The Sky Above, The Mud Below

give everything to the government. Especially this government.” Yes, we can give everything to the government if we want our hard-earned tax dollars passed to decaying defense industries in the form of “corporate welfare” they will use to mine asteroids while pretending to protect us from collisions that will never come. We can pass along all our dollars if we choose to support a privatized prison system growing by leaps and bounds through further criminalization of, well, just about everything. With our money, corporate chiefs can populate a gaseous asteroid called New Australia on which we will have paid the lease.

Free Press’?
You Must Be Joking:
How the British Press Is Suppressed

David McQueen

The “free press” is an important and powerful myth in contemporary western civilization. It is a myth perpetuated by governments, educational institutions and the press itself. Leading communication theorists are often complicit in maintaining the robust health of the “free press” myth by ignoring, in their broad academic surveys, the many ways in which the press within “democracies” are routinely censored and controlled by governments, multinationals and other powerful interests. An examination of press censorship in the United Kingdom, a leading western democracy where the myth of a “free press” is alive and well, radically challenges popular and academic notions of “the freedom of the press.”

In Professor Denis McQuail’s influential Mass Communication Theory (1994), a standard text on most media and communication courses, the author contrasts a “free press model (of no regulation)” with a broadcasting model in which regulation is “deeply institutionalized.” While McQuail admits to a degree of “institutional limits being set to press conduct” these are brushed aside as being “in the interests of public order and decency, security or the interests of minorities” (171–172). Seemingly innocuous terms such as “security” and “regulation” mask the reality of systematic censorship by
How the British Press is Suppressed

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governments and other vested interests in many “democraties.” In the case of Britain I will show that “media regulation” is often censorship in the government’s, rather than the public’s “interest.” I will also indicate how corporate control of the press arguably poses an even greater risk to freedom of information, making state regulation ultimately unnecessary. This is an issue which is highly pertinent to the American media, where government control is weaker due to the First Amendment. In exploring this largely unreported government and corporate “influence” over journalism I hope to interrogate the assumption of a “free press” in Britain, and beyond.

McQuail (1995) defines media regulation as “the whole process of control or guidance, by established rules and procedures, applied by governments and other political and administrative authorities to all kinds of media activities” (373). It becomes clear looking at the example of the United Kingdom that different media are subject to different degrees and types of “regulation” or censorship. Film, for instance, is heavily regulated in the U.K., mainly it would seem, in relation to one “area of concern,” specifically: “morals, decency or public offence (e.g., racism, sexism, undue violence).” To this end the British Board of Film Classification was created in 1912 as an “independent, non-governmental body” to exercise responsibilities over the cinema which by law belong exclusively to the local authorities (BBFC 1990). While there is evidence of “political” censorship in its first fifty years of existence, for instance in recommendations made regarding the portrayal of British colonies or the royal family (Ward 1989, 105, 120), in recent years any censorship could only be indirectly regarded as “serving government interests.” James Ferman (1991) Director of the British Board of Film Classification says he was never asked to politically censor the films he classified:

“In the 15 years I’ve been at the board I can’t remember a single instance of political censorship, which is interesting when you consider the kind of pressure that television has been under, especially regarding Northern Ireland” (19).3

Film “classification,” to adopt the term preferred by the BBFC, is an example of “pre-censorship” or direct “intervention,” regulating and cutting material before publication. In many cases, however, regulation of the media in the U.K. takes the form of post-censorship, or self-censorship where actual “intervention” is less easy to detect. That is not to say that pre-censorship of other media does not take place. The history of mass communications in Britain has many notable examples of pre-censorship in the interests of the government (Scannell 1995; Ward 1989, 1995). What becomes clear in these accounts is that direct intervention, or pre-censorship, was largely abandoned as a major plank of government policy precisely because it was ineffective and, in most cases, actually counterproductive. Treays (1988) describes the government’s reaction to the Peterloo massacre in Manchester in 1819, in which a demonstration calling for parliamentary representation was attacked by sabre-wielding troopers who killed 11 and wounded 500 peaceful protesters. The Tory government decided to price newspapers and pamphlets (which it blamed for encouraging dissent) beyond the pockets of the poor. Recounting the growth, in particular of The Poor Man’s Guardian despite the frequent arrest of its publisher Henry Hetherington and more than 700 vendors, Treays shows how sales continued to rise until the government was forced to change policy and remove the “tax on knowledge.” She concludes:

“The more the government attempted to ban, prosecute and imprison, the higher the sales of the unstamped papers.” Until the Whig government in 1836 realized, accurately, “that by removing the illegality of the unstamped press they would reduce most of its appeal” (14).

