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Thatcher, the IBA and ‘Death on the Rock’

Tony Fleck

Introduction

Since its beginnings in the 1920s, broadcasting in these islands has always been considered by the various governments of the day, whatever their political complexion, to be too important to be left solely to the broadcasters. Successive administrations have attempted to regulate and control what is heard or seen over the airwaves by a series of acts of the British Parliament or Dáil Éireann. These acts have been drafted so as to give designated ministers the power to decide on the composition and membership of the Authorities, Boards of Governors or Commissions established by law - and to dismiss them if deemed necessary as happened in the Republic in 1972 under a Fianna Fáil government - to set the parameters of what may or may not be broadcast and effectually exert financial control over the broadcasters, a control that can have a decisive influence. Government power does not however end here, for there are the many formal and informal contacts between ministers and senior civil servants and the Directors General, Programme Controllers and editors that make up the higher echelons of the broadcasting organizations.

These contacts may come in the form of face to face confrontations but more often they consist of letters, formal and informal, discreet telephone calls or seemingly casual conversations at receptions or other public gatherings, for they all tend to be part of the same social milieu. There may be critical statements made in the privileged atmosphere of the Houses of Parliament or Leinster House, or interviews given by ministers to the press or on radio or television, while papers sympathetic to the government may rally in support to denounce the broadcasters and attempt to slant public opinion. In Britain there is also an even more subtle form of influence on senior broadcasters, what Douglas Gageby has termed 'velvet glove control', that is the distribution of honours and knighthoods. It is no mere coincidence that the only two Directors General, one of the BBC and the other of the Independent Authority, not knighted were Alasdair Milne, who was in charge - or not, depending on your point of view - of the BBC during the Real Lives’ crisis, and John Whitney, senior executive of the IBA when Death on the Rock was broadcast, two programmes that were anathema to the Thatcher government. In 1988, when Death on the Rock was transmitted by the ITV network including Ulster Television, I was in charge of the Belfast Office of the IBA responsible to the Director General, John Whitney, for the day-to-day working of the system in Northern Ireland. I also had the responsibility, unique among my eight Regional Officer colleagues, of being consulted by right before the transmission of any ITV or Channel 4 programme concerning the troubled situation in Northern Ireland. The Authority itself worked to the Broadcasting Act, 1981 - a copy of which I kept at hand in my desk - which stated inter alia:

(a) that nothing is included in programmes which offends against good taste or decency or is likely to encourage or incite to crime or lead to civil disorder or to be offensive to public feeling;

and

(f) that due impartiality is preserved on the part of the person providing the programmes as respects matters of political or industrial controversy or relating to current public policy.

1. See the accounts in DG The Memoirs of a British Broadcaster and The Last Days of the Beeb.
Broadcasters in the North are also subject to the law of the land and also to the various laws enacted specifically for Northern Ireland: the Prevention of Terrorism Act Northern Ireland 1974, the Emergency Provisions Act and the Criminal Law Act (NI) 1967 which in Section 5:

imposes a duty to give a constable information which is likely to secure or assist in securing the apprehension of any person who has committed an arrestable offence.

In addition, the IBA also published and distributed to all ITV companies and to Channel 4 a set of 'Television Programme Guidelines' which in Section 8.1(i) under the heading 'Interviews with people who use or advocate violence or other criminal measures' stated:

Any plans for a programme item which explores and exposes the views of people who within the British Isles use or advocate violence or other criminal measures for the achievement of political ends must be referred to the IBA before any arrangements for filming or video-taping are made. A producer should therefore not plan to interview members of proscribed organisations, for example, members of the Provisional IRA or other paramilitary organizations, without previous discussion with his/her company's top management. The management, if they think the item may be justified, will then consult the IBA.

It was against this legal framework and the political and terrorist tensions in the Province that the confrontation between the Thatcher government and the IBA developed, exacerbated by a concerted onslaught on the integrity of the Authority and the programme makers, Thames Television, by ministers at the highest level including the Prime Minister and also an influential section of the British Press which marched to Mrs Thatcher's drum, including Murdoch's Sun and Sunday Times a confrontation which had lasting and serious consequences for all those concerned with broadcasting in Britain.

Sunday, 6 March 1988

News of the Gibraltar shootings came to Downtown Radio, then Northern Ireland's only commercial radio station, from the Press Association in the afternoon, and the next headlines at 4.00 p.m. led with the story: 'Three people have been shot dead in Gibraltar. It is believed they were Irish. Army bomb experts have been called in to examine a huge car bomb found at the scene.' Within the next hour, Sinn Féin's Press Office had issued a statement saying that the three people killed were members of an IRA active service unit. By 4.55 pm Downtown Radio news was reporting that the car in Gibraltar had been examined and did not contain explosives but that security forces were now looking for a second car. The three killed were later identified as Mairead Farrell, Sean Savage and Daniel McCann, while on Tuesday, 8 March Spanish police did find a car parked with 64kg of Semtex explosives, detonating equipment and 2kg of ammunition.

Monday, 7 March

To an expectant House of Commons, the then Foreign Secretary, Sir Geoffrey Howe reported that the Gibraltar shootings had prevented 'A dreadful terrorist act'. He also stated that when challenged the terrorists had 'made movements which led the military personnel operating in support of the Gibraltar police to conclude that their own lives and the lives of others were under threat. In the light of this response, they were shot.' Those shot were subsequently found not to have been carrying arms.' In answer to a question from George Robertson, the then Labour Deputy Foreign Affairs Spokesman, Sir Geoffrey went on:
As I have said, the three people concerned were approached by military people operating in support of the Gibraltar police. They were challenged at that time, and the movement that they then made led the military personnel to conclude that their own lives and the lives of others were under threat. The matter, of course, will be subject to further amplification as further evidence becomes available, but I have given the House the full extent of my information at present.\(^2\)

As we now know, and as *Death on the Rock* was to attempt to show, there was further information which the Home Secretary did not have to hand and which threw considerable doubt on his original statement.

**Monday, 14 March**

After a delay in Gibraltar before the local Coroner released the bodies, the three IRA volunteers were flown into Dublin airport some 100 miles from their homes and not into Aldergrove airport only 15 or so miles from Belfast. This facilitated the Provisional IRA and Sinn Féin to stage a remarkable funeral cavalcade – fully covered by the television cameras – which passed through towns and villages draped with black flags and witnessed by thousands of sympathisers and inquisitive sightseers.

**Tuesday, 15 March**

Jenny McGeever, an RTE reporter, who had interviewed Martin McGuinness of Sinn Féin at Dundalk as the funeral progressed towards the North, was suspended for a breach of Section 31 of the Republic's Broadcasting Authority Act which then prohibited interviews with members of terrorist organisations or their political affiliates – in effect Provisional Sinn Féin, the INLA, UDA, UVF and UFF. (Later in the month, Ms McGeever was dismissed by RTE after a disciplinary hearing. The broadcasting ban, introduced by Dr Conor Cruise O'Brien in 1976 when he was Minister for Posts and Telegraphs in the Cosgrave/Corish coalition government in the Republic, was suspended in 1994 after the announcement of the IRA ceasefire.)

**Wednesday, 16 March**

During the burial of the three IRA volunteers – again fully covered by cameras and the world's press – three men were shot dead by a lone gunman who had infiltrated the crowd and then made a grenade and gun attack on mourners at Milltown Cemetery in Belfast. Gerry Adams, President of Sinn Féin, promptly accused the police and army of collusion with the attacker. A man, later identified as Michael 'Rambo' Stone – who had some connection with the Loyalist Ulster Defence Association – was later arrested by the RUC and subsequently charged and convicted of the murders. He is now in prison.

**Saturday, 19 March**

The funeral procession of one of the victims of the Milltown shootings, Kevin Brady, again covered by television cameras, radio and press, was inexplicably interrupted by a car driven by two British army corporals, Corporal Wood and Corporal Howe, both in civilian clothes. In plain view of the camera, the car was attacked, the men pulled out and hauled away out of sight. No camera was allowed to follow the men who were bludgeoned to near death before being shot. There were attempts by Sinn Féin officials to confiscate film and video of what happened but later pictures of the corpses lying bloody and near naked, one spread out as if crucified, went round the world – as did shots of a priest attempting mount-to-mouth resuscitation.
Tuesday, 22 March

Despite assurances from the broadcasters that the untransmitted pictures of the mobbing of the corporals’ car had no value as evidence, ITN, the BBC and RTE were requested by the RUC to hand over the untransmitted video and film of the attack. They initially refused, pointing out that to do so would put their reporters in jeopardy. The Prime Minister, Mrs Thatcher, said in the House of Commons.

I believe that everyone, the media included, has a bounden duty to do everything he can, to see that those who perpetrated the terrible crimes we saw on television and that disgusted the whole world are brought to justice.

Either one is on the side of justice in these matters, or one is on the side of terrorism.

Feelings ran so high that Richard Dunn, then Managing Director of Thames Television and Acting Chairman of ITN, was accused by ministers of being an ally of the terrorists and told to his face by irate MPs that the ITN crew should have intervened and made a citizen’s arrest.

In the next two days, under considerable pressure from the RUC (John Conway, the News Editor of the BBC in Northern Ireland was threatened with arrest) and acting on legal advice – Section 11 of the Prevention of Terrorism Act 1974 makes it an offense to withhold without reasonable excuse information of material assistance which would assist in bringing terrorists to justice – the video and film was given to the police by ITN, the BBC and the local office of RTE. Michael Checkland, then Director General of the BBC, stated,

The BBC has never set itself above the law. In dealing with this matter, we have been concerned with the difficult and dangerous position of our crews in Northern Ireland... I very much hope that as a result of this action by the authorities the BBC’s future news gathering in the province will not be damaged. (Daily Telegraph, 24 March 1988)

The legality of the RUC’s actions was questioned at the time and most recently by David Miller in his Don’t mention the War where he writes, ‘...there remains some doubt as to the applicability of Section 11 to seizing media materials... the power of the RUC action was de facto. The power has still not been tested in the courts.’

Thursday, 7 April

This Week, a regular and usually authoritative documentary programme from Thames Television, was broadcast at 8.30pm. This edition, devoted to a consideration of public attitudes in Republican West Belfast after the funerals, the shootings and lynchings, was previewed earlier that afternoon by myself and a colleague from IBA’s Television Division in London. I found the programme depressing as attitudes had not altered; there was general support for the actions of the IRA and Sinn Féin and little contrition – apart from a few church-goers and the local priest – as to the terrible events surrounding the deaths of the two soldiers. Roger Bolton, the editor of the series and who had previously worked on the BBC’s Panorama, when questioned informally about his future plans about the Northern Ireland situation, told us that he had a team working on a detailed examination of the events leading up to the Gibraltar shootings and that he had already mentioned this to the IBA’s Programme Officer whom he had met recently at dinner. Next day when I returned to Belfast, I alerted the member of the Authority with special responsibility for Northern Ireland, who at that time was Professor J. F. Fulton, Director of the School of Education and Pro-Vice Chancellor of the Queen’s University of Belfast.
Tuesday, 26 April

Sir Geoffrey Howe, the Foreign and Commonwealth Secretary, having been told by his staff of the many enquiries being made by the This Week team and also having seen the listing in TV Times which said that there would be 'startling new evidence which challenges previously accepted views', telephoned Lord Thompson of Monifieth, the Chairman of the IBA, asking in confidence for a postponement of Death on the Rock, as the Thames’ documentary was now called, until after the inquest in Gibraltar into the deaths of the three IRA volunteers. He gave as his reason for the request that the contents of the programme might in some way prejudice the result of the inquest. Lord Thomson promised to consider what the Foreign Secretary had said. At this time Lord Thompson, a formidable political figure in his own right, had been Chairman of the IBA for some seven years. He was originally appointed in 1980 Deputy Chairman to Lady Plowden, an equally strong character, during the early months of the Thatcher administration when the Prime Minister was only testing her ability to pack statutory bodies with men and women she judged ‘one of us’. He succeeded Lady Plowden in 1981. Thames Television were not informed of Sir Geoffrey’s call, as the Foreign Secretary had stressed its confidential nature.

