

Terrorism and the Media: Lessons from the British Experience

By Abraham H. Miller

In war, truth is the first casualty. In terrorism, truth never makes it to the casualty list. Its death silently precedes the first act of violence.

Warfare is about taking political power through force of arms. Terrorism is about seizing political power through force of propaganda. Terrorist violence is a facade behind which is concealed political and military impotency.

A terrorist leader is in a sense a dramatist. He produces violent spectacles designed to create the illusion of power through horror. What the terrorist lacks in real power, he compensates for in the production of attention-riveting visuals. Terrorism is theater played on the world stage to an audience of eager journalists — preferably those holding a camera.

The relationship between terrorists seeking publicity and journalists seeking news is at times called symbiotic, as the purveyors of violence-laced propaganda and the disseminators of news feed off one another.

It is this relationship — this production of violence for the camera — that presents the media with difficult ethical choices. Terrorists push the media into that grey area where distinctions blur between reporting the news and becoming part of the news, and frequently journalists have to ask themselves whether certain terrorist events would occur if not for the media's willingness to report them.

To ask that question, however, is not to suggest, as some regrettably have, that if the lens were to be capped, terrorism would somehow miraculously cease. Although terrorists do covet publicity, that is not their only motivation for violence. Terrorist violence is used for vengeance and as an instrument of negotiation.

Live Drama. Beyond that, capping the lens, even if legally permissible, is increasingly becoming bureaucratic whimsy. The same technology that makes contemporary terrorism live drama increasingly puts that drama beyond the effective reach of the censor — a fact that is underscored by recent events in Eastern Europe.

If there is any doubt as to terrorists' ability to function without the media, one only need be reminded that two of the most effective terrorist organizations on record, the Sicarii and the Zealots, functioned in the first century A.D. (And as even most American high school students know, that was before Dan Rather came to CBS.) These groups did rely on the propaganda of the deed, which they achieved by killing their victims in broad daylight on holy days amid large crowds, whose word-of-mouth accounts spread fear.

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Framing the Issue

Properly framed, the issue before us is not whether the media should cover terrorism, but how it should report it. The corollary question, of course, is who should decide how the media goes about its business.

If we are justifiably horrified at what havoc government can wreak with economic policy, contemplate momentarily what the bureaucracy could do if unleashed on the media. We might find that the media's rights under the First Amendment resemble nothing so much as First Amendment rights at some of our universities.

There would be the First Amendment hour, where freedom of speech would not be infringed if it did not run beyond prime time. Or there might be freedom of speech zones, the West coast on alternate Tuesdays and the East Coast on Mondays and Fridays.

And of course there would be decency rules, which would prohibit negative comments about both government-approved terrorist groups and state sponsors of terrorism. As the approval list would change frequently, it would be appropriate to check for updates with the State Department to see which terrorists were "in" and which were "out."

For those who believe the bureaucracy is incapable of such machinations, I suggest a short visit to the closest university that has adopted a so-called "decency standard."

Disregard of Ethics. Although I strongly believe that we conservatives do not desire to take the government out of the economy and put it into the newsroom, I also know that the risk of that tragic occurrence is the result of the media's own reckless disregard of basic journalistic ethics. Journalists of every stripe appear to learn ethics in the classroom and forget that they were meant to apply to something other than the final examination. As one thoughtful news expert put it, when we get discussions of ethics out of the classroom and into the boardroom, we will know then that ethics will have some influence on behavior.

The media is its own enemy. Nothing has been a greater threat to the media's continued access to its Constitutional rights than its coverage of terrorism and most notably its coverage of the hijacking of TWA Flight 847 to Beirut (June 1985). This event brought into focus, more than did any prior event, the media's general unwillingness to distinguish its rights from its responsibilities.

Whatever the media might have learned from its earlier coverage of the Iranian hostage crisis was quickly lost in the drama and competition of this new event. In their quest to beat the competition, the networks sent their superstars to Beirut, a device known as "bigfooting," where the resident and knowledgeable local correspondent is squashed into oblivion by the presence of a network's superstar.

TWA 847 became a media circus, and at one dramatic point Shiite gunmen had to discharge their weapons to preserve order at a press conference that had all the decorum of a school of ravenous barracudas encountering dinner in the open sea. But if that scene was the most dramatic and most memorable, it was so only because it came to symbolize the media's excesses. The media showed poor judgment at a number of points throughout the episode.

