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The Role of the Media in the Consolidation of Democracy

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INTRODUCTION

On November 15, 2004, the Woodrow Wilson Center's Latin American Program and the Office of the Special Rapporteur for Freedom of Expression, Organization of American States, hosted a conference on the role of the media in the consolidation of democracy. *Cynthia Arnson*, the Deputy Director of the Latin American Program and *Eduardo Bertoni*, the Special Rapporteur for Freedom of Expression opened the conference. Arnson shared the results of two recent studies about democracy, emphasizing that popular satisfaction with democratic governance is low in many countries and that the media can play an important role in democratic consolidation. She pointed to a United Nations Development Program study in which 43 percent of Latin Americans considered themselves to be "democrats," while 26.5 percent stated that they did not support democratic government. The remainder of the survey group was ambivalent, and Arnson pointed out that this is a group for which meaningful improvements in democratic performance were most important. Arnson also referred to a Latinobarómetro poll demonstrating that, over a decade after the beginning of democratic transitions, most respondents in Mexico, Peru, Argentina, Brazil, Bolivia, Chile, and Venezuela said that their countries had not succeeded in consolidating democracy. Instead, she noted, the public believed that countries were governed for the good of the few and were headed in the wrong direction. Arnson noted that while over half of respondents expressed some or a lot of trust in the broadcast media, Latin American publics also tend to perceive the communications media as an important de facto power driving their respective economic and political systems.

While the public valued the role of the media as a watchdog on government actions, respondents also stated that the media's role in forming public opinion meant that they, not the people, exercised the greatest influence on governments.

Eduardo Bertoni provided a brief overview of the Office of the Special Rapporteur for Freedom of Expression, noting that the office has functional autonomy and its own budget. He described the office as responsible for protecting, monitoring, and promoting human rights in the Inter-American system. Bertoni noted that the office attempts to carry out its functions by preparing annual reports and special thematic reports, and by organizing promotional activities such as this conference. He also noted that the office plays an instrumental role in notifying the Inter-American Commission on Human Rights about emergency situations that threaten freedom of expression, so that the Commission may recommend precautionary measures should it deem them necessary. The office also drafts opinions and presents oral arguments before the Inter-American Court of Human Rights in San José, Costa Rica. Bertoni described some of the successes of the office in promoting democratization and the rule of law in the hemisphere, including the repeal of a number of laws restricting freedom of the press and the promulgation of a number of access-to-information laws in various OAS member states. Finally, Bertoni noted that most threats to freedom of expression can be classified into two groups. Traditional threats to journalists include judicial harassment, a lack of legal norms to implement the right of access to information, and even physical attacks and assassinations. He described non-traditional threats as including the types of issues that would be discussed at the conference.



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An Overview of Key Viewpoints

Carlos Eduardo Lins da Silva, PATRI Inc

Carlos Eduardo Lins da Silva focused on current non-traditional threats to journalism in Brazil, although he also noted at the outset that the line between journalism and entertainment was becoming increasingly blurred in Brazil and some other Latin American countries.

Lins da Silva noted that historically, Brazil has experienced two clearly defined types of journalism, starting with the first two newspapers published there in 1808. He said that one type of journalism—rooted in the tradition of the *Gazeta do Rio de Janeiro*, a state-owned newspaper—almost exclusively publicizes and praises the government, while the other—inspired by the *Correio Braziliense*, published in London and smuggled into Brazil—is strictly opposed to the government and often tied to opposition political movements. He stated that some parts of Brazil are still limited to only these two extreme forms of journalism. Lins da Silva observed that no truly economically independent media existed in Brazil until the 1930s at the earliest. He noted that the period from the 1930s through the 1950s was the first era in which media found themselves economically viable without their political sponsors' aid. He stated that media in some regions



From Left to right: Julia Preston, Carlos Eduardo Lins da Silva

of Brazil—especially the poorer ones—have failed to achieve such autonomy even today, and many newspapers continue to be heavily financed by government support. However, the best newspapers in the country, published in cities such as São Paulo, Rio, and Porto Alegre, have been very helpful in the consolidation of democratic institutions in Brazil and have performed their watchdog role properly on many occasions.

Lins da Silva said that while journalists who work for these types of government-dependent newspa-

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pers can contribute to the defense of freedom of expression, their role in the formation of real democracy is much more circumscribed. In part for this reason, the capacity of the media to stimulate real democratic consolidation is much more limited than commonly thought. He argued that the potential role of the media in promoting democratic consolidation in Latin America is further limited by other institutions that continue to be weak. He pointed especially to judiciaries and dishonest police forces as examples. Lins da Silva concluded that the stage of perfection which media in any given country are capable of achieving will largely be determined by that of the region which they serve. The exchange between the media and other institutions cannot be denied.