Wednesday, 27 April

Death on the Rock, extended from the usual This Week length of about 30 minutes to nearly 45 minutes, was previewed by senior television staff and myself in London at 10.00am. The programme was undubbed in that the commentary, of which we had a full script, had yet to be added but all the interviews were complete. David Glencross, then Director of Television and now Chief Executive of the IBA’s successor body, the Independent Television Commission, who was on his way to another meeting, said that we should know that Sir Geoffrey Howe had telephoned Lord Thomson the previous evening asking for a postponement of the programme. After closely viewing Death on the Rock and at times replaying parts of it, we recommended that it be transmitted, subject to three minor changes in the commentary. We felt that it suggested unjustly and without any evidence, that the coroner’s inquest would be unable to establish the truth and that the evidence given by the police in Gibraltar would be unreliable. Roger Bolton later accepted both these points but argued that our third query concerning the Prime Minister’s foreknowledge of the attack and that she ‘must have had on her desk details of how an IRA unit had been detected in Spain’ before the shootings, could be shown to be true. This latter point was accepted by the IBA and was never subsequently challenged by the government.

All the staff at the preview felt that the programme raised serious questions concerning the official version of what had happened in Spain and Gibraltar before and during the shootings. The IBA then sought legal advice from Counsel representing Thames that in his opinion Death on the Rock could not be seen as ‘contempt of court’. Later in the day the programme was seen by David Glencross as Director of Television, John Whitney the then Director General and finally near midnight by Lord Thomson himself. (With the exception of Professor Fulton, the other members of the Authority were not informed nor consulted, as it had previously been agreed in general that in matters such as this Lord Thomson would use his discretion as to the need for special meetings of the Authority.) It was unanimously decided that, despite the pleas of the Foreign Secretary, Death on the Rock should be transmitted.

Thursday, 28 April

In the morning, David Glencross’s office informed the Foreign Secretary’s Private Secretary of the IBA’s decision to broadcast the programme and in turn Sir Geoffrey informed Mrs Thatcher and the Cabinet. Another phone call followed, this time from Sir Geoffrey to David Glencross, expressing disquiet at the decision and repeating that the
programme might influence the forthcoming inquest – for which a date had not been set. For the first time Sir Geoffrey raised the question of ‘contamination’ of evidence and quoted sections of the Salmon Report of 1969 on the law of contempt as it affects Tribunals of Inquiry, the key passage reading:

The Press, Television and Radio have always considered that once any type of tribunal had been appointed it is inappropriate for them to conduct anything in the nature of a parallel inquiry and they have never done so. We regard it as of the utmost importance that this restraint should continue to be exercised.

The IBA again consulted Counsel, this time their own, who gave as his opinion that neither of the Foreign Secretary’s objections could be sustained. It was confirmed that Death on the Rock would go out as scheduled.

Around lunchtime, Sir Geoffrey Howe called an impromptu press conference at the Foreign Office to deplore the IBA’s decision, while in the House of Commons that afternoon, both the Foreign Secretary and Tom King, then Secretary of State for Northern Ireland, referred to the programme as ‘trial by television’10, a phrase picked up and later developed by Mrs Thatcher. Thames Television were astonished by the sudden furore as no hint of the Foreign Secretary’s telephone calls to the IBA had reached them. Speaking much later, Richard Dunn, Managing Director of the company, revealed another twist in an already complicated story, and one which underlined differences in opinion within the Cabinet itself:

On the night before Death on the Rock was transmitted, Ian Tethowen (Chairman of Thames and a former Director General of the BBC) and I had dinner with Douglas Hurd, the Home Secretary (among whose responsibilities was broadcasting).

Over dinner, which had been arranged some weeks earlier to discuss the forthcoming White Paper (on broadcasting), the Home Secretary told us that he had been telephoned the previous day by the Foreign Secretary. Sir Geoffrey had explained the programme being planned by Thames and had urged Douglas Hurd to ask the Chairman of the IBA to postpone its transmission until after the inquest (for which, incidentally, no date had been set, and wasn’t for some months). Douglas Hurd had told Sir Geoffrey Howe that he would not call the Chairman of the IBA, and said he did not think it was right for the government to interfere in programme decisions that were clearly the responsibility of the IBA.

He asked us if the Authority had been fully and properly consulted, and whether they had previewed the film. When I explained that the IBA Director of Television and the Director General had already viewed it, and that the Chairman of the IBA would see it later that evening he was content. Thames were willing to abide by the final decision of the IBA. So was the Home Secretary.11

In response to the Foreign Secretary’s press briefing that afternoon, the IBA issued the following statement:

The IBA considers that the programme is a responsibly made documentary which assesses and analyses the role of the terrorists and the SAS in a thorough manner. The IBA has taken advice of Counsel and has been told that the transmission of the programme is not in contempt of court. The programme makes clear the full horror of the crimes committed by the IRA terrorists. The events of the Gibraltar shooting have already been the subject of wide journalistic investigation. The IBA believes that it would be
unreasonable to deny further reporting of them to television. The IBA believes that the material in this programme is unlikely to prejudice the outcome of the inquest. The IBA believes that to postpone the programme until after an inquest which is still a long way away would give the IRA more ‘oxygen of publicity’, and would certainly not prevent it being shown elsewhere e.g. in Parliament to interested MPs, or its contents being widely reported.

At 9.00pm that evening, *Death on the Rock* was transmitted as agreed between Thames and the IBA. It contained interviews with five witnesses who had not been previously interviewed by the Gibraltar police and who threw considerable doubt on Sir Geoffrey Howe’s original statement to the Commons that the terrorists had been shot ‘after being challenged’. Among the statements made were allegations that the three IRA volunteers had been shot repeatedly by the SAS without warning and that two had tried to surrender. A former army bomb disposal expert also said that the security forces could not have believed that the terrorists’ car contained a bomb as such a heavy load would have been obvious. This contradicted government sources which had suggested that one of the reasons for the shooting was that the security forces feared that the terrorists might set off the car bomb by remote control.

**Friday, 29 April**

In an interview on Japanese television, which was later carried by the BBC and ITN, Mrs Thatcher whose phrase ‘the oxygen of terrorism’ had been neatly turned against her by the IBA, said that her anger over the programme went much deeper than being ‘furious’. Arguing that the place for trial was a court of law, she added,

> Trial by television or guilt by accusation is the day that freedom dies. Press and television rely on freedom. Those who do rely on freedom must have the duty and responsibility and not try to substitute their own system for it.

Sir Geoffrey Howe also returned to the attack in an interview for *The World at One* on BBC radio where he said there could be no justification for the attempt to constitute a television programme as ‘Judge, Jury and Prosecuting Counsel’. It was ‘grossly and wholly improper’.

In a forthright statement that afternoon, Lord Thomson replied that the government had ‘grossly’ over-reacted and described the decision to make public the government’s attempts to delay the programme as ‘not wise’ as their high profile intervention had resulted in *Death on the Rock* receiving much more attention. He went on,

> The programme would have gone out, there would have been a fair degree of interest in it but the general concern about it would have been a fraction of what has now been created. I think there has been a serious and ill-judged over-reaction...I reject absolutely that this is trial by television. It is a normal piece of journalism in the face of terrible events. The over-reaction by Ministers runs not the risk of threatening the IBA – that’s a secondary question – but really of undermining something that’s immensely valuable in terms of the free media. That’s what’s at issue.

Later on 7 May Professor Michael Zander quoted the Salmon Royal Commission on contempt before Tribunals (1969) in an article in *The Guardian* in support of the IBA’s decision. He wrote,

> Unless it could be shown that the interview was intended to or was obviously likely to contaminate the evidence, the Salmon Commission said it should not be contempt to publish such interviews even after the Tribunal had been established. Far from supporting Mrs Thatcher and Sir Geoffrey Howe, the Salmon Report therefore demolishes their whole case, for no one could suggest
that interviews in the TV programme were obviously likely to contaminate the evidence... Government will also derive little comfort from the view of the Salmon Commission on the value of press comment on such situations. When there is a crisis of public confidence about a matter of nationwide concern, it is very much in the public interest that there should be complete freedom of discussion for all - the man in the street, the press, television and radio. To curtail or prohibit free discussion is only likely to increase public unease and is altogether contrary to our concept of a free society. Moreover, freedom of comment may lead to fresh factors being brought to light or new theories being aired which may help the tribunal in its task of arriving at the truth. We have no doubt but that the solid advantages of freedom to comment greatly outweigh the remote risk of the tribunal being improperly influenced by such comment.

While on 9 May Lord Scarman, a former Law Lord in a letter to the The Times of London wrote,

There is no trial imminent in the United Kingdom which could be prejudiced by the broadcast. There is no public inquiry set up, or even promised, in the United Kingdom. The broadcast, therefore, could not be stopped as a contempt of court or as a threat to any judicial proceeding pending or promised in the United Kingdom. The right to be informed and to comment upon matters of public interest is vital to the workings of a democratic society. Restraint is justifiable if necessary to prevent prejudice or judicial proceedings which are imminent. But to extend the restraint to protect proceedings overseas would have serious implications. It would, for instance, imperil the opportunity, often the only opportunity, of exposing the victimization of the innocent in many parts of the world.

Thursday, 5 May

In Northern Ireland only, the BBC screened an edition of their current affairs programme Spotlight, also investigating the Gibraltar shootings. Again there was strong reaction from the government. Sir Geoffrey Howe had telephoned Marmaduke Hussey, Chairman of the BBC's Board of Governors, the previous morning to seek reassurances that interviews with new witnesses of the shooting of the three IRA members would not be broadcast and making it clear that the government strongly objected to the screening of any interviews which could 'prejudice' the result of the inquest. In a letter he wrote that evening, he maintained that the broadcast in Northern Ireland would, 'directly affect the security forces of the country'. Despite this government pressure, Spotlight was transmitted at 8.30pm as scheduled.

Next day, Sir Geoffrey Howe, describing himself in the Commons as a champion of the BBC, went on,

It does concern me deeply because it did contain the very features about which I have warned. The interviewing of witnesses, the presentation of their evidence in interview form in a selective, edited fashion is precisely to contaminate the evidence and influence unhelpfully the way in which the interview will be conducted.

Thursday, 12 May

In reply to a letter from the Foreign Secretary dated 4 May and carrying the salutation 'Dear George', which attempted to give the rationale concerning the government's intervention before the transmission of Death on the Rock, Lord Thomson wrote, 'Dear Geoffrey':

Apart from the importance of avoiding contempt, the issues as we see them relate to free speech and free enquiry which underpin
individual liberty in a democracy. The right of broadcasters and the press to examine events of major public concern is well established and should be preserved. In the last year alone the enquiries of the media and their interviews with eye witnesses have helped inform the public about the circumstances surrounding such events as the Zeebrugge ferry disaster, the King’s Cross fire, the shootings at Hungerford, the Remembrance Day massacre at Enniskillen, and the brutal murders at the Anderstown funeral— all of them controversial. In all these cases inquests have been held and in some cases public enquiries have also been set up without any suggestion that previous interviews with witnesses on television or in the press have interfered with the course of justice.\(^{13}\)

**Outcome**

The repercussions of broadcasting *Death on the Rock* in the face of the implacable opposition of Mrs Thatcher and her government were many and are still with us. In 1988, using his powers under Section 29 of the Broadcasting Act of 1981, which states:

\[(4) \ldots \text{The Secretary of State may at any time by notice in writing require the Authority to refrain from broadcasting any matter or classes of matter specified in the notice; and it shall be the duty of the Authority to comply with the notice.}\]

and also a similar clause (13.4) in the BBC’s Licence and Agreement 1981, the Home Secretary introduced a ban on direct interviews with members of Sinn Féin and other specified organizations such as the IRA, the Irish National Liberation Army, the Ulster Volunteer Force and the Ulster Freedom Fighters. This ban was only rescinded in 1994, after the IRA and loyalist ceasefires were announced.