“Ratings Be Damned.” As in the Iranian hostage situation – where in exchange for an interview with Marine Corporal William Gallegos, NBC permitted a fanatical spokeswoman called “Mary” to launch a five-minute tirade against America – all the networks gave air-time to people forcibly holding innocent Americans at gun point. The Iran hostage episode which became a soap opera for ratings so angered *TV Guide* (Dec. 22, 1979) that it published an editorial – which later appeared as an advertisement in the *Wall Street Journal* – noting, “We have seen enough unwashed Iranians chanting their slogans and waving their fists on cue to last a lifetime....Let the ratings be damned.”

TV Guide was alluding to an 18 percent rise in the size of the network news audience as a result of the coverage of the hostage crisis. Wild-eyed Shiites and captive Americans pushed up advertising revenue. Cloaked in the First Amendment, the networks showed us that captive Americans could be comfortably exploited for revenue.

If this exploitation of the hostages is infuriating, it seems to me that it is less so than the twisted rationale the media used to justify such interviews. Robert Siegenthaler, of ABC, [testifying before the House Subcommittee on Europe and the Middle East (July 1985)] claimed that his correspondent about to film an interview with a TWA hostage was able to say surreptitiously to the hostage that ABC would pack up and leave if the hostage did not want to be interviewed. Undoubtedly, this example will give new meaning to the concept of “informed consent.”

Forget, if you can, that the networks are in a sense partners in this crime where Americans are being held in captivity because they are Americans and because they provide entree to the American media. Does anyone really believe that this hostage could have said to ABC, “Go home,” and not suffered at the hands of his captors?

That a vice president of the network would use this episode to justify ABC’s exploitation of the situation for “entertainment” purposes (it certainly is not news), indicates at best a certain sense of unreality and at worst a disdainful arrogance.

Congressman Thomas Luken in his outrage at Siegenthaler’s response said, “This is so palpably offensive to me. He [the reporter] is still talking to people who are under complete control. He is still talking to people who had been given an indication by their captors as to what they should say.... You wouldn’t even [have] had them on if the captors didn’t deliver them to you. And you don’t have the sophistication to recognize that the captors would have told them what to say? Privately or publicly?”

Cult of Objectivity. Charles Krauthammer writing in *Time* (July 15, 1985) refers to the media’s arrogance as deriving from its cherished belief in the cult of objectivity. This doctrine is summed up for Krauthammer by veteran correspondent Sam Donaldson’s remark, “It’s our job to cover the story... we bring the information.”

The act of observing and transmitting, however, even in the best of circumstances, alters the story. Every schoolboy learns that once he stains a slide to enhance its reflection under the microscope, he has intervened in what he observes. The media would have us believe that the camera does not alter the characteristics of events, even events staged by the propagandists of the deed.

Krauthammer finds the doctrine of objectivity to be little more than a self-serving rationale. I would argue, however, that the problem is not the doctrine of objectivity, for properly

exercised it is as appropriate to the media as it is to science. The problem is that the media, unlike science, claims objectivity to conceal the intrusiveness of the process of observation.

One wonders if ABC would concede that David Hartman's solicitation of Nabih Berri — the good Shiite in this drama of good Shiite and bad Shiite — "Any final words to President Reagan this morning?" was something more than reporting the story?

It prompted enough reflection at ABC to put Hartman's, "Good Morning America," under the aegis of the news division the following day. Some said that this was done to make the program more sensitive to news guidelines. More cynical observers saw this as an attempt to wrap the program more tightly in the protection of the First Amendment.

Highjacking the Networks. TWA 847 presented us with other examples of the media becoming part of the story. The continual updates from Lebanon gave the appearance that the Shiites had not hijacked an airplane but had hijacked the networks. And all the lessons that were supposed to have been learned from the Iranian hostage situation were lost as TWA 847 was conducted like some instant replay of the Tehran soap opera. The media was not simply reporting the news; it was making the news. When Dan Rather asked one of the hostages what he would have President Reagan do, Rather demonstrated the ability of the media to be intrusive.

There was also the networks' subtle editorializing through the use of the doctrine of moral equivalence. Shiite gunmen held captive in Israel were portrayed as hostages, with tearful mothers and concerned families, no different from the mothers and families of the innocent Americans whose only crime was their citizenship. It would not be inappropriate to be reminded that one of the "equivalent" Shiites, subsequently released by Israel, was reported to have been involved in another act of terrorism, one which took place over Lockerbie Scotland with the disintegration of Pan Am 103. So much for "objectivity" as applied to news analysis.