In discussing the blurring distinctions between journalism and entertainment, Lins da Silva noted that newspapers are declining and new forms of providing information, such as the Internet, are growing. In his view, this has led to declining journalistic standards: diminished output of information by trained journalists is not being adequately

replaced by less responsible forms of media like Internet blogs and radio talk shows. He observed that such media too often present opinions as facts, fueling the tendency for declining public trust in journalists as a whole. He also argued that irresponsible journalism in the United States promotes distrust in Latin America. He cited two examples of activities that harm the reputations of journalists generally: coverage of the Iraq war that is perceived in the region to be biased, and the scandal involving *New York Times* reporter Jayson Blair.

Contrary to what one might expect, Lins da Silva noted that the current sales of many media conglomerates that have traditionally been owned by the so-called “media barons” may in fact be detrimental, as at least these long-term owners were largely dedicated to journalistic integrity. He noted that many recent sales of newspapers have been to groups that he considers “adventurers.” He attributes such sales to a financial crisis in the media industry generally, and notes that the actions of some of these new owners may discredit journalism in a broader sense.



The Media and the Consolidation of Democracy in Chile

Pablo Halpern, Halpern y Compañía

Pablo Halpern outlined three distinct phases in the relationship between the media and democracy in Chile. From 1990 to 1994, the media played an active role in the transition. Around 1995, when the second phase set in, the media entered a new era of competition. From 2000 onward, Halpern argued, Chilean society has suffered a crisis of confidence in its public institutions.

In describing the first phase, Halpern noted that Chile had experienced a very peculiar transition to democracy, both within the Latin American context and also in comparison with other world democracies. He said that the military regime had been trapped by its own mechanism of succession, agreeing to carry out a plebiscite and proceeding to lose it. Halpern stated that the transition truly became highly successful under a center-left governing coalition because of political stability and sustained economic growth; during the early 1990s, Chile's GDP had grown about 6 to 7 percent per year.

Halpern argued that the political transition commenced with changes to the 1980 constitution that occurred in the late 1980's. Reforms to local governments and the electoral system, among others, followed. During this time, he stated, the press provided a stage for the public debate on democratizing the political system. More liberal points of view gained ground in a press that had traditionally been resistant to promoting reforms. As the transition progressed, Halpern said, institutional stability and diminishing the risk of an authoritarian reversal became distinct editorial tasks for the Chilean press. Halpern observed that the value attached to stability created an alliance among political and private sector elites and the press to "take care" of the political transition, especially with respect to frequent conflicts with the country's armed forces.

Halpern noted that throughout this initial period, as the media editorialized equally in favor of economic stability and strong social policies, social pressures were reduced and a public environment



Pablo Halpern

favoring tax and labor reforms was created. Additionally, new media policies were implemented, including a law regulating the National Television Network, making government media public and more autonomous. The private sector was allowed to own and operate television stations. Eventually, the former opposition press also began to disappear, as these outlets had focused more on their political mission than on becoming financially viable. A lack of understanding of the "new Chile" and the industrial nature of the media ended most center-left media companies.

Finally, the media during this period committed itself to aiding in the process of breaking up terrorist groups. It was not until the mid-1990s that the media began to question the methods used by the new intelligence agencies that had been created under the democratic government.

During the second period of transition, which Halpern labeled the "era of competition," the democracy of consensus that had held sway since the end of the Pinochet era gave way to more competition. President Frei's election marked the true beginning of political competition, in Halpern's opinion, and the figure of the president became less sacred in the media. With Frei, for the first time, the presidency became the subject of press humor.

Simultaneously, the period of competition led to the media becoming a factor in political strategies, with an attendant blurring of the line that divided facts and opinion. Mass utilization of new technologies—broadband, satellite, and the Internet—became more widespread. Systems to measure the size and the taste of audiences were put in place, and with these rapid changes, the media started competing aggressively to capture the largest audience share. Heavy competition unleashed more extreme liberal and conservative viewpoints on values, with the media playing an active role in values-related debates. As an example, Halpern pointed to the systematic resistance to government AIDS campaigns by media outlets that were conservative or very sympathetic to the Catholic Church.

During the third and current period, the media have played a crucial role in uncovering scandals that have triggered a crisis of confidence among the population. Reports of alleged pedophilia involving Catholic bishops, priests, politicians, and businessmen gained widespread attention, but also led to overly aggressive journalism. Halpern pointed to an inaccurate report stating that a legislator had been involved in such activities as one example of these excesses. Thus, Halpern concluded, in contrast to the period of the transition, strengthening democracy no longer plays as important a role in the mission or commitment of the media. Liberal elites continue to press for more true autonomy in the media, along with better quality reporting and the portrayal of a more diverse society.