Following the great outcry in parliament and the even greater outcry by certain sections of the press, all of which impugned the integrity of those who had been interviewed and also the programme makers. Thames Television set up an independent inquiry under Lord Windlesham—a former Tory Leader in the House of Lords and junior minister in Northern Ireland and Richard Rampton QC a leading and respected lawyer. Its findings in effect vindicated the broadcast, the company and the IBA. Mrs Thatcher immediately rubbed the report as she had rubbed the original programme. Writing much later, Ian Gilmour, a member of her first cabinet, said:

That effectively was the end of the ITV as it had been known since its inception in 1955. If Independent Television was not going to do what it was told, it had to be changed to make it amenable. In a speech to the Press Association in June 1988, the Prime Minister had announced that the way forward was more channels because ‘the free movement of expression of ideas is guaranteed far better by numbers and variety than it ever can be by charters and specific statutes’. Superficially that was odd, since the objective of the government had been to inhibit the free expression of ideas on television, while the charters and statutes to which Mrs Thatcher objected sought to preserve free expression. But the oddness was only superficial. A multiplicity of channels as in America, allegedly providing choice but in reality providing fifty-seven varieties of the same trivia, would achieve the Thatcherite objective: the neutering of television as a forum for political ideas independent of the agenda set by Downing Street.\(^{14}\)

And so the Broadcasting Act of 1990 replaced the Independent Broadcasting Authority— which as the legal broadcaster had interposed itself between the government of the day and the individual programme company— with the Independent Television


Commission, a licensing body shorn of most of its predecessor’s powers and without the obligation to educate and inform as well as to entertain. Programme franchises were to be auctioned to the highest bidder with only a passing acknowledgement of the quality of programmes they promised to deliver, and in the ensuing scramble Thames Television, one of the most adventurous producers of programmes in the days of the IBA and incidentally the perpetrator of Death on the Rock, lost its contract to the lack-lustre Carlton. At the end of his term as Chairman, Lord Thomson was replaced by George Russell, Chairman and Chief Executive of Marley plc and with a much sounder, in Mrs Thatcher’s eyes, background in business and high finance. He was later knighted. While the Director General, John Whitney, disappointed at his lack of preferment and disillusioned by the tensions of his office, left the IBA to join Andrew Lloyd Weber’s Really Useful Company. He was succeeded by Shirley Littler, a former career civil servant who had served in the Home Office and for some time as Deputy Director General. Finally, and almost as if to disprove the allegations by Sir Geoffrey Howe that Death on the Rock might contaminate the evidence or unduly influence the outcome of the Coroner’s inquest, on 30 September 1988 the jury of eleven men in Gibraltar after a nineteen day hearing and a retirement of nearly eight hours, returned a verdict of ‘lawful killing’ by a majority of nine to two.

The confrontation between the Thatcher government and the Independent Broadcasting Authority over the transmission of Death on the Rock led to a major transformation in the ecology of British Broadcasting – and not one for the better. As Richard Dunn had said.

There was something about the shrill cry in the White Paper that television should go to the highest bidder that made it feel as if television had gone to the tallest gallows. The Prime Minister had made it plain that if the broadcasters were not wholly with her, ‘supporting our boys’, they were the enemy. It was as simple as that.\(^\text{15}\)

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New media technologies in Europe: the politics of satellite, HDTV and DAB

Hans J. Kleinsteuber

Introduction

It has been the tradition in Europe to develop media technologies at national level with close cooperation between the state and the private sector, and frequently with competition between different states and their industrial infrastructures. The creation of new technologies mostly occurred within the electric, and later the electronics industry and included studio equipment, transmitters and receivers; it also included those industries supplying equipment to areas such as telecommunications, optics and the aerospace industry. The state has always provided some of the central players, for example, Post Office administrations (Telecoms), research ministries, the military sector and in particular, the public service broadcasters [Flichy. 1994: 164ff. 228ff).

During the 1980’s a Europeanization of research and development took place that was accompanied by quick and wide-ranging changes in the development of media technologies. This process occurred on several levels:

- The overall number of broadcasting stations was increased in Europe with the utilization of direct satellite transmission and/or via cable;
- New technologies facilitated European-wide reception of TV;
- For the first time, new technologies were no longer developed at national level (as it was the case with earlier innovations such as colour TV, stereo TV etc.) but through supranational cooperation between electronic companies, with European financing; this was especially the case for HDTV and digital radio transmission.

This paper focuses on three technologies that demonstrate the wide spectrum of the new developments; these are Direct Broadcasting Satellites (DBS), High Definition Television (HDTV) and Digital Audio Broadcasting (DAB). The development of DBS was largely steered by market forces whereas HDTV had been initiated by the EC/EU1 and other European institutions such as EUREKA; DAB is being developed with European support in a limited number of EU countries (Kleinsteuber and Rossmann, 1994: 116ff).

Satellites

Satellite technology started as a result of the technological rivalry between the Soviet Union and the US with a strong emphasis on military applications. At the beginning, Europe was not a serious actor. In 1962, for the first time, the US satellite TELSTAR transmitted transatlantic TV images: in 1965 the US began regular satellite broadcasting. From 1964 until the 1970’s, INTELSAT, which was US-controlled and which operated worldwide, transmitted to Europe. Europe itself remained passive and even Canada had launched communication satellites long before the Europeans. During the 1970’s, however, Europe was haunted by the spectre of the ‘American challenge’. This led a number of countries to boost their policies and spending on media technology in order to avoid dependency on the US. Initially satellite projects were still national (TV-SAT. TDF), followed later by European activities, partly at government (EUTELSAT), partly at commercial level (ASTRA) (Jahnson, 1993, Collins, 1992).

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1. EC refers to the European Community. EU describes the European Union, as the EC was renamed in 1993. The events that are being analyzed here, happened mainly at the time of the EC. If only the EU is concerned, this abbreviation is used.
To get away from INTELSAT, European satellite projects, backed at first by the European Space Agency (ESA) began to move forward. Satellite TV started in Europe in 1978 with the orbital test satellite (OTS) of ESA, a low frequency Telecom satellite, designed to serve cable stations. In 1977, EUTELSAT had been set up by eighteen Telecom administrations as a European satellite operator, launching communication satellites of its own from 1983 (ECS-F-1 and F-2) (Ostergaard, 1986). As early as 1984, France had put its first national satellite into orbit; this was built by Matra and named TELECOM 1. Since then French satellites have been supplying the former French colonial territories with TV programmes.

At that time, it was thought that European technological self-sufficiency would be achieved by a completely new satellite specification which was aimed not only at catching up with the Americans but overtaking them. This was the direct transmission satellite (DBS) which bypasses cable systems and beams TV programmes directly into homes (Direct-to-Home, DTH). It featured a low number of transponders, a national 'footprint' (transmission radius) and high powered signals so that – leaving cable aside – a relatively small dish antenna would be needed for reception. The 1977 World Administrative Radio Conference (WARC) allotted the necessary frequencies. Prototypes of this line were the German TV-SAT and the French TDF with five channels each, followed by the British Marco Polo and the Swedish Tele-X.

Let us take the German example. In 1977, several large firms from the German electronics and aerospace industry were commissioned to develop the first DBS specification. The concept of DBS reflected the aim of the then social-liberal government coalition to minimize the number of new channels in order to safeguard public service broadcasting, but, at the same time, to demonstrate German 'high tech' competence. In 1981, the Federal Republic and France agreed on coordinated DBS development. The first satellite TV-SAT 1 was launched in 1988 but, owing to technical defects, was a total failure. TV-SAT 2, TDF-1 and TDF-2 went into orbit in 1990 with several channels of TDF not working. As part of government satellite policy, these satellites were tied to the D2-MAC policies of the EC (see below) and thus limited in their influence. At the end of 1994 TV-SAT ended transmission of TV programmes, demonstrating that this specification had been developed outside of market considerations and was no longer of much use.

Because satellite policy was under the direct control of EUTELSAT and the national Telecoms, competition could only come from outside Europe. A consortium of US origin entered the field with an American built, hybrid type satellite under the formal charge of the Grand Duchy of Luxemburg (Noam, 1991: 299 ff). Its special characteristics were a large number of channels, a pan-European 'footprint' and the potential for DTH reception. At that time, this advance met with bitter resistance from European Telecom administrations and was only finally accepted because the project was set up with capital from a European consortium. The Société Européenne des Satellites (SES), established in 1985, comprised financial institutions, banking houses and TV producers from the Federal Republic, Luxemburg, Sweden, Denmark, Belgium and Great Britain (Ahrens, 1992; Kleinsteuber, 1991).

The first SES satellite, manufactured like all others in the US, was ASTRA 1 A, launched at the end of 1988 with sixteen and later, eighteen channels. After a test period, it turned out to be an absolute winner. By November 1994, a total of four satellites had been placed in orbit with up to 68 channels. More ASTRA launches are planned for 1995-96: the first all-digital satellite will start transmission in 1995. Prices for ASTRA antennas have dropped in recent years and are now as low as ECU 200 or less. According to ASTRA figures, their satellites serve approximately fifteen million households throughout Europe with up to six million in Germany. (There is a high penetration in East Germany, because of the lack of cable TV). In Eastern Europe, too, ASTRA has a large, although hardly measurable 'shadow' clientele. ASTRA holds approximately ninety per cent of the DBS market and is thus almost in monopoly position.
Table 1
PENETRATION OF NEW MEDIA IN WESTERN EUROPE 1993
(SELECTED INDICATORS)

<table>
<thead>
<tr>
<th>State</th>
<th>TV House-</th>
<th>Cable</th>
<th>Cable</th>
<th>Satellite TV</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>hold in millions</td>
<td>connections in 1000s</td>
<td>penetration in %</td>
<td>Receivers Number</td>
</tr>
<tr>
<td>Aus</td>
<td>2.99</td>
<td>967</td>
<td>32.30</td>
<td>max 500,000</td>
</tr>
<tr>
<td>Bel</td>
<td>3.80</td>
<td>3,725</td>
<td>98.00</td>
<td>10,000</td>
</tr>
<tr>
<td>DK</td>
<td>2.30</td>
<td>1,323</td>
<td>57.30</td>
<td>65,000</td>
</tr>
<tr>
<td>Fin</td>
<td>2.15</td>
<td>780</td>
<td>36.30</td>
<td>15,000</td>
</tr>
<tr>
<td>Fra</td>
<td>20.45</td>
<td>1,206</td>
<td>5.90</td>
<td>max 350,000</td>
</tr>
<tr>
<td>Ger</td>
<td>min 33.40</td>
<td>13,116</td>
<td>39.30</td>
<td>max 4,200,000</td>
</tr>
<tr>
<td>Gre</td>
<td>3.09</td>
<td>min</td>
<td>min</td>
<td>2,000</td>
</tr>
<tr>
<td>Irel</td>
<td>1.00</td>
<td>min</td>
<td>max</td>
<td>50,000</td>
</tr>
<tr>
<td>Ita</td>
<td>20.30</td>
<td>min</td>
<td>max</td>
<td>100,000</td>
</tr>
<tr>
<td>Lux</td>
<td>0.14</td>
<td>117</td>
<td>81.40</td>
<td>1,500</td>
</tr>
<tr>
<td>NL</td>
<td>6.20</td>
<td>5,700</td>
<td>92.00</td>
<td>max 250,000</td>
</tr>
<tr>
<td>Norw</td>
<td>1.05</td>
<td>642</td>
<td>36.60</td>
<td>max 160,000</td>
</tr>
<tr>
<td>Port</td>
<td>3.14</td>
<td>10</td>
<td>0.32</td>
<td>100,000</td>
</tr>
<tr>
<td>Spa</td>
<td>11.35</td>
<td>749</td>
<td>6.60</td>
<td>150,000</td>
</tr>
<tr>
<td>Swe</td>
<td>3.84</td>
<td>1,931</td>
<td>50.30</td>
<td>325,000</td>
</tr>
<tr>
<td>Swi</td>
<td>2.47</td>
<td>1,908</td>
<td>77.10</td>
<td>max 40,000</td>
</tr>
<tr>
<td>UK</td>
<td>22.08</td>
<td>504</td>
<td>2.28</td>
<td>2,662,000</td>
</tr>
</tbody>
</table>

Source: Cable and Satellite, Europe, 1994, 1: 56-65

The first ASTRA channels were leased by the Murdoch group for its Sky project that later changed into the present British Sky Broadcasting (BSkyB) system, mainly a package of DBS pay programmes. Meantime, nearly all German and British commercial programmes are being transmitted via this satellite system and also an increasing number of public TV offerings (ARD, ZDF, German Third Programmes, 3Sat and others) (Zimmer, 1993). In fact, ASTRA satellites serve not only the two most profitable European markets (Germany and Great Britain) including relevant markets on the periphery (Austria, parts of Switzerland, Ireland), but have achieved an immense lead over its main competitor EUTELSAT (Schmitt-Beck and Dietz, 1993). ASTRA is the pacemaker in European satellite development and very much ruined the strategies of the European Telecoms. The German Telecom accepted the new situation; while remaining part of EUTELSAT, it bought a large share (17 per cent) in ASTRA's SES company in 1994.