Ken Ward (1989) gives a similar account of the rise and fall of the unstamped radical press and the logic of government policy but voices conclusions that go further than Treays’ stated confidence in the continuing failure of government attempts to censor anti-establishment views. Ward suggests the growth of a commercial press actually undermined genuine “media freedom,” as defined by McQuail and other media theorists:

The industrialization of the press in the late nineteenth century not only stifled opposition voices of all kinds, but positively encouraged a particular, integrationist, socially cohesive, view of British society. It had therefore taken on a political function which was in the interests of the economically and socially dominant groups in society, and to the detriment of the mass of the population. What taxation had failed to achieve, the argument runs, the constraints of commercialism had brought about. (43)

British government policy shifts throughout the nineteenth and twentieth century4 from pre-censorship of material likely to damage the interests of the government to “news management,” the threat of legal sanctions (“post-censorship”) and reliance on market pressures—including those from advertisers, owners and other commercial factors—to prevent dissenting voices reaching large audiences. Actual pre-censorship tends to occur most openly at times of “national emergency” such as during wartime. The work of the Press Bureau in the First World War was to censor and delay information, although most of their work was of little importance compared to Lloyd George’s “Press Gang”5 (the popular press, led by press barons who were...
made Ministers of domestic and foreign propaganda) in securing popular support for the war. This support was achieved by creating a consistent, sustained picture of the conflict that bore little relation to the truth about trench warfare. As the journalist Michael Jones writes, a typical headline for the battle of the Somme (in which there were 58,000 British casualties alone in a single day) declared: “A good day for the allies.” Film footage of the battle consisted largely of sequences shot afterwards to sanitize mass, mechanized slaughter.

The Times correspondent did not report that the French lost some 300,000 men in the first weeks of the war, arguing later that to reveal this would have sapped the will to fight. At the same time the enemy was demonized; Germans were shown raping women, tossing babies on fires, spilling milk. Joseph Goebbels, when he was busy constructing his race lies, said that he learnt everything from the British in world war one. (Jones 1991, 11)

In fact, while Nazi Germany did practice considerable pre-censorship, fascist control of the media, like that of the British government to the present day relied, for the most part, on a battery of restrictive laws, compliant owners and journalists, self-censorship and a climate of fear. According to Whitaker (1984) British pre-censorship in the Second World War was almost wholly voluntary and relied on editors’ goodwill and cooperation. “D-Notices,” letters of “guidance,” “advice” from the Ministry of Information who worked closely with journalists (often in the same building), government guidelines, and letters of warning from the Scrutiny Section set up in 1940 meant that only four cases were tried in court at the request of the censors. Nevertheless, as Whitaker adds, despite the success of the “softly, softly” approach:

The Daily Worker was suppressed in 1941 by the Home Secretary Herbert Morrison—though Chief Censor Thomson had found the paper entirely cooperative. A year later the Daily Mirror was threatened with suspension. The official reason was a cartoon showing a seaman clinging to a raft after his ship had been torpedoed—there were heavy losses at the time—and a bitter caption saying: “The price of petrol has been increased by a penny.” There is little doubt that this was just an excuse. The real reason was that the Mirror had been attacking the Army administration as out of date. (66)

The South Atlantic war between Britain and Argentina over sovereignty of the Malvinas/Falkland Islands is another example where the government has been accused of muzzling journalists to prevent political criticism in the name of “national security.” Barratt (1986) describes how the British government directly censored the stories that the journalists (already handpicked by the Ministry of Defense for their “loyalty”) were able to send back to the British press:

