every country has even the semblance of freedom, and in Britain and other great countries we have our dangers to liberty.

All those dangers are not monstrous in size and character. There are many lesser and local dangers; dangers that may arise out of poor judgment or prejudice rather than evil design; follies like those of narrow-minded officials or city councillors or coroners who wrongly try to do a favour for some friend. Those dangers call for vigilance. It is above all the Press that acts as the watchdog of the public and both barks and bites. Unquestionably it has its own failings. Set a people free and some will abuse their freedom. Let the Press develop great power and not all its members will act at all times from the purest motives. There may be wanton unfairness, a putting of private profit before public spirit. But the Press does not deserve the contempt and blame often poured on it by angry politicians whom it has vanquished in argument.

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My experience has shown that newspapers are usually much fairer than their critics. The true picture of the ordinary newspaper staff is of team-work designed to get as close to the facts as possible. Reporters, sub-editors, editors are doing their utmost all the time to escape error. But some mistakes inevitably occur in the discussion of events. You have only to hear a contested case in a magistrate's court to know how differently the same happening impresses itself on different minds. The reporter at, say, a railway smash or colliery disaster has mainly to rely on what he is told, and cannot check and cross-check every statement thoroughly. How, then, can he be as accurate as the historian writing at leisure? If a serious mistake is made to somebody's detriment, that person can start a libel

action or claim a correction and apology, and, if he does not get them, can appeal to the Press Council.

Never must we let the Press fall under the control of blue-pencilling officials or of Governments with something to hide. I cannot imagine liberty in the modern State without an independent Press. Destroy the freedom of the Press and the rights of people will be no longer guarded by a most faithful watchdog.

We in Britain appreciate that South Africa's problems are not the same as England's. Beyond all question the phrase, "racial relations," has a much more forbidding and warning sound to a South African than it has to an Englishman. But, although our problems may be different, it is impossible for an Englishman to suppose that the great English institutions such as Parliament, trial by jury, local government by local citizens, and the freedom of the Press can and should flourish only on English soil. We regard these glories as our great example to the world. There are many fine papers in South Africa. It is horrifying that anyone should propose to put them under the shadow of an authoritarian tyranny. If they do wrong the community must be able to restrain them, by punishment if necessary. But a censorship which, in the party interests of the Government, may deny a newspaper the right to utter fair comment and speak out strongly as a sworn champion of a cause it believes in, cries out for condemnation. South Africa surely deserves something better than this. We need Press freedom as we need pure air. We must not falter in the unending struggle to gain it and guard it.