The essential characteristics of the emerging European satellite system are very much the opposite of what were the declared goals of EC media policy:

- ASTRA's satellites have been produced in the US and do not support Europe's space industry;
- the operator is a private consortium (SES) outside of any effective European regulation;
- the new DBS transmission norm decided upon by the EC is D2-MAC, but ASTRA continues to work in PAL (see below).

ASTRA's success marks a completely new situation in Europe. Until its emergence, new broadcasting technologies had been decreed 'from the top', based on an alliance of industry, Telecoms and public service broadcasters. With SES though, a different type of commercial operator arrived that may choose to refuse any politically desired technical
standards, if it does not suit its commercial interests. It does not seem possible to impose regulations on ASTRA, a fact which had been warned against at an early stage but was ignored (Taishoff, 1987). The establishment of SES in Luxemburg is only formal, some programmes for Britain (BSkyB) for example have never been licensed.

EUTELSAT is the only recognizable competitor of ASTRA. It transmits TV programmes (about forty) on seven satellites, but is, for the most part, a supplier for cable networks. EUTELSAT employs DBS satellites which operate, however, from a different orbital position and have no chance against those from ASTRA which has a market share of about ninety percent in Europe. In 1996 EUTELSAT plans to launch two digital DBS satellites of the HOT BIRD type (EUTELSAT, 1993).

Satellites and digital television

Current plans are for a new type of 'digital television' to be introduced within the next few years. This will not take the form of an all-digitalized line of transmission between studio and screen, but the digital transport of images fed into conventional (i.e. analogue) TV sets. The advantage lies in the fact that via the channels already available - cable or satellite - a considerable number of programmes (up to ten per channel) can be transmitted. An ASTRA satellite with eighteen transponders now would then be able to deliver up to 180 programmes.

It is evident that there is hardly any room for further expansion of advertising on commercial television in Europe. Further programme services are therefore planned through subscription TV, including pay-per-view; teleshopping channels are also in the pipe-line. For payment a simple feedback mode is planned which will work as a digital signal via the telephone network. In order to introduce the new technology in Germany, the firms of Bertelsmann and Kirch - which, together with Canal Plus, run PREMIERE, the only Pay-TV channel on the German market - established a joint venture with the German Telecom, named Media Service GmbH (MSG) at the beginning of 1994. The economic power thus brought together by the three largest media actors has been sharply criticized and the EU banned the project in November 1994.

Other European actors like Burda, Bauer, CLT have continuously attacked this scheme and started their own planning, based more on terrestrial networks and the American concept of interactive television. An international consortium, including Matra-Hachette, the Pearson group and Burda will introduce Europe Online, modelled on America Online (run by Meigher Communication, which is also participating) and offering interactive services, based on computer transmission.

For a long time, there were no substantial EC/EU policies which reflected these new developments. Until recently, the EC separated planning and organization for the media from telecommunication policies, as the different general directorates in charge show. Since the 1980's the EC has been very active in European telecommunication policies and has sought harmonization, liberalization and universal access (Steinfeld, Bauer and Caby, 1994; Mansell, 1993). These guidelines had been inspired by pan-European business enterprises with the aim of improving European management communication. Over the years, the EC has been active in planning and financing different initiatives (KOM, 1994). Nevertheless, national Telecoms and their often conflicting interests in Europe remain the leading actors. In June 1994 the so-called Bangemann Group presented a paper calling for an integrated European broadband network, in order to connect all telephone, cable and satellite networks via common transmission standards.

In Europe, it now seems to have been realized also that digitalization is leading to a convergence of communications and media technologies, thus eliminating any differences between sound and image, text and data as they all travel via the same binary signal. The need in Europe for new and efficient networks - as the Maastricht treaty particularly underlines - is undisputed and certainly part of a strategy of bringing Europeans closer together. Yet, the logic of networks is always bound up with the
particular interests of different actors and so far the development of media networks has been mainly stimulated by large national actors with a tendency towards centralistic and hierarchical structures.

A comparison with the US is evidence for this. The improvement of media Superhighways' there has usually begun with terrestrial networks being 'scaled up' digitally and some interactive capabilities being introduced (MediaGruppe, 1994). Interactivity as a concept is taken from the logic of computer networks, which work on a server-client basis (like Internet). The advantage of the concept of interactivity is that viewers get various options for feedback signals, e.g. for e-mail, access to on-line databanks, individually selecting electronic newsmagazines or they may even participate as active senders (Neumann, 1991). Digital communication technologies are interpreted in the US above all as 'Technologies of Freedom' (Pool, 1983), adding to the media a completely new quality of strengthening the individual, enlarging his range of choices and offering the chance of becoming personally active and thus less dependent on the existing media agglomerates.

Comparing these concepts with the leading plans in Europe, a fundamental difference appears. Satellite channels of the ASTRA type are not suited for interactivity, they only allow uni-directional communication. This supports the strategy of the largest European media companies, like MSG, which prefer a technology that offers 'more of the same', as such providing more conventional TV channels. The situation is quite different in the US, where the telecom and computer (hardware and software) industries are on the move to build up the digital and interactive media structures of the future in order to take market share away from the conventional broadcasting industry (mainly the three large networks) (Kleinsteuber, 1994a). As was mentioned, European actors are choosing the 'American Way' also, as the Europe Online example shows.

**New television transmission standards: HDTV**

HDTV was developed in a 'high-tech triad' that included Europe, Japan and US. As a technology, HDTV represents the next generation of TV technology which entails at least a doubling of the number of lines that make up the TV picture (Kleinsteuber, 1994, Bischoff, 1993). TV's history may be seen as a succession of stages, each one characterized by an increase in the number of lines. During past decades, TV screens were made larger but the density of lines remained the same. Increasing the number of lines looked like a natural solution (HDTV in Japan 1125 lines, Europe 1250). The resulting HDTV image can be projected upon a much larger screen; the image is more detailed and is presented in wide screen format (16:9 ratio). The quality of reproduction, or so the promoters argue, parallels that of the cinema.

HDTV with its greater number of lines needs larger channels for signal transmission, at least as far as the analogue method is concerned (Prentiss, 1993, ZDF, 1991). That is why, earlier on, HDTV had not been designed for terrestrial broadcasting but only for digital satellite transmission (Japan) or for digital satellites with cable distribution (Europe). Only the US gave consideration to terrestrial transmission whereby the original channel remains and a second independent channel transports the additional HDTV signals.

HDTV, to be sure, conforms to common physical and scientific laws. Nevertheless, practical application in the three high-tech regions mentioned above disclosed certain peculiarities to be allowed for, as for instance the availability of frequencies in the electro-magnetic spectrum, geographical conditions, population density. Different traditions and experiences as to government policies concerning technology, industry and standards have to be taken into consideration as well. Last but not least, the parties and persons concerned with the development of technical innovations are very different indeed. Over the years, changing coalitions and competitions have appeared in the 'high-tech triad' in the tradition of 'capitalistic rivalries' as we know it from other fields of high technology (Hart, 1992).
HDTV experimental work was initiated in Japan where research in the field of new TV technologies had been going on since the 1960's. As a central actor there emerged the public-service broadcaster Nippon Hoso Kyoka (NHK) whose laboratories started around 1980, and which sought cooperation from interested Japanese private firms (NHK, 1992; Kenji, 1990). The result was the development of a Japanese HDTV specification, called Hi-Vision/Muse, based mainly on an extension of the conventional analogue technology. Since 1990, receivers for HDTV have been on the market, but they are extremely expensive and up to 1994 only about 20,000 have been sold. One HDTV programme via satellite has been offered on an experimental base for several years.

During the early 1980's, Europe watched the Japanese efforts with growing scepticism. The electronics industry had been confronted with the fact that a large share of the market for hi-fi equipment was being lost to producers from the Far East. In light of the Japanese success on the US market for TV sets, it was suspected that the same would happen to European manufacturers. The European market had been protected because patents for PAL and SECAM were only selectively passed on to Japanese competitors whose share of the European TV set market in 1986 was just fourteen per cent. But gradually these patents were going to expire. The EC started to react when, at the 1986 CCIR conference, the Japanese urged the introduction of global HDTV specifications, based on their HiVision. HDTV was declared a key technology for Europe that had to be developed independently from Japan. Preconditions for any European HDTV policies would be incompatibility with Japanese standards and the exclusion of the Japanese from research (Meyer-Stamer, 1994; Niblock, 1991).

In Europe, too, preliminary studies for new TV technologies had been made, starting with Great Britain in the late 1970's. The engineering division of the Independent Broadcasting Authority (IBA) developed the system Multiplexed Analogue Components (MAC) to be applied mainly in DBS satellites as a transmission technology to avoid colour distortion in TV images. In 1986 the European Broadcasting Union (EBU) stipulated that MAC was to be the new European standard for all future DBS projects. In the same year, the EC issued a directive according to which member states were committed to applying MAC exclusively in all DBS satellite transmissions. During the following years the European Council and the EC repeatedly announced the urgent need for the introduction of an all-European HDTV service.

A particularity of the European approach to HDTV was that the introduction was to be in two stages with compatibility between each. According to these plans, first D2-MAC (in Great Britain D-MAC) would be introduced with improvements in quality of image and sound, and in wide screen format (16:9), but with conventional density. During the second phase the number of lines would be doubled to 1,250 to provide for HD-MAC. Both specifications were planned to be partly digital, the actual transmission to continue to be analogue.

Beginning in 1986, HDTV received massive government sponsorship. Within the scope of the EUREKA programme, project EU 95 was set up with a capital input of ECU 625 million for research and development in support of HDTV. The consortium was headed by the two electronic companies Philips of the Netherlands and the French state controlled corporation Thomson; forty firms from ten countries participated.

A number of other EUREKA projects - Bischoff in his analysis counts eight - also related to HDTV (Bischoff 1993: 126). The JESSI programme (EU 125) was to bring European industry up to world standard in the development of computer chips. To safeguard HDTV policies, the RACE programme tested glass fibre cables in a 'fibre-to-home' structure to feed HDTV programmes. Parts of the MEDIA scheme for the advancement of audiovisual production and distribution in Europe were made ready for an early start to HDTV. Europe's filmmakers were encouraged to employ HDTV in film production. By the end of 1991, more than DM 800 million had been spent on the promotion of MAC via EU 95 (Bischoff, 1993: 153). There was also national HDTV promotion: i.e. in the Federal Republic, the two ministries responsible for research and telecommunications, had contributed approximately DM 100 million by 1992.
In the following years, HDTV was styled a prestige European project and the European Commission gave generous public relations support. 'The Commission is helping to ensure that the Community has an integrated HDTV strategy, involving all the different industries which must work together for the successful introduction of HDTV services in the 1990s.' (KOM, 1991). On the initiative of the EC, interested parties from the electronics industry and programme providers came together in 1990 to found 'Vision 1250' which was to promote the production of HDTV programme material. The Olympic Games of 1992 in Barcelona were the chosen occasion to demonstrate for the first time the whole range of HDTV technology and to offer HDTV programming to the public.

Nevertheless, the project was ill-fated once the adoption of MAC-generation had been declared an absolute European necessity in order to end the split between PAL and SECAM standards. In fact, national solutions were tolerated - Great Britain pushed through its incompatible variation named D-MAC. The two leading actors Philips and Thomson, sponsored mainly by their home governments, were both badly prepared and in economic difficulties; it was argued that EC capital helped to restore them both to health.