After the war journalists complained that military censors had refused material on grounds of style and taste as well as for legitimate military reasons. Even references to the fact that reports had been subject to military censorship were censored. The government was also accused of being uncooperative in facilitating the transmission of television pictures of the conflict back to British viewers. Through direct censorship, delays in clearance for “controversial” stories, and its control of communications media (especially communications satellites) the government maintained a very effective direct control over what the British media reported about the war. (73)

Perhaps stung by precisely such accusations, news management of the more recent Gulf conflicts have generally involved more subtle forms of control and regulation, with closely chaperoned war correspondents guarded in “news pools” at a safe distance from the battlefront with access only to information and images (usually provided by the military themselves) supportive of the war effort and current government policy. BBC guidelines in the 1990–91 war, according to Henderson (1991) suggested that “programmes should make it known in general terms that some information will be held back for (allied) military reasons and that reports out of Iraq are censored.” The guidelines further stressed that it must be made plain that the Iraqis restricted western reporters to approved areas. No mention was made that the allied pool system did the same. In this way major media institutions were complicit with U.K. (and U.S.) government “news management” policies by imposing on journalists the requirement to put a positive “spin” on describing serious restrictions to their ability to report the war with any degree of objectivity.

Disinformation, in these recent conflicts, has been a most commonly employed strategy to “delegitimize the enemy and mislead the public” (Hamelink 1995, 300). We are expected to believe, for instance, in the latest bombing campaign against Iraq that 400 cruise missiles were responsible for no more than “25 unconfirmed deaths” (BBC World Service, December 1998). “Deaths,” in fact, was a word barely heard above the cacophony of strategic-military analysis, in which “collateral damage” was one of many euphemisms employed to make the war more palatable. The news organizations heavily reported the “key-hole precision laser-guided smart bombs” that rained down on Baghdad in the Gulf War, but not on the continuous carpet bombing of Basra, Iraq’s second city. Just as effective as “military guidelines,” “off-the-record military intelligence” and “reporting restrictions” has been self-censorship by the media. The BBC withdrew a number of documentaries such
Details how the security services were used to create disinformation and discredit the union by whatever means necessary. Roger Windsor, subsequently named in Parliament as an MI5 agent, was the National Union of Miners’ most senior unelected officer during and after the miners’ strike:

He was at the centre of a series of damaging controversies at the union—notably his dramatically publicized trip to Libya and meeting with Colonel Gadaffi at the most crucial point of the dispute—before he eventually left to make false accusations of corruption against Scargill and Peter Heathfield. (43)

This, and the accusation made by Peter Wright that about 20 journalists in the national press worked for MI5 at this time are examples of radical government “intervention” in the news-making process that go way beyond the type of “disinformation” and “regulation” that media theorists typically concern themselves with. In “peacetime” however the main mechanism of State control of the media on a day-to-day basis is an armory of laws. Hartley (1982) argues that the interests of government (and the dominant class it represents) is not justified by reference to power but by appeals to the apparently neutral and all-inclusive authority of the law which “represent” the general public and the nation (58). Hartley takes this argument further by suggesting that the “relative autonomy” of the media and their “commitment to impartiality” are the necessary condition for the production of dominant ideological meanings:

What is interesting about this discussion of the State and the law is that both share with television news the mantle of “impartiality.” Neither the State, nor the law, nor the news can work if they appear openly to serve a particular class or group; their credibility in each case is dependent on their being identified not with class or sectional interests, but with the “general” or “public” interest. (55)

Successful British governments have grasped this point: that extensive pre-censorship as a means of regulating the media is entirely contrary to their interests. Media freedom can be more effectively curtailed by the operation of the law and the free market. Northmore (1990) has calculated that there are well over 100 laws in the U.K. prohibiting the disclosure of information. He concludes, along with many other commentators, that Britain is the most secretive state in the so-called developed world (see also Ponting 1990). Significantly, until the incorporation of the European Convention on Human Rights into domestic law in 2000, the U.K. remains the only West European country without freedom of information legislation. As a recent editorial in the Guardian (February 1999) put it, “free speech remains a legal
left over—what is left over after the laws of confidentiality, contempt and official secrets have had their say” (12). In addition to ending Britain’s ancient right to a trial by jury the present government has clamped down on election promises ensuring more ‘open government.’ The recently redrafted Freedom of Information Act has been described as ‘toothless, flawed, and a retreat from Labour’s manifesto commitment to end secrecy’ (Hencke 1999). Following its reading in May 1999 Maurice Frankel, director of the Campaign for Freedom of Information described the bill as deeply disappointing: “It contains catch-all exemptions allowing information to be refused without real evidence of any harm.”