My concern here is not to excoriate the American news media for its reporting of TWA 847. As Jody Powell noted in testimony before the Congress (July 1985), the problem is not so much that the media will bring down the government or society, but that its excesses do damage to itself. And if the media wounds itself, we all suffer, for a free society is impossible without a free media.

It is one thing to depict media excesses. It is far and away another to prescribe an effective solution. Some have suggested that the media would act more responsibly if the media saw terrorism as threatening the social and political foundations of the society itself. How does the media report terrorism in a democratic society under siege? And would those experiences provide lessons for the American media's conduct of its business? To explore those issues I examined the behavior of the media in the United Kingdom.

The British Experience

Britain's experience with media coverage of terrorism casts these concerns against a backdrop where terrorist violence threatens the very integrity of the political system. For that reason, the British experience which tugs and pulls between concerns of freedom and order in a society that is directly under siege, might provide us with lessons about our own strengths and vulnerabilities. After all, media excesses might be tolerated when the report-

ing is from Beirut and the threat is to hostages and not to the very viability of the social and political system.

Cherishing Independence. To Americans, the British media appears to be only half free, for the British media can be subjected to prior restraint. But the similarities between the American and British media far overshadow their differences. Both function in liberal democracies that cherish as a primary value the media's independence from government intrusion — even if that value is sometimes practiced in the breach. For Britain, as for America, the major issue has been television coverage of terrorism. The intimacy, immediacy and reality of the electronic media elicits both a mental and visceral reaction that the print media cannot duplicate. And it is the impact of this that has greatly concerned British governments since “the troubles,” as they are called, began in Northern Ireland in the late 1960s.

All British governments — and not just the Thatcher government — have attempted to influence the British Broadcasting Corporation (BBC) through either its Director General or the Chairman of its Board of Governors, generally, albeit not exclusively, to prevent the broadcast of televised interviews with terrorists involved in the conflict in Northern Ireland. There is, however, little concern about interviews with terrorists whose targets do not involve the integrity of the United Kingdom as a political structure. The Director General of the BBC never need fear that his phone will ring over a forthcoming program on SWAPO, the PLO, or even the dreaded Abu Nidal's Black June.

The BBC, an independent but government-funded corporation, is seen as more vulnerable to such influences than the IBA, the Independent Broadcast Authority which awards commercial franchises. But the IBA too is pressured to use its legal power to prevent networks from broadcasting programs, or, more commonly, to edit those it sees as being in conflict with the public interest. The government has pressured the IBA from time to time, but governmental concern is widely perceived as disproportionately directed against the BBC, which is seen as conveying a special legitimacy on those it interviews.

By American standards, the British government's intrusiveness into the media's conduct of its own affairs is appalling. From the government's perspective, however, the argument against interviewing terrorists is that a terrorist is an advocate of murder and such interviews are an incitement to commit murder in the future as well as a reward for having done so in the past.

For their part, the British media argues that such interviews enable the public to see the advocates of violence for what they really are and that the average viewer is revolted by terrorists' arrogant justifications of murder.

The INLA Interview

These disparate perceptions clashed dramatically after a little-known Republican group calling itself the Irish National Liberation Army murdered Member of Parliament Airey Neave (March 30, 1979) as he drove toward the exit in Parliament's garage. In Dublin, the BBC televised an interview with an INLA spokesman. The INLA member not only admitted to the group's responsibility for the murder but reveled in it, calling Neave an advocate of torture. This charge was quickly challenged and disproved in the broadcast.

On the floor of Parliament the BBC was denounced. Prime Minister Thatcher said that she was appalled by the incident, and Lady Neave, the MP's widow, wrote to the *Daily Telegraph* (July 12, 1979) to express her distaste for the BBC's lack of sensitivity. Yet, 80 percent of the British public supported the broadcast, and despite Parliamentary pressure, Sir Michael Havers, the Attorney General, refused to prosecute the BBC.

On the floor of Parliament, Havers advised his colleagues that since the BBC interview had taken place in Dublin, the appropriate aspects of Britain's Prevention of Terrorism Act would be difficult to enforce. Some observers within Britain's law enforcement community suggested that a more compelling reason was that Britain as a society had to weigh the damage of prosecuting the BBC against the damage done by the broadcast. Even they acknowledged that Britain could live better with the consequences of the interview than the consequences of an attack on the media in the courts.

American vs. British Media. The idea of dragging the media before the courts for interviewing a terrorist is as appropriate a topic of discussion for the British as it is frightening to Americans. Nothing so separates the American media from the British as a common misperception of what "freedom of the press" means.