But the major handicap was that the transition to MAC had been virtually decreed by the EC 'from the top'. Those who were supposed to benefit most from HDTV, the television broadcasters, were hardly interested. Public service broadcasters feared to be deprived of their accustomed leading position in developing new media technologies, but they were obliged to face giant investments despite growing financial problems. Notwithstanding their legitimate problems and reservations, they were expected to obey and cooperate on these matters of political concern.

On the other hand, the 1980's in Europe had witnessed the growth of a new commercial TV industry which maintained an attitude of blunt rejection of HDTV. This industry had just introduced TV funded by advertising at high financial risk and did not want to bother with the uncertainties of new technologies. The president of the Association of Commercial Television (ACT), Werner Klatten, stated in 1992: "The procedure of the Commission concerning D2-MAC was typical of the idea of harmonization by regulation and is, thank God, a failure" (European Institute for the Media, 1992: 18). Moreover, we know from the US example that commercial TV suppliers prefer an attitude of strong technological conservatism. Accordingly, the leading commercial satellite company ASTRA and large programme suppliers like Murdoch's Sky Television stuck to conventional PAL which became the dominant DBS norm. Those holding on to D2-MAC such as the users of the German-French DBS satellites (of the TV-SAT type) or the British commercial DBS project BSB suffered heavy losses for lack of adequate decoders and significant consumer interest.

The outright rejection of D2-MAC by commercial broadcasters created a difficult situation for the promoters of HDTV. In a 'Memorandum of Understanding' of August 1990, the German TV suppliers, the electronics industry, Telecom and the Ministry for Post and Telecommunications were more or less forced to come to an agreement and support the introduction of MAC.

What looked like a perfectly organized action similar to previous successful strategies by the EC was contradicted by the reality that ASTRA and PAL continued to dominate the market. The appliance industry was quite right in assuming that there was no mass market in MAC and took time in offering reasonably priced sets. Some programmes were indeed additionally transmitted in D2-MAC via DBS satellites and Telecom cable, but this strategy - like the whole concerted action - seemed to be at a dead end. Similar results have been observed in other European countries, especially in Great Britain and France (Niblock, 1991: 59ff). In 1991, the first D2-MAC sets produced by Thomson came on the market at a price of approximately DM 10,000. In 1993 the price dropped to DM 3,000. During the first two years, according to information from the manufacturers, 'a few thousand wide screen sets' had been sold in Germany (Wirtschaftswocne, 20 August, 1993: 60).
The main opponents to the adoption of the MAC specification were, as the example above shows, the commercial programme-makers and satellite suppliers. Faced with their delaying tactics, the EC tried to use its authority to force a breakthrough of D2-MAC, a policy much associated with the commissioner responsible, Pandolfi. In several powerful actions the Commission prepared a directive according to which all new suppliers of satellite programmes would be obliged to transmit in D2-MAC and all large TV sets would be equipped with D2-MAC decoders. In a 'Memorandum of Understanding' the EC tried to get all parties concerned to accept this line. The EC planned a new five year scheme with a budget of ECU 850 million to subsidise programme production in wide screen 16:9 format and transmission in D2-MAC. This implied that satellite programmes were to be transmitted in D2-MAC at EC expense: a parallel service for the audience in PAL ('simulcasting') could remain (KOM. 1992a).

Cable systems were to be provided with D2-MAC as well. From 1991 onwards, Philips, Thomson and the French Ministry for Research exerted pressure to ban PAL altogether after 1994.

These EC policies were formed at a time when it had already become clear that D2-MAC could be nothing more than a transitional standard, and the whole MAC system seemed to be more and more out of line with developments elsewhere. For the first time opposition arose in the European Parliament against HDTV policy, mainly from environment and consumer associations who objected to the amount of money spent on HDTV.

The MAC strategy of the EC as it had been drawn up in 1991/92 collapsed despite enormous concessions made to TV broadcasters. The major opponent of the plan had been Great Britain, an EC country with little domestic electronics industry, but a relatively large number of Japanese affiliates and also home for most commercial transnational TV broadcasters in Europe. Britain did however show interest in EC subsidies for its own industry, mainly for the development of genetic engineering. The meeting of the European Council in December 1992 put an end to the MAC-led policy. In January 1993 Philips announced a complete stop in the production of HD-MAC sets (Understanding and Outlook, 1993). At the end of 1994, transmission in D2-MAC via TV-SAT ended in Germany.

In mid 1993 the Telecom ministers of the EC managed to convince Britain to agree to the following arrangement: during the next four years, ECU 228 million were to be made available to support programme development for wide screen TV (16:9). The new EC commissioner Martin Bangemann, successor to Pandolfi, announced rather vaguely: 'Many exciting new television services - including high definition television - will be introduced on to the market over the next few years, but the wide screen 16:9 standard will be common to them all' (quoted in Broadcast, 25 June, 1993). The British consented because the European subsidiaries of Japanese firms will be allowed to participate, which is particularly relevant to Sony.

The EC policy concealed the fact that other less spectacular efforts were being made in Europe. The EC had offered its support to a group of mostly large companies and gave them publicity, whilst small firms and research institutions received hardly any attention. A very small consortium from Scandinavia, though, managed to develop a digital HDTV specification of its own named HD-Divine (Digital Video Narrow-band Emission) for just DM 6 million.

Another new foundation is the European Launching Group on Digital Video Broadcast in Europe (ELG/DVB), comprising the EBU (i.e. public-service broadcasters), European Telecoms and representatives of the electronics industry. This group is aiming to introduce a first version of digital television in 1995 (BMPT, 1993:5) with the main focus, it seems, on digital compression. Here, too, EC money has been made available for grants in the region of DM 500 million for a programme called Advanced Digital Television Techniques (ADTT).
Public service broadcasters in cooperation with the electronics industry are the driving force behind a further development of conventional technology which seems to conform better to the market: PALplus. It carries on the PAL standard in an evolutionary and compatible way. PALplus transmission will be analogue on 6 MHz as part of conventional terrestrial service, but will also offer the 16:9 standard for images with better quality by a progressive build-up of the 625 lines together with improved sound. Developments are being carried on by, among others the German ARD and ZDF, the British BBC and the Dutch NOB. In 1994 films were first shown on German TV in PALplus on ARD, ZDF and the pay-TV channel PREMIERE. Transmission will be subsidized by approximately DM 450 million under the wide screen programme of the EU mentioned above.

Digital HDTV in the US and Japan

During the 1980's an understanding prevailed in the US that, because of a lack of domestic producers of TV technology, an independent HDTV policy was not possible. At times Japanese or European developments were supported and adaptations to the specific situation of the US planned (e.g. possibility of terrestrial transmission). Initiatives for separate American HDTV developments were started in the late 1980's, and, unlike Europe, were accompanied by a broad public discourse in the academic community and hearings before different committees of Congress (Prentiss, 1993; CasaBlanca, 1992; Benson and Fink, 1991). American investment in HDTV was seen as an instrument of industrial policy, serving the recovery of key segments of the economy and securing America's future. There was strong demand for subsidies for HDTV by members of the Democratic party in Congress (amongst them the then Senator Al Gore), but any active HDTV policy was refused by the Reagan and Bush Administrations. In consequence, HDTV development remained on the agenda in the US, but received almost no government support.

In 1987, the FCC (Federal Communication Commission – eds.) began procedures to clarify the technical and legal aspects of HDTV and invited applications to present a HDTV standard by mid 1990. Independent institutes were to check the bids and select the best choice. Japan applied with a version of their HiVision/Muse and withdrew later, the Europeans Philips and Thomson joined American companies in a large consortium. Two days before the final deadline a small American high-tech firm announced its bid for an all-digitalized standard, i.e. a standard based on computer technology.

The resulting tests demonstrated that digital HDTV is going to be the solution of the future; it offers a simpler, more flexible and more reasonably priced alternative to the analogue specifications of Europe and Japan. In 1994 a 'grand alliance' was formed of large US firms together with Philips and Thomson to develop a final version of digital HDTV, scheduled to be demonstrated in 1995. American plans are to utilize the emerging digital 'information superhighway' for HDTV transmission.

In Japan HDTV of the HiVision type has shown very little growth. But any proposals to stop its spread have been attacked and put down so far. On 25 November,1994 a regular HiVision programme via satellite was introduced, jointly produced by NHK and commercial broadcasters. Wide screen TV of the PALplus type has been introduced in Japan with much more positive reaction from consumers.

Digital Audio Broadcasting: the technical and economic side

An innovative step in radio technology was developed in the 1980's to counteract a number of technical deficits in analogue FM transmission:

- FM transmission is subject to interference on mobile receivers (cars etc.). In addition, interference is increasing on account of the growing density in the range of FM frequencies and the heavy use of all kinds of electronic appliances.
• The FM signal is clearly more efficient than the earlier AM signal, but still cannot compete with the hi-fi quality of digital signals. In combination with digital audio storage already available (e.g. on CD-disc), digital radio would reach 'state-of-the-art' standard, and be able to compete with home CD recorder.

Digital Satellite Radio (DSR) was first presented to the public at the Berlin Broadcasting Fair (Internationale Funkausstellung, IFA) of 1989. It offers selected radio programmes of digital quality transmitted either via satellite or cable. DSR is now mainly used for programmes of classical music from public service broadcasters, and for a small number of commercial programmes. At present the Hamburg cable system has sixteen DSR channels. DSR tuner equipment is available at prices from DM 500 upwards. Up to now, though, DSR penetration is only minimal.

Preliminary consideration was given to terrestrial digital transmission in 1980 and initial testing started in 1985, mainly at the Institut für Rundfunktechnik (IRT) in Munich, a joint subsidiary of the public service broadcasters in Germany. In 1986, for the first time, the German Ministry of Research and Technology (BMFT) got involved in order to bring together industrial representatives of different states in a joint European research and development project. Since 1987, the development of DAB has been promoted on a large scale within the framework of the EUREKA project EU-147. During the four years 1987 to 1991, ECU 40 million was invested; for the second phase 1992 to 1994, ECU 35 million have been made available (according to information given by the EU-147 project office).

The Federal Republic has sought the position of initiator and chief promoter of DAB. A number of German electronic companies, public research institutions, Telecom and the IRT are taking part, together with partners from France, the Netherlands and Great Britain. The German Research Ministry (BMFT) contributed DM 30 million to the first development phase.

DAB standards were set up 'in cooperation with public radio/TV institutions of the Federal Republic of Germany' and are as follows:

• A high quality digital transmission mode, capable of lasting for the next fifty years and with options for multi-channel sound fidelity and data transmission (data radio).

• Unrestricted mobile, portable and stationary reception; perfect reception to be ensured for portable sets and in moving cars.

• A system with high transmission capacity for data channels to allow for broadcasting of additional information, i.e. traffic information, programme data, radiotext (DAB-Platform, 1994).

The initial intention in the Federal Republic was to broadcast DAB on Channel 12 (223-230 Mhz), formerly a channel for military use. Channel 12 could also be used for DAB in some neighbouring Western European countries. In Eastern Europe this channel is being used by high powered TV stations which cannot be easily allocated a different frequency. With a capacity of four frequency blocks with six programmes each, Channel 12 will not suffice to convert all current stations to digital transmission. Therefore, and with respect to the Eastern European situation, it is planned to include TV channels in sector 1 (channels 2-4) as well. The latest plans are to utilize the high frequency L band that may take eight to nine channels and about fifty programmes.

The development of media technology seems to be less an answer to consumer demand than a response to industrial politics. What counts are new industrial markets and behind the often publicly stated concern for job creation lies the profit motive. The German Post Ministry has revealed figures which support this assertion. Their predictions claim that, since new multi-norm radio sets will be needed, the DAB system offers European industry a mass market of approximately 600 million radio sets which require highly sophisticated chips (16 M and 64 M technology). To facilitate DAB and FM
radio during the starting phase, sets will be offered as multi-norm receivers. The annual output is estimated at about DM 500 million.