But why is a Freedom of Information Act regarded as so important for press freedom in Britain? There is only space in this discussion to examine a few of the laws which are used to “regulate” the media in the interests of the government and constrain “media freedom” at arms length. Those examples I have chosen represent the tips of so many regulatory icebergs that apply to a range of media, but may provide a starting point for a critical analysis of McQuail’s (1995) “free press model.”

The Official Secrets Act (1911, 1990) is a “catch-all” act that makes the disclosure of any information without permission, a criminal offense. Describing the color of the wallpaper in the post office where you work without authority, is technically a jailable offense. Sarah Tisdall was jailed in 1984 for passing on information to the Guardian about how the then Defense Minister Michael Heseltine had misled Parliament regarding the arrival of cruise missiles. The information posed no security threat and merely embarrassed the conservatives (Barratt 1986). The Guardian, faced with legal threats, bravely named its source and a young British civil servant spent six months in prison for exposing a Minister’s lies. Clive Ponting, a more senior civil servant faced jail when he revealed that Mrs. Thatcher had misled parliament about the position of the General Belgrano when it was sunk by British forces. He was only spared a sentence because the jury in his trial ignored the instructions of the sitting judge and found him innocent. “Public interest” has not been allowed as a justification for signatories to the Official Secrets Act “leaking” information despite the practice being routine amongst MPs, ministers and “press relations officers.”

Libel Law acts as a disincentive to investigative reporting of the rich, powerful and influential. A libel (or “gagging”) writ can be issued to prevent publication. This was a favorite technique of Robert Maxwell (wealthy owner of the “Mirror Group” publishers) to prevent several attempted exposés of his fraudulent business practices that might have otherwise saved many Mirror employees their life savings. Libel can also be used to gain damages for stories already published. The actor William Roache was awarded 50,000 pounds for being described by the Sun as “boring” and unpopular amongst his fellow cast on the popular British soap Coronation Street (Telegraph, November 5, 1991). In a major recent case (the longest libel case in British history) three environmental protesters were successfully prosecuted by McDonalds for suggesting in a leaflet that eating the company’s hamburgers was bad for people’s health and damaged the environment. Other claims in the leaflet were proved to be true (that McDonalds had poor working conditions and caused cruelty to animals) but technically the defendants could not prove that rain forests (defined by the judge as “moist, large-leaved forest”) were directly cut down by the corporation or that eating occasional hamburgers caused significant health risks (despite overwhelming medical evidence that meals with a high-sugar, low-fiber and saturated fat content do, in fact, pose a threat to health). As a result the defendants were found guilty of libelling McDonalds and asked to pay significant damages. Whitaker (1984) describes the libel law as “probably the most important single obstacle to free expression in Britain” (73).

Contempt of Court is a law frequently used to prevent discussion of an issue that is sub-judice. Masterman (1985) explains how the Sunday Times was prevented for years from giving details of the thalidomide scandal because of writs from Distillers, the manufacturer of thalidomide (93). Similarly the government was able to stifle discussion of the shooting of IRA suspects on Gibraltar during the inquest. Whitaker (1984) suggests that “If Richard Nixon had been president of Britain . . . he could have kept the Watergate scandal hushed up for years by ‘inquiries’ and minor court cases” (78).

The Broadcasting Ban (1981) was an act of intervention, or pre-censorship, to prevent the words of Sinn Fein, the IRA and other organizations from being broadcast. Opposition to this measure was strong, although both the BBC and IBA refused to take legal action over the ban despite their verbal opposition to it. Buchan and Sumner (1989) expressed a commonly held view that it was: “a denial of freedom to the British people, on a desperately important issue, to make an unimpeded and first-hand judgement on all the evidence. It is we who are being censored” (181). As with much of the interventionist regulations and restrictions described earlier, it served to undermine the democratic credentials of the United Kingdom and was eventually dropped.