DISCUSSION

Panel moderator *Julia Preston* of *The New York Times* noted that the issues that the panel debated reminded her of the years of the Reagan administration, when many in the press considered that they were playing their constitutional role in the purest sense through their coverage of Central American warfare in the midst of intense misinformation emanating from Washington. She also observed that one of the main challenges the Latin American news

media face is achieving greater independence and higher quality by building commercially successful journalism enterprises. Preston attributed the difficulty to the fact that many journalists are trained in news-gathering but not business.

Lins da Silva pointed out that Brazil has seen a number of new newspapers sprout up that qualitatively are quite good, but that only survive for a few months. He said that the same can be said about some television news programs. He sees the underlying source of this problem as the lack of economic development in Brazil as a whole. He indicated that many areas in the south and southeast of the country have suffered from poor media quality because of several years of poor economic performance and increasing sales of media companies by “media baron” families to new, less scrupulous owners. Halpern pointed to the different example of *Televisión Nacional* in Chile. As the result of a number of reforms, the channel remains a public station but is not allowed to receive public funds. Thus, the channel has a public mission but must be sustained commercially. He noted that this arrangement has led not only to financial success, but also to real balance in the channel’s presentation. He

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also observed that in Chile, the media industry generally is highly concentrated; this leads not only to a high risk of political capture, but also to private sector capture. There is no high wall between the business and editorial sides of newspapers, he said. The result is that many times, those who buy significant shares of advertising can complain to editors that their company is not receiving fair coverage, and thereby affect the newspapers’ content.



Ethical Self-Control of the Media: Is it Possible?

Alejandro Junco de la Vega, Grupo Reforma

Alejandro Junco de la Vega asked the audience to contemplate whether journalistic values are being corroded by ambition. If there is a rot in the system, he asked, how far does it go? He said that he acutely appreciated what it meant to work in a country with a compromised system of journalism. He stated that a decade ago, ethics and integrity were journalistic concepts that were virtually unknown in Mexico. But, he said, there is hope, as journalism and freedom of the press have grown immensely over the course of one generation. Ethics, he stated, could not be more important to many of today's journalists in Mexico.

Before describing the development of his newspaper company, Junco de la Vega emphasized that the story of his papers was the story of those individuals who help journalists and publishers shape journalism—people who are neither employees nor shareholders. In modern business terms they are stakeholders, members of the public who have a sense of civic duty to take up current issues. He stated that those individuals have been the company's conscience as it seeks to transform a corrupt system into a credible one.

He stated that upon finishing his college education in the United States, he returned to his family-owned newspaper in Monterrey and sought to make significant changes. He banned the bribes and gifts that were traditionally expected and accepted by reporters and editors. With time, his readers became allies in his crusade, and his newspapers asked readers to scrutinize their editorial policies and sit on their editorial councils.

Junco de la Vega described the editorial councils, stating that they form the “compass and the conscience” of his newspapers' editorial policies. He stated that a new set of councils is inaugurated each year. Each section of the paper has its own council of twelve unpaid citizens, only two of whom are carried over from one year to the next for the purposes of continuity. Thus, 840 community leaders act as indi-



Alejandro Junco de la Vega

vidual ombudsmen across the country, speaking for its citizens. He stated that indirectly, these councils promote democracy, not because they tell readers what to think, but because they tell readers what they ought to think about. Junco de la Vega noted that the editorial boards both review past editions of the newspaper and suggest ideas for upcoming issues. Although the editorial boards do not directly affect the front page of the paper, many of the issues that they suggest end up there.

He stated that he could not overemphasize the role that the editorial councils play in his newspapers' success. They weigh and balance issues that should be raised and consider what solutions should be offered. They know the needs and hopes of ordinary people and know that the newspaper can help the people make future choices. Finally, because the members are politically balanced and come from a wide variety of backgrounds, they help ensure a balanced presentation of the issues. He sees the advantages of such a system as being that the public, rather than the newspaper, sets the agenda. In this way, he argues, the power truly resides in the hands of the readers. He stated that this is an empowering process not only for the public, but also for the newspaper staff. Because the editorial boards help determine best practices, they are not a mere intellectual indulgence.

Junco de la Vega concluded by observing that there have been enormous changes in a generation, but that Mexico is still making sense of its past and the persistent tangles of bureaucracy. But, he said, there is a new, optimistic spirit to be found on editorial boards.

Journalists are much less likely to compromise their ethics when working for a common purpose, and editorial boards help remind reporters and editors that they are never an invisible player in the community.



The Government-Media Relationship

Peter Eisner, *The Washington Post*

Peter Eisner opened with two quotes. The first, from I.F. Stone, said, “All governments are run by liars and nothing they say should be believed.” The second was from George Orwell: “Early in life I noticed that no event is ever correctly reported by a newspaper.”