**Actors in DAB**

Dominant among the organized interests in DAB are the producers of equipment relevant for the production, transmission and receiving of digital radio programmes, all being part of the electronics industry. Another important actor is the German Telecom, responsible for a large part of all radio transmitters, yet concerned with little else but transmission 'hardware'. It is significant that DAB is being pushed by the Federal Republic's public service broadcasting system which has a long tradition in paving the way for new technical specifications in the media field, for instance stereo radio or Radio Data Systems (RDS). As far as technology goes, public service radio has traditionally been open to innovation and is attempting to continue this policy in the age of dual competition. This also is in line with their obligation (as stated by the Federal Constitutional Court) 'to safeguard a basic supply not only with respect to the contents but also to the distribution of programmes'.

In addition public service broadcasting partly transmits its own programming and consequently employs technical experts and supports the IRT, which is central to the development of DAB. It turns out though that the leadership of the highly decentralized public service broadcasting organization is split on DAB, some strongly supporting it (for example, Bavarian Broadcasting, Bavaria also being a centre of the electronics industry), others being more reluctant and not participating in the DAB-Platform (see below). Sceptics argue that DAB experiments exceed the public sector's financial means whereas commercial competitors might have the use of it later. Indeed, it may well be that public service broadcasters are going to take the technical and financial risks but be left empty handed when it comes to turning it into profit; partly on account of insufficient financial means needed for marketing and partly because politicians might hinder economic actions.

The competing lobby organization of the commercial broadcasting industry (VPRT) shows an attitude of watching and waiting. They clearly have reasoned thus: 'the development of DAB is of primary importance to industry. European equipment producers suffer sales losses and need ready markets.' Still in the process of establishing new commercial radio stations in the country, they show technological conservatism and have little enthusiasm for DAB.

So far, only the German music industry, i.e. the producers of CDs and the holders of music copyrights, have openly demonstrated scepticism towards DAB. They argue that music offered in digital quality via DAB to every household keeps the consumer from buying their 'stored music' on CDs and instead supports home recording on Digital Audio Tape (DAT). They also foresee many conflicts in the field of music copyright with DAB broadcasters. Their interests seem to go against the introduction of DAB.

On the political side, the Prime Ministers of the German Länder have the sole responsibility for broadcasting in Germany. They issued their first statement in March 1993, according to which legislation for DAB and its particularities should clearly incorporate the existing dual system and must account for different 'Länder-wide', regional and local radio stations. All existing stations of the FM band should be offered the possibility of DAB transmission, and room should be left for future radio stations. As reasonable as it sounds, this demand can hardly be met by DAB, as it is technically bound to blocks of six transmission channels and has only limited frequency space. The legal and regulatory side of DAB is still unclear, this being a central reason why the introduction of DAB has been postponed in Germany.
The German partners actively interested in DAB, formed an alliance in the form of the national DAB-Platform e.V. It was established by the Ministry for Research and Technology (BMFT). The membership of approximately fifty represented public and commercial radio stations, Telecom, industry and research institutes. The board chairman is Dr. Frank Müller-Römer, a key figure for DAB, who is based in the public service Bavarian Broadcasting company (Bayerischer Rundfunk). The Platform’s declared aim is to continue pilot projects of DAB in 1995 and to introduce it publicly at the Berlin Broadcasting Fair of 1997.

The Platform is organized into four working groups with respective responsibilities for (1) testing and field work, (2) network planning, (3) reception and (4) strategies for introduction. It is striking that no measures have been instituted to include consumer interests or even market research.

**Special interests of the car industry**

The Radio Data System (RDS) currently allows for digitally coded information to be transmitted inaudibly and parallel to the radio programme, identifying the station. In essence, each digital service is a system for data transmission. Therefore it is possible to deliver a range of additional information, e.g. to transmit still pictures to accompany radio news or detailed meteorological maps on small LCD displays. Thus, data radio is bound to bring about new commercial applications and legal problems which need clarification. Important support for DAB has come from the car industry which is interested in this data aspect.

With support from the EU, several projects are on-going to replace the conventional type of traffic announcements on radio by a data intensive traffic information system which feeds an on-board computer. By supplying current data, it is intended to give motorists individual guidance as to by-passes, slowdowns, obstructions etc. either on a small screen or as spoken text. Experiments are under way to utilize a Traffic Message Channel (TMC) with a capacity for approximately sixty messages per minute which will supply motorists with individual multi-language information (called Pilot ‘93). These experiments actually pack digital information into conventional analogue radio transmission.

The TMC method will be adopted and further advanced by DAB and will also be available as a data service to interest groups such as the taxi and rent-a-car business (DAB-Platform, 1993: 22 ff). This actually means that radio technology might be somehow taken over by the car industry. The TMC developments are competing with other projects initiated by the same lobby, e.g. transmitters installed alongside main roads of highly urbanized regions or traffic guidance via infra-red signals. Obviously, the employment of these new technologies for traffic control will lead to, as an advertisement of the car radio producer Blaupunkt says, ‘the intelligent car on intelligent roads’ or, according to the same advertisement, ‘if we cannot multiply our roads, we should at least make better use of them’.

**European developments**

In Great Britain, the BBC has had a stake in DAB developments from the very start. A DAB Forum was set up by the different interested bodies and the BBC participated in a steering group (DAB-Platform, 1994: Appendix 10). In addition the Radio Authority, newly established by the Broadcasting Act of 1990, has called for the introduction of DAB. In comparison to German DAB promoters, some detailed aspects are given different importance. For instance the question of a global standard is of much greater concern and so is the idea of holding on to parts of the FM and AM band ‘for an unlimited period’. The attitude towards technology in general is more discriminating,
less deterministic and less built on the notion of automatic technological progress. Above all, the technical aspect should not be paramount, they have argued.

The European Broadcasting Union (EBU) regards DAB as the next generation of radio technology and is mainly concerned with getting necessary frequencies. To this purpose a World Administrative Radio Conference (WARC) was set up in 1992. The conference then allotted transmission frequencies for satellite sound broadcasting to different world regions (DAB-Platform, 1994, Appendix 10; the EBU has also been publishing a DAB newsletter since 1993).

Strategies to introduce DAB in Europe follow the traditional alliance of public actors (public service suppliers and Telecom) and the hardware producers in the electronics industry. Commercial radio suppliers are still reluctant if not opposed. The VPRT comments on this point:

The past taught us that technical innovations succeed on markets only if consumers realize a distinct additional useful effect for themselves and accept the costs for it as reasonable. Special emphasis is to be put on the importance of compatibility which, in the case of DAB versus FM transmission does not exist. Misunderstood pressures of timing must be opposed in view of the proper relevance of development, introduction and market orientation. To start off with transmission norms for the sake of industry and competition cannot but end up in failure. The EC commission ought to be prevented from interfering by passing 'DAB regulations' (DAB-Platform, 1994: Appendix 17).

First pilot projects in DAB have already started in Bavaria (DAB-Platform 1994a). In 1995 more will commence, most of them testing mobile radio reception. Covering all of Germany with digital audio programming is estimated to cost about DM 500 million (DAB-Platform, 1994: 13)

**Conclusion**

This analysis did not cover all aspects of European media technologies, but the sample should have demonstrated that Europe follows basically two patterns in the introduction of new technologies. The first one, represented by cable and satellite is steered mainly by market forces and/or national media politics. In the case of cable this has resulted in an extremely uneven distribution of cable in different parts of the continent, reflecting a high degree of decentralization. If we take satellite, we find that the market is dominated by the one company, ASTRA, that established itself as a commercial enterprise beyond the reach of European regulation. The result is a centralized structure, supplying practically all of Europe via a number of DBS satellites.

The introduction of HDTV and DAB follow the old European tradition of 'top-to-bottom' policies. A consortium of influential participants got together in order to push through 'their' technology which is purposely incompatible with all formerly established specifications. It appears that technology is to be accepted as a benevolence rather than by conviction. Enforcement strategies are mingled with prohibitions and seemingly strict regulations. For example, starting from a fixed day in the new millennium, DAB is to be the new exclusive audio technology. Almost one hundred years of radio history will come to an end: all older receiver sets will be useless.

For HDTV as well as for DAB it seems that the technology is given high priority and is being worked on by a group of interested manufacturers and organizational users. Economically this may be defined as an innovation cartel; politically it is an elitist European group, seeking mutual agreement. Their scheme for the introduction of new technologies seems highly non-transparent. Neither in theory nor in reality do consumers as prospective final users come anywhere into the process of planning. They
are to be confronted with a ‘ready to wear’ technology which they are expected to be enthusiastic about, purely on account of the technical achievement. They have never been included in the genesis and design of the new technologies.

Public discourse about the need for new technologies is clearly avoided. An open and critical discussion – as took place in the US on HDTV – seems to be considered neither desirable nor acceptable. There has, of course, been some information available on HDTV and DAB, but only in well spaced portions via public relations material, in sophisticated brochures and at orchestrated public exhibitions. In practice it is almost impossible to get information about technical problems or about conflicts amongst those who foster or attempt to block the introduction of the new technology (and therefore it is difficult to draw conclusions as to the quality of the technology and the technical alternatives).

If we analyse available and familiar technologies we come to realize that there is not only ‘one’ unalterable technical solution for a current problem, but instead different paths of development can be followed up. (Television with its regional standards like PAL, SECAM, D2-MAC etc. is a vivid example). A comparison of the specifications for HDTV and DAB proposed in Europe and the US goes to show that the respective American version is much more open structured and adjustable than the decision-based European model. As a solution for digital audio transmission a US consortium is proposing an ‘in-band’ technology (or: FM-DAB) that allows for a gradual conversion to the digital age. The US already demonstrated in the case of HDTV that they can make better use of the flexibility of digital technologies than the Europeans. In the end it all depends on how the market reacts and it seems doubtful if a massive breakthrough in technology will be appreciated, as is common in Europe. PALplus has to be mentioned as an exception here.

The funding for HDTV and DAB research came from a variety of public sources: mostly taxpayer’s money, distributed on the national as well as on the European level: in the case of DAB subscription fees for public broadcasting were also used. Is it acceptable to use public financial means for a limited purpose such as DAB? The question must also be raised if this type of HDTV or DAB policy really does serve the interests of European producers. In any case, the risks of private ownership are borne by the public, which clearly collides with the deregulatory and liberal rhetoric of present European politics.

It is not fitting for the outgoing twentieth century to indulge in technology policies which have been planned almost in conspiracy within an elite circle, ‘from top to bottom’. In the past, too often this did not work well. A more objective and impartial approach to technology policies should be based on the following four principles: (1) The integration of critical expert knowledge in the planning process is highly desirable, to ask for expert opinion is the absolute minimum. The proposals outlines from the advocates which are usually much too optimistic should be compared to more realistic and, consequently more pessimistic reports from independent experts. (2) Technology policies must be made more transparent: current policies can only be examined if the financial sources are clear, if interested parties act publicly and technical alternatives are laid open. (3) Another prerequisite should be an examination of new technologies by an independent body. At present, inventors and investors are also responsible for final tests on the ultimate applicability of new technologies. Instead, a public and competitive testing of new technologies should be required, before technologies are launched and norms are declared binding. (4) Most technological innovations stem from small peripheral organizations – companies, research institutions etc. Large actors tend to think in large-scale terms and attempt to protect their dominant position in conventional technologies. Therefore they often develop less innovative technologies. Particularly in Europe small inventors are often cut off from public funding and support, partly because they lack bureaucratic experience to reach financial ‘honey pots’, partly because they are not taken seriously by large actors and bureaucracies.
References

Feature writing in women’s magazines: a limited ideological challenge

Susan Liddy

Introduction

Since the emergence of the international women’s movement in the early 1970s, women’s magazines have increasingly popularized feminist ideas. The fragmented format of the genre ensures that a debate on feminist issues can surface in features side by side such old reliables as beauty tips, recipes or advice on how to attract and keep a man. In 1991, over one third of feature writing in Woman’s Way and three quarters in U, reflected items from the Irish feminist agenda. Issues like the wage gap, the absence of state funded childcare, the need for equal status legislation, rape and domestic violence were all debated on the feature pages of these magazines, though considerable differences did emerge between the two publications.