The Police and Criminal Evidence Act (1984) has changed the relationship between the media and the public in a crucial way by enabling the British police to obtain court orders forcing national newspapers, freelance pho-
of information about government activity have been lost" (75). In some cases
punishment is more severe. Private Eye reported in February 1999 how Tony
Geraghty had refused to cooperate with the D-Notice committee and had
published information in a book called The Irish War about security comput-
ers in Northern Ireland which store secret information on a million people,
two thirds of the population. As a result Harpers Collins' London offices were
ransacked, their computers thoroughly searched and the author arrested but
later released on bail: "an increasingly popular device used by the authorities
when they can't make up their minds whether or not to prefer charges" (5).

Self-censorship provoked by fears of legal sanctions has been an extremely
effective way of silencing the British media. As Robertson (1983) argues,
the routine newspaper response to the battery of laws restricting what can
be published is to "employ teams of lawyers to sanitize its papers before
publication, deguising public interest stories which might provoke court
reprisals. Press lawyers are inevitably more repressive than press laws, be-
cause they will always err on the safe side when they cannot be proved wrong"
(205).

Associated with such "self-censorship" within the "hierarchy of mecha-
nisms of regulation" described by McQuail (1995, 389) are the various regu-
ulatory and licensing authorities, advisory, public complaints and standards
bodies, many of which (like the BBC Board of Governors and representa-
tives of the Broadcasting Standards Council) are government appointed. These
organizations are mainly, though not wholly, concerned with broadcasting
which McQuail admits has traditionally been highly regulated (1995, 392).
This may be because (despite the laws described above which apply to broad-
casting and press equally) as Tony Benn has said: "Broadcasting is too
important to be left to the broadcasters." (quoted in Hartley 1982, 51). There
is a wealth of literature indicating that such appointments have been made
with highly political motives and consequences suggesting that such regula-
tory bodies also act at "arm's length" in the government's interests (see Hartley
1982; Whitaker 1984; Seymore-Ure 1991). In addition, there are many other
constitutional constraints and voluntary controls operating to regulate the
media, often indirectly in the government's interests, which are described in
detail by Masterman (1985, 96-126), Whitaker (1984), Barratt (1986) and
others.

Arguably more important, than legal and "voluntary" regulation, however,
are "commercial," "market" pressures, which range from the role of
advertisers to that of owners, and which act to severely "regulate" the media
across the six "fields of application" identified by McQuail (1995, 387).14

14
Rheingold (1994) provides a searing analysis of how the rise of the commercial media in the nineteenth and twentieth century has “simulated” and therefore destroyed genuine political discourse across the globe and undermined the “public sphere” described by Habermas and others: “by inventing a kind of buyable and sellable phony discourse that displaced the genuine kind” (406). Rheingold continues:

A politician is now a commodity, citizens are consumers, and issues are decided via sound-bites and staged events. The television camera is the only spectator that counts as a political demonstration or convention. . . . What used to be a channel for authentic communication has become a channel for the updating of commercial desire. (406)

It is this, more radical analysis of the modern role of the media, that explains the apparent withering away of regulatory frameworks described by McQuail (1995). In the “society of the spectacle” and with what Baudrillard might describe as a “simulacrum” of political events and discourse taking center stage, classical notions of regulation as requiring some kind of “intervention” (see note 1) become obsolete.

David McQueen

End Notes

1. In fact McQuail immediately narrows his initial definition by continuing, “Thus regulation is normally an intervention in ongoing activities, usually for some ‘public interest’ goal.” (original emphasis), although he is careful to qualify this distinction by allowing for the possibility of “self-regulation” (373).

2. One of three areas of public concern identified by McQuail (1995) the other two being “the security and integrity of the state and maintenance of the law” and “matters around privacy” (404).

3. Of course, the fact that appointments, such as that of the recent BBFC President Andreas Whittam Smith, are made by the government of the day has been used by some commentators as evidence that governments are prepared to use what authority they have to gain populist support and thereby, at least indirectly, bolster their interests. In an editorial for Sight and Sound, Nick James (1998) describes the appointment of Andreas Whittam Smith as “a sop to a Middle England that knows little and cares less about films. Indeed Ferman himself has accused Straw of pandering to the ‘puritanical vote,’ after Straw attacked the BBFC’s classification of two porn videos with the new R18 certificate” (3).