In relation to the first quote, Eisner said that journalism in the United States has always had a basic obligation—standing up to power and reporting to the public on the abuse of power, as a sort of ombudsman. In contrast, Eisner said, polarization and the view of journalism in the United States have reached a point in which, when *The Washington Post* or another newspaper publishes photographs of the dead in Iraq, or when a television network recites the names of U.S. soldiers killed in Iraq, the process is seen by some as a political statement and a radical act. Reflecting on Orwell’s quote, he asked the audience to consider the difference between current reporting of the situation in Iraq from an eventual second draft of history. For the time being, at least, the first draft of history is limited in its ability to provide and interpret the context of news events.

role of the editorial and opinion pages in the newspaper. Foreign reporters are surprised to find out that the newsroom and the editorial pages are vigorously isolated from one another. Many foreign journalists have come to meetings at the *Post* with the assumption that news reporting is a blend of journalism and opinion; and many of the foreigners said they have seen the *Post* as a monolith reflecting opinions in some way related to the U.S. government.

Eisner said the foreign journalists also wanted to know why the *Post* did not pay more attention to events in Latin America. In part, he said, the situation is particular to the *Post* at the moment, but the foreign news agenda is often controlled by the government agenda in Washington. So, when Iraq takes up most of the space dedicated to foreign news in any one edition, Latin American events often get short shrift. He also recounted conversations with an Argentine friend before the U.S. election. That friend had observed that no matter who won, neither president would pay much attention to Argentina or Latin America generally, other than the U.S. government’s pre-occupation with Fidel Castro and developments in Cuba. The same view was held by Brazilian journalists, he thought.

Eisner said that with the growth of politically-oriented cable television outlets, newspapers have had a limited influence on public opinion and democracy. In a measure of that reality, he said that about 40 percent of the American public wrongly continues to think that weapons of mass destruction had been found in Iraq and that Saddam Hussein played a role in the September 11th attacks.

Finally, Eisner noted that the role of the media in democracy has a different tenor in the United States than in Latin America. In Venezuela, for example, there was a concerted effort by the media to promote opposition to President Hugo Chávez. Prominent in the movement that pushed for a referendum to oust Chávez were media barons who were in a very complex and intelligent way trying to influence public opinion about democracy and what the future of Venezuelan democracy should

Foreign reporters are surprised to find out that the newsroom and the editorial pages are vigorously isolated from one another. Many foreign journalists have come to meetings at the Post with the assumption that news reporting is a blend of journalism and opinion; and many of the foreigners said they have seen the Post as a monolith reflecting opinions in some way related to the U.S. government.

Eisner said that he spends a lot of time talking with foreign journalists. He recalled recent visits by groups of journalists from Brazil, Ecuador, and Indonesia. The Brazilians arrived, he said, wanting to discuss the role of the *Post* in the prosecution of the war in Iraq. Eisner said that he had to explain the distinctions between the roles of reporters and editors versus the

be. In the United States, by contrast, it was simply a given for many editorial boards that Chávez represented the antithesis of democracy.

Eisner identified the three most essential factors in a healthy government-media relationship: (1) a government that generally respects freedom of the press; (2) media owners who are strong enough to withstand outside pressures; or (3) an independent judiciary that does not impose or allow government to impose restrictions on the free practice of journalism. In the United States, he said, an independent judiciary seemed to be the most important, as journalists are experiencing both major and minor attacks by the government. He pointed to the naming of a special prosecutor to deal with government

leaks during the run-up to the war in Iraq. Eisner said that strong and independent media owners are also an important factor, stating that this is increasingly becoming an issue that will reach paramount importance. He pointed to the *Post's* reporting on Watergate as an example of a strong, brave, and independent owner willing to take on a politically sensitive issue despite the consequences.

Eisner concluded with the observation that it is difficult to out-and-out call someone a “liar” in the press. Each country’s specific experience with democracy and the media, for better or for worse, depends primarily on what the press is capable of finding out and reporting about.



Economic Independence: The Use of Government Advertisements

Darian Pavli, Open Society Justice Initiative

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Darian Pavli discussed the growing web of linkages that tie the media and the government and the implications of these relationships for press freedom. He called the links “indirect interferences” with media freedom that contrasted with overt forms of harassment, such as jailing or kidnapping journalists. The most interesting aspect of these pressures, in Pavli’s opinion, is that governments, as they become less repressive, shift from the more traditional forms of censorship to more subtle forms.

Pavli stated that around the world, not just in Latin America, one of the key forms of indirect interference is government advertising. In the United States, he observed, such advertising is not financially important for media outlets, as private advertising accounts for the bulk of advertising revenues that such outlets receive. But, he said, he had first researched this problem in his native Albania, where securing sufficient government advertising was the primary concern for newspapers across the entire political spectrum. In Albania, government advertising accounted for 30 to 60 percent of total advertising revenues.

Governments, as they become less repressive, shift from the more traditional forms of censorship to more subtle forms. Pavli stated that around the world, not just in Latin America, one of the key forms of indirect interference is government advertising.