In January of 1972, for example, the *Times* (London) lavished praise on Ben Bradlee, editor of the *Washington Post*, and the *New York Times'* Abe Rosenthal for their vigorous defense of the press against, what the *Times* (London) called, the savage attacks against the media launched by Vice President Spiro Agnew. Mindful of a controversy surrounding the BBC's defense of journalistic freedom against the British government, as the government attempted to quash a televised program on Ulster, the *Times* concluded that freedom of the press might be good for the Americans but not for the BBC. The BBC, the *Times* reasoned, was a public corporation and thus had an obligation not to challenge the government.

But the BBC was challenging the government and persisted in doing so. Long before the INLA episode, in January of 1972, a BBC public affairs program, which openly debated the Ulster issue and in which the government refused to participate, drew strong condemnation on the floor of the Parliament and open threats to withdraw the BBC's charter when it came up for renewal. Lord Hill of Luton, the Chair of the Corporation, took umbrage at this intrusion and lashed back at the government. In contrast to the BBC, the commercial authority refused permission to Granada Television to transmit a program for its "World in Action" series also depicting the conflict in Ulster.

But it is too facile to conclude from this juxtaposition that the BBC stood firm against censorship and that the commercial authority easily capitulated. Broadcast journalists continually complained of an atmosphere of self-censorship that permeated the industry, and the BBC was alleged to have imposed a series of restrictions that amounted to censorship. Journalists who broke ranks with the Corporation on this issue were said to have had their tapes blocked from transmission and their contracts dropped at renewal time.

New Measures in Response to Terrorism

As the conflict in Northern Ireland crossed the Irish Sea and landed on the shores of Great Britain and IRA bombs took their toll on British soil, Parliament, in 1974, responded with legislation that its advocates called "draconian" and "unprecedented in peace time."

Initially this legislation, known as the Prevention of Terrorism Act, appeared not to be directed at the media. As terrorism escalated so did the legislation, and in 1976 two sections were added that originally were not directed at the media but ultimately came to have strong consequences for how journalists went about their business. The two new Sections were titled 10 and 11.

Section 10 prohibited anyone from giving aid that resulted in contributing to terrorism. Section 11 required everyone with knowledge of the whereabouts of actual or potential terrorists to bring that information to the police.

Threat to Civil Liberties. In 1978, in response to growing concerns about the Act's implications for civil liberties, Lord Shackleton was appointed to review the Act. Lord Shackleton's review showed no linkage between these sections and the media, but Section 11 was found to be threatening to civil liberties. Lord Shackleton recommended that it be dropped, but it was not.

When the BBC interviewed the INLA spokesman in Dublin, they exposed themselves to Section 11. In the aftermath of this broadcast, the attorney general entered into an exchange of private letters between the government and the corporation concerning the INLA broadcast. On the floor of Parliament, Conservative members wanted the letters disclosed, and in the process showed strong concern over the BBC's violation of the Prevention of Terrorism Act's Section 11. Here for the first time, and in contrast to the conclusion of Lord Shackleton, the attorney general interpreted Section 11 to apply to the media.

The BBC was unyielding. It argued that Section 11 if so interpreted would in effect prevent journalists from going about their business and subject them to terrorist retribution if they did comply with the government's order.

Clearly the issue was now framed in terms of civic obligation. Did a journalist have a civic obligation as a citizen first or as a journalist? And how could he function as a journalist if the two obligations were incompatible?

It is impossible in the context of this lecture to present each and every dispute between the British media and the government. If one were to look at the most important of those conflicts, one would be presented with an image of a society under siege attempting to cap the lens and a media attempting to go about its business weighing its journalistic responsibilities against its sense of civic obligation, with journalistic responsibilities in ascendance.

One might also see — as I have elsewhere — a society committed to basic journalistic freedom going through an elaborate ritual of lashing out at the messenger when it is incapable of lashing out against terrorism. Such perceptions are not inaccurate, but I no longer believe they totally describe the situation.

Rethinking the Obvious

In thinking about the struggle between the British government and the media and how to analyze it, I am reminded of an episode that took place in a philosophy of science class of Abraham Kaplan's some twenty-five years ago. Kaplan began making a case for the intelligence and compassion of dolphins, by pointing out that almost as long as man has kept records there have been episodes of sailors being led to shore by schools of dolphins. Kaplan would cite evidence from different points of history and different points of geog-

raphy. The accumulated account, which spanned both time and earthly space, seemed to make an impressive case.