4. As it did in the major capitalist economies (with the possible exception of Germany between 1931 and 1945).

5. Lord Beaverbrook, owner of the Daily Express as Minister of Information and Lord Northcliffe responsible for propagandas to enemy countries (Ward 1989, 65).

6. “Freedom of communication has a dual aspect: offering a wide range of voices and responding to a wide-ranging demand or need” (McQuail 1994, 140). See pages 140–148 (ibid.) for a full discussion of this issue.

7. For example, film histories such as those by Nowell-Smith (1996), Bordwell and Thompson (1994) and Cook (1996) testify to the remarkably “light touch” of direct pre-censorship of films in Nazi Germany and fascist Italy, where other methods worked quite adequately.


9. McQuail’s Free Press Model (389–390) striking at me as being a gross simplification: “Basically this is a model of ‘no regulation.’” (390) is a claim that can only be made if the model is assumed to bear no relation to the real world, or at least, the situation in the United Kingdom. McQuail’s only concession to the possibility of regulation: “However, the press freedom model is often modified or extended by public policy in order to guarantee the expected public interest benefits of a free and independent press.” (390) seems at best complacent and naïve, and at worse complicit. The fact that McQuail is writing in the Netherlands may go a long way to explaining the assumptions he makes here and elsewhere about “democratic societies.”
10. The labour party has made promises to include a public interest immunity clause into the various laws forbidding “disclosure” although commentators have suggested that the government is dragging its heels over a Freedom of Information Act promised in the last election manifesto.

11. In fact the cost of the case was 175,000 pounds and Mr. Roach was only saved a bill for the difference when the judge ordered that News Group Newspapers should pay the costs.

12. (See www.mcespotlight.org for extensive details of this case which has now returned to the courts on appeal.) A summarized version of the judge’s findings in the original case can be obtained by contacting your MP. The ruling, that found in favor of the multinational, seems to be based on the judge’s pedantic “splitting of hairs.” The report makes terrifying reading as to what can and cannot be legally printed without fear of retribution from any giant corporation in the U.K. Despite losing, bizarrely, the media described the court case as a “victory” for the defendants which illustrates how little concern the British media take in freedom of speech. Clearly, McDonalds, an American company, would not have attempted such a legal action in the United States where freedom of speech is enshrined in the constitution.

13. A former minister (and therefore one who should know about protecting government interests) Tony Benn’s analysis of the role of the media has always possessed the clarity of someone who understands structures of power and dominance from the inside.

14. 'Structure,' 'infrastructure and technology,' 'distribution,' 'access,' 'conduct' and 'content.'

15. This debate is also taken up by Blumer (1995), McKenna (1995) and Scannell (1995) and Golding (1997).
Sunrise/Sunset

Divorced from the cognitive structure that is knowledge and the reflectively internalized knowledge that is wisdom, information makes us dumb.

—Richard John Neuhaus, editor, First Things

Michael Himick

How did it get to be 1999? It seems to me like we reached the end of the decade pretty damn fast. Any more, months, seasons, even years whir by. A decade adds up in no time flat, and a lifetime of decades—if surveys of seniors are to be believed—wisp away quick enough to catch most of us with regrets at not having “lived” more.

For children, time hardly exists. For adults, sunrises and sunsets come in quick succession, regulating responsibilities with metronomic efficiency. Somewhere along the line, the body’s clock loses a snooze button. Perceptions change. The daily-weekly-monthly “to do” list squeezes out the “to become” vision most of us crafted a ways back, or at least the one we promised ourselves we’d craft as soon as we found time.

Responsibilities increase. No changing that. But there’s also no question that we’ve accelerated life’s pace. We’ve shrunk the world, expanded the information-bearing capacity of a second, and, paradoxically, shriveled the day. It started with comparatively simple Industrial Age innovation: the railroad, the telegraph and telephone, the automobile and airplane, radio and TV. Improved transportation and communication shrunk the world to fit a box.