He described the central problems as “leverage,” “unfettered discretion,” and “centralization.” In the first instance, the sheer financial importance of government advertising to the business viability of media outlets provides the government substantial leverage over content. “Unfettered discretion” referred to the absence in many countries of a legal framework to limit the discretion that government

officials enjoy in distributing these funds. The result is that such official allocations amount to favors. “Centralization” was reflected in the fact that the allocation of advertising monies is centralized, frequently with the minister of communications or information. All three of these problems meant that advertising is invariably used as a way of handing out favors to sympathetic media and punishing less sympathetic media. Further, such distribution distorts media competition in the marketplace, by acting as a subsidy.

Pavli pointed to a report published by the Office of the Special Rapporteur for Freedom of Expression in 2003 that concluded that there was scarce regulation in the area of public sector advertising, and that those regulations that did exist were largely ignored in many countries in the Americas. This meant, Pavli said, that there were few or no criteria for allocating advertising, and that government advertising was consistently used and abused at every level of government to influence content.

Pavli then reviewed the findings of a study on government advertising in Argentina being prepared by the Open Society Justice Initiative. The study covers four provinces and the federal government in Argentina. Argentine law provides very little regulation of the distribution of government advertising funds. There is no transparency or competitive bidding for allocation. In practice, Pavli observed, a single provincial official is handed a budget and given total discretion as to where to commit government advertising funds.

Pavli noted that because of the important share of government advertising in media outlets’ earnings, it is not uncommon in Argentina for journalists from a newspaper or television station to personally “make the rounds and panhandle” for advertising. Raising money is part of a reporter’s, not just an advertising department’s, professional responsibilities. In many cases, reporters with better skills at fundraising advance more rapidly in their careers.

Pavli stated that government money frequently comes with very specific content-related ties. For example, the money might come with a requirement that government officials be interviewed periodically. Pavli noted that in some small media markets, such as Tierra del Fuego, the government doesn't discriminate and essentially tries to buy out all of the media outlets. Moreover, some provincial governments hire media clipping agencies to analyze content and then provide the analysis to those offices that allocate the advertising funds. A good portion of the advertising money that is spent appears not to be justified by any business or public service needs, amounting to "bogus" advertising campaigns that become, in effect, subsidies for favored media.

Pavli described a different situation at the federal level. There, the larger newspapers do not depend as heavily for their financial survival on government advertising. But, he noted, there is increasing concentration in the media sector and many companies are saddled with high debts. The owners of such outlets also depend on government for other favors, often related to their other, non-media businesses. He said that at the federal level, there are also many strong pressures that are subtle or hidden.

Pavli concluded that, in the face of such financial pressures, the overall picture for media freedom and

independence is fairly grim, unless both governments and the media sector agree to undertake reforms and shed light on their financial dealings.

DISCUSSION

Joel Simon of the Committee to Protect Journalists asked Junco de la Vega how he conceived of his role in the promotion of democracy when he was developing his policy of editorial review boards. Junco de la Vega responded that, as a publisher, he knows that his knowledge is limited in many areas, and so he prefers to bring in specialists in the field. After a period of time, he said, his editors began to depend on their boards. Further, Junco de la Vega said, the concept of actual participation was a driving force for him. Especially in Mexico City, with a population around 20 million people, individuals tend to feel a sense of apathy and that many issues are beyond their control. Part of his work has been to attempt to send the opposite message—that individuals can affect outcomes. He perceives this as creating a "virtuous cycle" where individuals begin to believe that they truly can make a difference. Further, he expects that the demonstrated benefits his experiment has created will motivate other forms of media to undertake similar reforms. He foresees a multiplier effect of such efforts that will contribute to resolving other long-term problems.



The Role of Schools of Journalism

Lee Bollinger, Columbia University

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Following an introduction by Woodrow Wilson Center President and Director *Lee H. Hamilton*, Columbia University President *Lee Bollinger* offered a keynote address covering three main topics: 1) the evolution of freedom of the press in the United States, a history with relevance to the growth of democracy in other countries; 2) the state of university-level education in the United States; and 3) the state of journalism education, particularly in the United States. Bollinger noted that Columbia University's School of Journalism has many ties to Latin America, including through the awarding of several prizes. He stated that one of his personal goals is to improve those ties and general knowledge about the media in Latin America.

Bollinger provided a brief overview of the development of First Amendment law in the United States. The First Amendment to the U.S. Constitution provides for freedom of speech and freedom of the press. He noted that press freedom in the United States is largely an invention of the 20th century, and especially of the last forty or so years; the decade of the 1960s crystallized the meaning of freedom of speech. He noted that all of the Supreme Court cases dealing with freedom of speech and the press came after 1919 and that the country has experienced both ups and downs. He recounted the specifics of the Sedition Act introduced during World War I and how it made criticism of the war a criminal offense. He noted that, despite our absolute rejection of such legislation today, in 1919, a unanimous Supreme Court upheld the conviction under the Sedition Act of a presidential candidate who criticized the draft.