Seeing how he had convinced his students, he then — as he often did on such occasions — would turn to them and present one crisp question. In this case, he asked, “Now what about the sailors who had been led out to sea?”

Too frequently we confront what might appear to us to be the zealotry of the media to commit excesses and to defend those excesses in terms of traditional values of freedom of inquiry. What we forget to consider is — the other side of the issue — the harm that comes from the zealotry of government censorship wrapped in the garb of the public interest.

For every widely-publicized episode where the media and the British government have come into conflict over a program on terrorism that the media aired over strong government objection, there are numerous, less publicized episodes where programs are not produced, not aired or severely edited because of exchanges of letters, the threat of the Prevention of Terrorism Act, and Parliamentary criticism. All of this results in a creeping and insidious censorship.

The Media and Democracy

A society under siege, in many ways, needs a critical and, yes, objective media more so than a society whose viability is not threatened. For siege itself produces societal reactions that are not in keeping with respect for individual liberty.

The policy of internment without trial in Northern Ireland; the sensory deprivation interrogations in Castlereagh and other prisons; and the British Government's attempt to obstruct the investigation of John Stalker into the RUC's (Royal Ulster Constabulary's) alleged shoot-to-kill policy are all grave threats to the integrity of a free society on both sides of the Irish Sea.

British society is best served by the continued vitality of its free media so that these issues — and the more recent ones concerning the killings at Gibraltar and the alleged collusion between the British Army and Protestant terrorists — see the light of public debate both within the halls of Westminster and across British airwaves.

In the face of such controversial issues that tear at the democratic fabric of Britain, she has been better served by their vigorous debate in the media than by those who would ultimately seek to censor these topics from public discussion. To the extent that the unions of broadcast journalists are correct in their accusations that an atmosphere of intimidation and censorship surround the production of television programs on Northern Ireland, terrorism has taken a strong toll on Britain.

In response to the BBC's initial refusal to air the controversial program, “The Edge of Union,” Professor Paul Wilkinson, one of Britain's most respected authorities on terrorism, put the issue this way: “[A]ny suggestion that any external body is bringing pressure to bear and altering editorial judgement as a result of political considerations undermines not only the credibility of the media, but the credibility of democratic government. And there is plenty of evidence that the overall impact of good professional media reporting in democratic societies has been to harden the will of the decent majority against any submission to terrorist blackmail.”

Lessons Yet to be Learned

The primary lesson for the American media is that as terrorism increasingly becomes a direct threat, there will be those in government who will desire some American version of the Prevention of Terrorism Act. It might start out innocuous, but like the Prevention of Terrorism Act, its interpretation will become more severe and its impact more insidious as the threat grows.

To restrict the media's freedom is to concede a victory to the terrorists. For ultimately, a society under siege will have all sorts of attacks on its basic liberties, and it will need a free – and yes responsible – media to make the public aware of the costs to balance freedom with order.

Terrorism and freedom do not exist well side by side. Few societies, even the most democratic, are going to avoid taking vigorous action and sometimes short-cutting civil liberties to defend themselves. Yet, such actions can be as threatening to democratic viability as the acts of terrorists.

Exploiting Hostages. I would prefer not to see an American television journalist conducting an interview with another American who is being held hostage, has a gun held to his head while he responds to questions, and is then forcibly yanked around the neck when the answer is not to his captor's liking. This is precisely what did happen to the captain of TWA 847. Such a scene is obscene. It exploits the hostage for perverse entertainment value. Equally insidious, it threatens the very freedom that enables the journalist to conduct the interview.

If journalists do not have more common sense and more ethical restraint than this, then the media's freedom – and ours as well – is in grave danger. American journalists might find themselves struggling as the British do to balance the responsibilities they have to their craft and to democratic traditions while evading the threat of an ever-intrusive government. What the journalist loses in this process fades in comparison to the price the rest of us will pay in the coin of individual liberty.

Freedom has to be tempered with responsibility. It is best tempered with the responsible exercise of journalistic ethics and not with the intrusiveness of government bureaucracy. Britain's bureaucratic intrusiveness into the media's conduct of its affairs has created the ridiculous situation where the Provisional IRA have less difficulty running for Parliament than getting on the BBC.

It is a situation that causes anguish in Britain. It is a situation that those in the American media who least desire it may through their own recklessness cause to occur. Let us hope that the American media can remember Mark Twain's advice on the issue – if I may interpret with some liberty – the blessing of freedom of the press was given to the American people with the corresponding blessing of the good sense to know when not to abuse it.