Of the issues which did reflect a feminist agenda, many are underpinned by patriarchal ideology relating to women, women’s place in the family and in the greater society, which serves, ultimately, to legitimate female subordination. Under discussion here, is the extent to which these features remain within the parameters of patriarchal ideology, even when influenced by feminism, and how this can vary according to the readership of each magazine. Before undertaking such an analysis, it is necessary, in the first instance, to clarify the concepts of feminism, ideology and patriarchy, and to justify the selection of these specific magazines and the category of features within the magazine itself.

Ideology defines and explains the social world and our place within it; moreover, our everyday feelings, thoughts and actions are shaped by it. Ideologies construct aspects of the social world as ‘natural’ and ‘universal’ though they are, essentially, social constructions. This is particularly true of the dominant ideology in any culture. A dominant ideology is produced and perpetuated by those in positions of power and its ideals are thus more easily able to be presented as ‘natural’.

The dominant ideology in a patriarchy, which Rich has described as a familial, social, ideological and political system in which men, and not women, wield power, incorporates notions about a woman’s place and the conduct and demeanour deemed appropriate to the female sex (Rich, 1986:57). Patriarchal ideology refers to ‘the particular set of linked ideas that seem to support female subordination and make it seem natural’ (Crowley and Himmelweit, 1992:18). The assumption that patriarchal institutions and practices are ‘natural’ or of purely individual concern is merely ‘an ideological curtain’ that conceals the reality of women’s systematic oppression (Jagger, 1983:101).

Within a society, at any given time, there may be a variety of ideologies competing for hegemony or widespread acceptance of one particular way of making sense of the world. In a patriarchal society, for example, women are often encouraged to develop characteristics of restraint and complacency, to think of themselves primarily as wives and mothers, to accept that housework and childcare are innately ‘women’s work’ and to express a sexuality which affirms the centrality of the male in their lives. Patriarchal hegemony ensures that many women and men internalize these beliefs and expectations and, despite their restrictive nature, do not view them as a sign of subordination.

Feminism, as defined by Dahlerup (1986:6) and endorsed in this piece of work is:

an ideology whose basic goal is to remove the discrimination and degradation of women and to break down the male dominance of
Feminism is not a unitary ideology, however, and there exist different strands of feminist thought proffering different explanations both for the existence of a male dominated society and the measures that should be taken to combat it. An examination of the Council for the Status of Women’s 1990 Annual Report, and a review of the development of feminism in this country identified welfare liberal and radical feminist agendas which were used as a framework for the analysis of features.

Welfare liberal feminism promotes equal rights for women and calls for the incorporation of women into the public sphere, side by side and on an equal footing with men. Its focus is on law reform with welfare liberals contending that it is the responsibility of government to actively break down existing bias by direct intervention. Among the issues prioritized are, for example, equal status legislation, inadequate childcare provision and gender equality in education.

Radical feminists reject the concept of inequality and argue that law reform is not sufficient to eradicate the male domination of society. Women are an oppressed group and this oppression is rooted in the way in which a patriarchal society constructs female sexuality. Radicals highlight such issues as pornography, rape and sexual harassment and exhort women to take control of their own sexuality. Law reform alone, they argue, is not sufficient to liberate women. Nothing less than the creation of a new society is demanded.

Two magazines, Woman’s Way and U were selected for analysis for a number of reasons. These are the two most popular Irish produced women’s magazines in terms of circulation and readership (see Table 1): Woman’s Way is an example of a weekly publication and U an example of a monthly; each of the magazines is targeted at a different audience and age group. This facilitated a comparative analysis of the impact of feminism on the coverage and treatment of the welfare liberal and radical feminist agendas within features in these magazines.

A ‘typical’ Woman’s Way reader is seen to be between 16 and 70 years old with the majority readership in the 20-40 age bracket. Most readers are married with children and belong to a one income family. Effectively, the reader of Woman’s Way is the Irish homemaker. In contrast, the U reader is between 18 and 26 years old, Dublin based and economically independent. She is single, or if involved in a relationship, is living with a partner.

Table 1

<table>
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<tr>
<th>MAGAZINE</th>
<th>CIRCULATION</th>
<th>READERSHIP</th>
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<tbody>
<tr>
<td>Woman’s Way</td>
<td>72,350</td>
<td>407,000</td>
</tr>
<tr>
<td>U</td>
<td>23,732</td>
<td>160,000</td>
</tr>
<tr>
<td>Image</td>
<td>Not audited</td>
<td>131,000</td>
</tr>
<tr>
<td>IT</td>
<td>21,245</td>
<td>126,000</td>
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Source: Audit Bureau of Circulation (UNRRRI, 1990)

Within the magazines, attention was directed specifically to the category of features. Features are general articles which deal with a variety of topics from the world beyond the domestic. It was decided that only here could a debate on feminist issues surface. Following a process of ‘qualitative mining’ (McCracken, 1988:11), which involved a close
A textual examination of features in these magazines, key themes were identified viz femininity, the division of domestic labour and sexuality (including restrictive contraception and abortion facilities, and the sexual double standard).

**Femininity**

In this context, femininity refers to socially constructed aspects of temperament involving patience and non-confrontational. It is, effectively, a 'grand collection of compromises' that each woman is expected to make if she is to be a successful example of her sex (Brownmiller, 1984:16). There is agreement among welfare liberal feminists and many radical feminists that femininity, as opposed to femaleness, is a patriarchal construct and serves to restrict women. There is nothing random about the social construction of femininity, it is argued. In a patriarchal society, girls are socialized to acquire a 'feminine' temperament; the characteristics of which are designed to be both pleasing and non-threatening to men.

Welfare liberals contend that feminine and masculine identities are the near exclusive product of socialization, and males and females are moulded according to sexual stereotypes which reflect the values and needs of the dominant group. Some radical feminists agree that the socialization process creates femininity. Thus, they argue, many characteristics that patriarchy actively encourages in women are deemed inappropriate and undesirable in the male. Even those radical feminists who valorize biological femaleness recognize that many aspects of femininity effectively contribute to female subordination. Femininity, then, is viewed as one aspect of a 'double-bind' process which is a daily reality for women.

Women are damned if they do not become 'feminine' but they are no less damned if they follow the precepts of femininity, for this disqualifies them from participation in high status, male activities.

(Spender, 1988:38)

An examination of Woman's Way, during 1991, indicates that certain traits traditionally perceived as feminine, viz patience and being non-confrontational, are still posited as an appropriate female response. An attempt is made to dissipate anger by focusing on minor successes rather than major grievances. Thus, a feature on sexism in primary schools exaggerates the significance of limited achievements. 'Breaking barriers - does school really promote equality?' (Woman's Way, 11 October, 1991:15) comments:

...at the All-Ireland football final this year primary school girls played football in Croke Park in the interval. Five years ago such an idea would have been unthinkable.

Similarly, while drawing attention to the continuing discrimination facing women in golf clubs around the country, 'Golf and the Gender Game', (Woman's Way, 29 March, 1991:21) displays little anger and urges passivity and restraint. The secretary of the Irish Ladies Golf Union contends that 'aggression isn't going to get us anywhere'. A spokesman for the Golfing Union of Ireland cautions against a 'militant' attitude and observes:

...the ladies are very good at getting good conditions for themselves by using subtle, non-confrontational methods... they set their cause right back by being so aggressive.

There is no question that male members might forego play in order to maintain the condition of the course. Effectively, this stance accords a very decisive second class status to women by a woman. This illustrates the way women can internalize the values and norms established by the patriarchy and very often do not, or will not, perceive them as strategies devised to exclude women from the public sphere or to limit their involvement in that sphere.
In the same way, 'Why sport is a different ball game for women' (Woman's Way, 4 October, 1991:23) condemns the lack of media coverage for women's sports but endorses patience as the preferred strategy:

What I would hope is that the coverage of women's sports will grow as a natural progression, rather than an exercise in positive discrimination.

'They're in the Army Now' (Woman's Way, 1 November, 1991:20) celebrates what is represented as huge strides in equality in the Irish Army by noting that there are one hundred women in an army of 13,000. It is an 'extraordinary imbalance', the feature acknowledges. However, the female soldier who is interviewed exhibits typical 'feminine' qualities of patience and docility.

When we first came, there weren't many appointments open to us. Now there are, and I suppose in another ten years everything will be open to us.

In this way, even in features where discrimination is acknowledged and condemned, the countenance of this 'feminine' behaviour serves to diffuse anger and curtail action.

Ideological hegemony ensures that fundamental assumptions relating to women, as defined by a patriarchal society, are internalized as norms by a majority of women and men. Features are written within and reflect this context. In effect, many women collude with patriarchal ideology. In 'Golf and the Gender Game' (Woman's Way, 29 March, 1991:21), the 'lady captain' of one golf club illustrates how women themselves can collude with the patriarchy. Many ladies, she comments, are motivated by a love of sport and when it comes to the question of full membership of golf clubs they demur. Maintaining the condition of the golf course must be the top priority: if everyone was able to go out and play at weekends, it would soon deteriorate.

The vision of femininity reflected in U is less submissive, less accommodating, than that in Woman's Way. Restraint, calmness and patience are not called upon; instead, women are encouraged to reconsider feminine virtues of 'niceness' and submissiveness. 'Sexual Violence' (U, May, 1991:70) urges women to fight this 'niceness', to fight a socialization that gives them 'very little permission to be angry', and to stand up and be heard: 'Once we start to talk to each other more openly, we might be surprised by what comes out.' Similarly, 'The Sounds of Silence' (U, May, 1991:78) contests feminine conditioning and the approved ways of dealing with men in a pleasant, supportive, unassertive way.

In our efforts to be affiliative, co-operative and self-sacrificing we have often unwittingly been shoring up institutions that are basically destructive, exploitative and manipulative...

'Tm Just a Girl Who Can't Say No!' (U, March, 1991:54) highlights how hard it is for women to break free from the feminine stereotype. We are brought up to be polite, helpful and to follow the rules. 'How on earth can she assert her rights and choices without being seen as an inflexible hard bitch?'

'Femininity', as constructed in patriarchy, encourages submissiveness and functions to maintain the status quo. As the examples have illustrated Woman's Way endorses many traditional elements of femininity and does not perceive this as being another aspect of oppression. U, on the other hand challenges this patriarchal ploy designed to contain women and, effectively, calls for the rejection of many of the 'feminine' traits fostered in women by a patriarchal society. This is perhaps explained by the fact that the majority of Woman's Way readers are older, are married with children and are financially dependent on men. U readers are financially independent and primarily single which may account for the readiness of that magazine to confront many patriarchal procedures for keeping women in line. Magazines, of course, exist first and foremost as commodities, i.e. as a window for the advertising industry, so the maintenance of sales is obviously of
primary importance. Essentially, readers must be kept happy. Therefore, to some extent, features must reflect the reader's preoccupations, concerns and lifestyles.

**Division of domestic labour**

Patriarchal ideology asserts that the division of labour in the home is natural and universal rather than historical and social. It promulgates the notion that taking sole responsibility for housework and childcare is 'natural' for women. In Ireland today, it is a notion that still takes priority, even if women also engage in paid labour outside the home. Neither Woman's Way nor U contest the status quo in this area, though there is a suggestion that it is not the ideal situation for women.

Both welfare liberal and radical feminism stress the importance of escaping economic dependency through employment; from this women gain 'a measure of that economic, social and psychological independence which is the sine qua non of freedom' (Millett, 1970:88). Women have always worked, so the issue is not labour but economic reward. Yet, housework, which is overwhelmingly carried out by women in Western society, is unpaid labour (Abbott and Wallace, 1990:121-145). Moreover, in the workforce, women still earn substantially less than men (Bradley, 1989:14-19; Blackwell, 1990:30).

Within features in Woman's Way, the success of welfare liberal feminism manifests itself in an acknowledgement of the need and right of all women to paid employment. However, the primacy of marriage and motherhood, with its assumption of economic dependence, results, in the main, in the promotion of low pay, low status work viz small home based businesses, part-time jobs or job sharing, as an intermediate measure.