Bollinger emphasized that it took U. S. courts decades to “get it right.” It was not until 1964 and *New York Times v. Sullivan* that the Supreme Court considered what constitutional limits should be imposed on liability for libelous statements. He argued that this history should be recalled when comparing developments in other countries to those in the United States



Lee Bollinger

Bollinger underscored that a societal commitment to free speech goes far beyond preventing direct governmental censorship. Non-legal forms of suppression and censorship are also important issues to consider as much as whether or not government officials promote free speech. Hence, he argued, the ways in which freedom of speech is created are much broader than simple constitutional guarantees.

Bollinger identified two types of freedom of the press standards in the United States. One is for print media. He called these the constitutional-type standards, covering such publications as *The New York Times* and *The Washington Post*. These standards provide, among other things, that the government cannot regulate the publications. A second set of standards applies to the airwaves and electronic media, covering media outlets such as cable television companies. These more public forms of media are considered to be publicly owned and require licenses and public access. Both systems, Bollinger concluded, have been alive and well since 1934.

In discussing the state of university-level education in the United States today, Bollinger noted that in the 25 or so years after World War II, the intellectual subjects of university study changed tremendously. During this same time, American constitutional law was in the process of redefining the American legal curriculum. The same developments occurred in other areas of university teaching,

injecting new issues into academic debates. He argued that from 1975 or 1980 until the present, the situation has regressed. Instead of looking outside of university walls for issues, academics consistently looked inward. He maintained that too much academic research and theorizing has become overly abstract and inapplicable in the outside world. Very recently, he noted, it was possible to observe a shift back to the post-World War II academic tradition, focusing on the world outside the university.

Bollinger said that journalism constitutes one of the fundamental ways of bringing outside issues into an academic setting. Thus, one of his fundamental premises is that the profession of journalism is one of the most important in the world today. This is because the media has daily contact with the average person and serves as a source for vital information. He argued that journalism is crucial to how individuals perceive and shape their world.

Bollinger emphasized that universities can contribute to the quality and character of journalism in practice, just as occurs with law and medical schools. Basic journalistic skills are important, and a university can help teach those skills. Similarly, theory is also crucial and difficult to teach well. But, Bollinger warned, focusing excessively on either of these methods of teaching can easily lead schools to “fall too deeply” into practical skills training or abstract theory and neglect teaching aspiring journalists the importance of balancing these areas.

Bollinger stated that, given the importance of their enterprise, journalism students should be given greater insights into the issues they will address in

their writing. One way to do this is to take pre-existing courses in the substance of controversial topics and re-design and shape them for journalism students. Thus, instead of shipping journalism students off to political science classes, the issues raised in those courses can be molded into a different format and addressed within a journalistic paradigm.

Bollinger also argued that, to ensure continued quality in journalism, greater financial aid must be provided to aspiring journalists. He stated that he would like Columbia’s journalism school to be a primary point of contact for issues involving freedom of the press.

During the discussion period, Bollinger addressed some of the concrete issues facing Latin American journalists. He stated that under the principles of freedom of the press as elaborated in the United States, licensing and educational requirements for journalists could not stand. Similarly, he argued that criminal libel laws should not be per-

Bollinger underscored that a societal commitment to free speech goes far beyond preventing direct governmental censorship. Non-legal forms of suppression and censorship are also important issues to consider.

mitted because they restrict self-government and the notion of sovereignty residing in the people. Such restrictions, he argued, have a “chilling effect” on the freedoms of speech and the press.

This report was drafted by Eric N. Heyer, intern, Office of the Special Rapporteur for Freedom of Expression, OAS, and edited by Cynthia J. Arnson and Elizabeth Bryan of the Woodrow Wilson Center’s Latin American Program. The organizers would like to thank the Swedish International Development Cooperation Agency and The Ford Foundation for their generous support of this publication and the conference on which it was based.



Biographies of Participants

CYNTHIA J. ARNISON, Deputy Director, Latin American Program

Cynthia J. Arnison is Deputy Director of the Latin American Program of the Woodrow Wilson International Center for Scholars. She is editor of *Comparative Peace Processes in Latin America* (Woodrow Wilson Center Press and Stanford University Press, 1999), and author of *Crossroads: Congress, the President, and Central America, 1976–1993* (Penn State Press, 1993). Dr. Arnison is a member of the Editorial Advisory Board of *Foreign Affairs en Español*, and a member of the Advisory Board of Human Rights Watch/Americas. Prior to joining the Wilson Center, Arnison served as a foreign policy aide in the U.S. House of Representatives, taught at The American University, and was Associate Director of Human Rights Watch/Americas, with responsibility for Colombia, El Salvador, and Nicaragua. She has a Ph.D. in international relations from the Johns Hopkins University School of Advanced International Studies.

EDUARDO A. BERTONI, Special Rapporteur for Freedom of Expression, Organization of American States

Eduardo A. Bertoni is Special Rapporteur for Freedom of Expression of the Inter-American Commission of Human Rights at the Organization of American States (OAS). Mr. Bertoni is an Argentine lawyer and a graduate of the University of Buenos Aires. He is a former Teaching Fellow of the Human Rights Institute of Columbia University School of Law. He has also been appointed Professor of Criminal Law and Criminal Procedure at the School of Law of the Universidad de Buenos Aires, where he has taught undergraduate and graduate courses on freedom of expression and criminal law. Before taking an office at the OAS, he was a legal advisor for several nongovernmental organizations in his country, among them the Asociación PERIODISTAS. He was a member of the Centro de Estudios Legales y Sociales (CELS), Instituto de Estudios Comparados en Ciencias Penales y Sociales (INECIP) and Foro para la Reconstrucción Institucional. He has also worked as an advisor to the Department of Justice and Human Rights in Argentina. Mr. Bertoni has written several publica-

tions on the right to freedom of expression and has given lectures and conferences in several countries.

LEE C. BOLLINGER, President, Columbia University

Lee C. Bollinger is President of Columbia University in New York City and a member of the faculty of the Law School. He is a graduate of the University of Oregon and Columbia Law School, where he was an Articles Editor of the Law Review. After serving as law clerk for Judge Wilfred Feinberg on the United States Court of Appeals for the Second Circuit and the Chief Justice Warren Burger on the United States Supreme Court, he joined the faculty of the University of Michigan Law School in 1973. In 1987 he was named the Dean of the University of Michigan Law School, a position he held for seven years. He became Provost of Dartmouth College and Professor of Government in July 1994 and was named the twelfth President of the University of Michigan in the November 1996. His primary teaching and scholarly interests are focused on free speech and First Amendment issues, and he has published numerous books, articles, and essays in scholarly journals on these and other subjects. Three highly acclaimed contributions to First Amendment literature include *Eternally Vigilant: Free Speech in the Modern Era* (University of Chicago Press, 2001); *Images of a Free Press* (University of Chicago Press, 1991); and *The Tolerant Society: Freedom of Speech and Extremist Speech in America* (Oxford University Press, 1986). He is a fellow of the American Academy of Arts and Sciences and a member of the American Philosophical Society.

PETER EISNER, Deputy Foreign Editor, *The Washington Post*

Peter Eisner has been Deputy Foreign Editor at *The Washington Post* since 2002. The author of three books, his most recent is *The Freedom Line* (William Morrow, 2004), a non-fiction narrative about a resistance organization that led 800 Allied pilots to safety through occupied Nazi territory during World War II. His other books are, *Death Beat* (Harper Collins, 1994) written with a Colombian journalist, a personal account of the Colombian drug wars; and *America's Prisoner* (Random House, 1997), the memoirs of Manuel Antonio Noriega. Eisner is the former

Foreign Editor of *Newsday*. He led the newspaper's coverage of Middle East terrorism in the 1980s. Later, as *Newsday's* Senior Foreign Correspondent, he broke exclusive stories about the drug wars in Colombia, and received the InterAmerican Press Association Award for "distinguished reporting" on drug trafficking. Eisner began his journalism career at the *Hudson (NY) Register-Star*, and later worked at the *Poughkeepsie (NY) Journal* before joining *The Associated Press*, progressing from staff reporter to bureau chief in Latin America.

PABLO HALPERN, Founder and CEO, Halpern & Co. Strategic Communication

Pablo Halpern is Founder and CEO of Halpern & Co. Strategic Communication, a communications consulting firm with clients in Chile and the rest of Latin America. Halpern is also Dean of the School of Communications at the Universidad del Desarrollo in Santiago, Chile. Previously, he was Director General of Communications for the Government of Chile and in 1993 he was Chief Communications Advisor for the Eduardo Frei Presidential Campaign Committee. From 1989–1994, he was Project Director at the Center for Economic Research in Latin America (CIEPLAN) in Santiago, Chile and in 1992 he was a Fellow at the Woodrow Wilson International Center for Scholars in Washington, DC. Halpern is also a columnist for the newspaper *La Segunda* and the business magazine *Capital*. He is the best-selling author of *Los Nuevos Chilenos y la Batalla por sus Preferencias*. He holds a B.A. from Boston University, an M.A. from the Henry Grady School of Mass Communications at the University of Georgia-Athens, and a Ph.D. from the Kellogg School of Management at Northwestern University in Evanston, IL.

ALEJANDRO JUNCO, President and Director, Grupo Reforma

Alejandro Junco has built one of the most powerful newspaper conglomerates in Latin America, with dailies in Mexico's three largest cities: Mexico City (*Reforma*)—which today ranks number one among Mexico's elite readership—Guadalajara (*Mural*), and Monterrey (*El Norte*). Aside from his accomplishments in establishing an independent press, Alejandro Junco has also opened greater access to the electronic information industry in Mexico. In 1990, *El Norte* diversified its services to include the delivery of elec-

tronic information to computer subscribers through his company, Infosel, which also provides real-time financial information to the investment planners in Mexico and Wall Street. Grupo Reforma, as his seven daily newspaper publishing group is known, has been the most instrumental factor in the evolution of journalism in the country in the last 30 years. In recognition, Mr. Junco received an Honorary Degree of Doctor of Humanities from Michigan State University on December 2000. Born in 1948, in Monterrey, Mexico, he was educated both in Mexico and the United States, obtaining his Bachelor's Degree in Journalism from the University of Texas at Austin in 1969.

CARLOS EDUARDO LINS DA SILVA, Director of Institutional Relations, PATRI, Inc.

Carlos Eduardo Lins da Silva is Director of Institutional Relations at PATRI, Inc. He is also Coordinator of the Media and Society Studies Group at the Instituto Fernando Henrique Cardoso and Member of the Advisory Board for Brazil @ the Wilson Center. He has been a visiting scholar and professor at several universities and institutes including the University of Texas at Austin; the Center for Latin American Studies at Georgetown University in Washington, DC; the University of São Paulo; Michigan State University (as a Fulbright Foundation scholar); and the Woodrow Wilson International Center for Scholars. Previously he was Deputy Editor-in-Chief of the Brazilian business journal *Valor Econômico* and Senior Editor at the Brasilia Bureau of the *Folha de São Paulo*, Brazil's second largest newspaper. From 1991–1999, Lins da Silva was Senior Correspondent in Washington, DC for *Folha de São Paulo* and Washington Correspondent for the Brazilian Section of the BBC. He holds a B.A. in Journalism from Faculdade Casper Librero at São Paulo Catholic University, an M.A. in Communications from Michigan State University, and a Ph.D. in Communications from the University of São Paulo.

DARIAN PAVLI, Legal Officer, Open Society Justice Initiative

Darian Pavli is Legal Officer for Freedom of Expression and Information at the Open Society Justice Initiative where he designs, coordinates and monitors projects for the promotion and protection of freedom of expression and information in Eastern



Europe, the former Soviet Union, Africa, and Latin America. Prior to joining the Open Society Institute, Pavli was a researcher at Human Rights Watch where he monitored and reported on the human rights situation in Albania, Kosovo, and Macedonia. From 1998 to 2000, he was Senior Attorney for the Organization for Security and Cooperation in Europe and Adjunct Lecturer of Constitutional Law at the University of Tirana Law Faculty in Albania. He holds an LL.B. from University of Tirana Law Faculty, an LL.M. from Central European University, and an LL.M. from New York University School of Law.

JULIA PRESTON, Federal Court Correspondent, *The New York Times*

Julia Preston was named Federal Court Correspondent for *The New York Times*, covering the United States courthouse for the Southern District of New York, in March 2004. Previously, she had been Deputy Investigations Editor since March 2003. Before that she had been United Nations Bureau Chief since October 2002, covering the Security Council deliberations on Iraq. She was an editor on the Foreign Desk in New York from January through September 2002. She was a *New York Times* correspondent in Mexico from September 1995 until September 2001. Ms. Preston came to *The New York*

Times in July 1995 after working at *The Washington Post* for nine years as a foreign correspondent. Before that Ms. Preston had worked for *The Boston Globe* and *National Public Radio*. Ms. Preston is the co-author, with Samuel Dillon, of *Opening Mexico: The Making of a Democracy* (Farrar, Straus and Giroux, 2004), which tells the story of Mexicans' efforts over three decades to loosen the grip of an authoritarian regime and transform their country into a democracy. Born in Lake Forest, Illinois on May 29, 1951, Ms. Preston received a B.A. degree in Latin American Studies from Yale University in 1976.

JOEL SIMON, Deputy Director, Committee to Protect Journalists

Before joining the Committee to Protect Journalists (CPJ) as Americas program coordinator in May 1997, Joel Simon worked as the Mexico City-based free-lance correspondent for the *San Francisco Chronicle*. He is the author of *Endangered Mexico: An Environment on the Edge*, published by Sierra Club Books. His work on Latin America has appeared in numerous publications, including *The New York Times*, *The Los Angeles Times*, and the *Columbia Journalism Review*. Simon was promoted to Deputy Director in April 1999. He is a graduate of Amherst College and Stanford University.

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