Woman's Way's treatment of paid employment for women mirrors the trends emerging in studies carried out in Britain (Winship, 1991; Ballaster et al., 1991) and in the US (Tuchman et al., 1978; Glazer, 1980) in portraying paid employment as secondary to the career of wife and mother. This has considerable impact on the type of employment strategies discussed and the extent to which women are portrayed as free to pursue a full time career outside the home. Full time work outside the home is acceptable only insofar as women are prepared to work the 'double day' as a 'natural' consequence. It is acknowledged that the employed woman is responsible for more than her fair share of menial household tasks but the question of why women should shoulder this responsibility remains unasked. It is observed in 'Job-sharing - the best of both worlds' (Woman's Way, 31 May, 1991:18), that:

I think the mother is still responsible for picking up all the pieces and organizing all the washing, getting it out on the line and then in before it rains and so on, no matter how supportive the partner is.

In the same feature, it is stressed that job sharing may damage one's profile in the workplace: you may not be taken as seriously as you might if you were in the position full time. Nonetheless, it is presented as an ideal strategy for women who are reluctant to ask for time off to attend school sports days and so on, and who are concerned about not being 'the perfect mother'. There is no assumption that the father who misses school events might experience the same concern. Inadequate childcare is cited as a prohibitive factor for many career-minded women in Woman's Way. What is not discussed is that the lack of childcare facilities has not hindered career-minded men. Even the term 'career man' is an unfamiliar one: women are, unquestionably, assumed to be the natural carers.

In contrast to Woman's Way, U's treatment of paid work does not revolve around traditional marital responsibilities and the emphasis is firmly on the establishment of a full-time career. Nonetheless, there is also recognition in both Woman's Way and U that exclusion from the workforce has been replaced by subordination of women in terms of horizontal and vertical segregation. Horizontal segregation refers to the tendency for
women's employment to be segregated into a narrow range of occupations and sectors of industry. Vertical segregation relates to the fact that:

in every sector of the economy, women are relegated to the lowest levels of the job hierarchy and grossly under-represented in top jobs.

(Bradley, 1989:12)

Women are encouraged to devise individual strategies such as buying the services of other women, depending on a co-operative relative or managing their own time in such a way as to accommodate the demands made of them in the public and private sphere. Ideally, relationships should be egalitarian, it is implied, but the reality is, they are not. Instead of developing the argument to investigate why this is so and how the situation could be altered, strategies are sought to circumvent a confrontational look at the unequal balance of responsibility in the home.

The 'Sponge Woman' and 'Deputy Woman' models surface in features in Woman's Way illustrating one way of diffusing potential conflict (Glazer, 1980:90). The 'Sponge Woman' absorbs new responsibilities again and again in order to retain the option of remaining in the labour force. Sponge women take on paid work while continuing to carry out all the domestic tasks in the home, by being determined, efficient and well organized. The 'Deputy Woman' delegates responsibility to others in order to facilitate participation in the labour force. Woman's Way has not identified the centrality of motherhood as being a factor in the consignment of women to a different category of (low paid) work or in the off-putting prospect of the 'double day'. On the contrary, to be permitted to earn a wage while engaging in obligatory home duties is presented as something of a 'perk'.

The majority of Woman's Way readers are married with a family and the majority of part-time workers in Ireland (seventy per cent) are married women (Blackwell, 1989:33). Moreover, in a Woman's Way survey carried out in conjunction with the Council for the Status of Women, it emerged that the availability of part-time work and more flexible working arrangements were important issues for women themselves. In its promotion of paid employment, then, Woman's Way must bear the reality of readers lives in mind. U recognizes the inequality inherent in the division of domestic labour both in the home and the workplace. Unlike Woman's Way, it makes no attempt to valorize part-time work, for example, simply because this is the type of work that suits housewives who want a little financial independence. Instead, it focuses on career opportunities like airline pilot, costume designer, camera woman etc. Neither does U engage in a discussion on how to confront the inequalities in the private arena. This is likely to be related to its readership. Primarily young, single, working women can afford to look at the harsh realities of women's status in the labour market. Moreover, they can acknowledge structural inhibitors like the unequal division of labour without concerning themselves with a search for a strategy to combat the problem.

Female sexuality

Radical feminists argue that sexuality is not a private matter to be explained in terms of sexual preference or psychological processes fixed in infancy 'but rather that it is socially organized and critically structured by gender inequality' (Walby, 1990:121). Patriarchy, they insist, has fashioned female sexuality to be passive, submissive and male-centred as a means of retaining control over the activities of a subordinate group. A patriarchal society controls women's sexuality not only by means of 'compulsory' heterosexuality but by the institution of marriage, pornography, rape and other forms of violence and coercion. While neither magazine rejects outright the patriarchal model of female sexuality, there do emerge considerable differences in awareness between Woman's Way and U.

Features in Woman's Way and U endorse patriarchal ideology pertaining to a number of issues around the area of sexuality. Heterosexuality is presented as 'natural' and men
are inevitably depicted as the prime focus of female desire and attention. In the main, both magazines are concerned with heterosexual relations, which are represented as the normal expression of female sexuality. While U does acknowledge lesbianism and, moreover, does attempt to break down ignorance and misconceptions relating to lesbians, nonetheless, it stops short of embracing it as either a political statement or a valid sexual option for all women. Lesbianism is viewed with tolerance and understanding but from a safe distance. It is a practice engaged in by other women, not 'us', the readers of U.

The institution of marriage is never brought into question by Woman’s Way. In 1991, the year of this study 'Single Mums in the 90's' (Woman's Way, 6 September, 1991) suggests that Irish society has become more accepting of the single woman who has a child outside marriage. However, there is no suggestion that the institution of marriage itself may be flawed. While marriage is not rejected outright by U, neither is it presented as wholly unproblematic. 'Love, Marriage and Problems' (U, February, 1991) highlights the difficulties which can arise in marriage viz alcohol abuse and domestic violence. De Valera’s ‘fairytale vision’ of marriage is rebuked. U introduces the possibility of choice in relation to marriage and suggests that a woman could opt to have a child outside marriage, if she so wished.

This is not a necessarily surprising stance, however, if one considers the marital status of the reader. The Women’s Way reader is married with a family and is, arguably, less likely to condemn an institution which is an integral part of her life and experience. In contrast, the U reader is more likely to be co-habiting than married, if indeed, she is involved in a heterosexual relationship at all. This allows for a more dispassionate appraisal of the institution of marriage. U recognizes that domestic and sexual violence are the means by which a patriarchal society maintains the status quo both at an individual and collective level. Features explore the way in which male power is exercised and reinforced by domestic violence, sexual harassment, pornography and rape. In 'The Politics of Seduction', (U, June, 1991) it is declared that: Through sexuality, the fundamental aggression, that of men over women, is maintained.' U points out that women keep silent about domestic violence to protect their husband’s job or to save face with the neighbours. They also keep silent about sexual abuse because of uncertainty about society's response. However, despite confronting many of the ways that patriarchy oppresses women, there is never a suggestion that women might possibly be better off without men in their lives.

Patriarchal ideology in relation to female sexuality is not questioned to any great extent in Women’s Way. However much of it is comprehensively rejected by U. Women in U are encouraged to empower themselves, to express and enjoy their sexuality and to shake off many patriarchal shackles. Despite very great differences in U's treatment of female sexuality, the dominant ideology underlying features in both magazines is nonetheless predominately patriarchal. Women’s Way seems not yet comfortable with female sexuality outside the confines of marriage. It is discussed only in a problematic context viz the plight of single motherhood and the dangers of contracting Aids from one night stands. U’s rally cry for assertiveness and sexual confidence is underpinned by the assumption that heterosexuality and male approval is central and desirable in all women's lives.

Radical feminists contend that, in a patriarchal society, a number of mechanisms serve to maintain male control over women's sexuality. These include restrictive contraception, abortion, and the sexual double standard. A patriarchal society withholds contraceptive information and either limits abortion or seeks to outlaw it completely. Effectively, radical feminists believe that men restrict female sexual expression and restrict the availability of contraception and abortion in order to maintain their own power over women’s bodies. Welfare liberal feminists contend that because it is women who become pregnant and who are expected to care for the young, restrictive contraception and abortion facilities are discriminatory. Moreover, as sex is a private matter between consenting individuals, such restrictions are a violation of the individual's right to privacy.
The 'sexual double standard' refers to the sexual morality which dictates that men can enjoy sexual freedom and 'good' women cannot. It condemns women who wish to engage in sexual activity with a variety of partners while admiring men who do likewise. Patriarchal ideology stresses the greater sexual urge of the male, thereby sanctioning the double standard. Unlike the male, the female is groomed to become a sexual object not a sexual subject. Women are considered to be sexual objects for use and appreciation by other sexual beings, men. They have been socialized to view an active sexuality as 'unfeminine' and must resort to exercising their 'feminine wiles' and hope for success. The calibre of the man they eventually 'catch' will often determine their own status (Greer, 1971:19). Both magazines identify the sexual double standard. However, while Women's Way does not endorse this, neither does it reject it. In The one night stand goes on, (Women's Way, 20 September, 1991), it is acknowledged that men can: 'Sow the wild oats but women who express their sexuality outside the confines of marriage are labelled tarts'. Nonetheless, sexual restraint is prescribed for its readers; our bodies should not be passed around 'like a tray of hors d'oeuvres'. U, on the other hand, comprehensively rejects the cult of virginity and defines female sexuality as heterosexual and active. Moreover, women are called upon to rebel against the sexual double standard, to defy the passive role society has forced upon them. In 'The Politics of Seduction' (U, June, 1991:32), it is suggested that: 'More women are making the first move and this is actually happening more often'.

Despite the inclusion of items relating to the welfare liberal and radical agenda, neither magazine makes any connection between the patriarchal control exerted on women in relation to sexuality viz sexual harassment and rape, for example, and women's lack of autonomy as regards their reproduction. Abortion on demand, as a women's right to control her own fertility, is not advocated. The question of power, about who precisely controls reproduction in our society, is not confronted. Women's Way tries to understand why so many abortions occur each year but does not call for any change in the legal position of abortion. U, however, does advocate access to information and implies that individual women must then decide what choice they wish to make. 'Home Truths' (U, July, 1991:87) argues that: 'If you're having sex, you must take responsibility, you must understand what's happening'.

Summary

In 1991, features in Women's Way and U have debated issues on the welfare liberal and radical feminist agenda. Of those features which did reflect feminist concerns, coverage was primarily welfare liberal in the case of Women's Way and radical, in the case of U. However, the ideological challenge of these same features is, ultimately, rather a limited one; coverage occurs predominantly within the parameters of patriarchal ideology, though this did vary between the two magazines. Features continue to reflect a number of patriarchal notions relating to women and women's place in the family and the wider society. Effectively, many of the features which endorse feminist ideas implicitly maintain patriarchal ideology.

This may be indicative of the fact that women's magazines just cannot afford to recognize and acknowledge the extent to which a patriarchal society oppresses women; the woman's magazine is itself a product of such a society. Moreover, to identify the existence of patriarchy is synonymous with the possibility of identifying a world in which the plight of many readers is bleak and the prospect of change remote.

Because magazines are part of an economic as well as an ideological system, features must, to some extent, be mindful of the lives and experiences of the majority of their readers. In the case of Woman's Way most readers are married and financially dependent on men. Arguably, this has a bearing on the issues which arise for discussion in feature writing. Discrimination occurs 'out there' in faceless institutions like golf clubs or education or politics but is not identified as occurring in the home or in personal relationships. What emerges is an understanding that if women's lives are ever
to change, the key lies in altering many of society's structures and practices which will open up greater choices for future generations. In contrast, the majority of U readers are younger, financially independent and primarily single which may account for its greater readiness to confront unpleasant truths about the lives and experiences of women in a patriarchal society. Features assume that readers are ready to engage in another level of debate by recognizing the existence of a struggle of power between men and women.

References
On gendered knowledge in communication: women in the film industry

Michele Martin

Introduction

Studies in communication have shown that, in the film industry, women as directors obtain less financial support than men. They find themselves in a peculiar situation: the discrimination they suffer obliges them to innovate, and hence they often find themselves at the 'avant garde' of cinematographic production. This is specifically true in the area of documentary film making. To use Carle's words, in film 'the revolution passes through women' (1990: 101).

Is women's production too innovative to be acknowledged in the dominant discourse? Or is it that women's knowledge in that production, an improbable mixture of total sincerity, soft aggressiveness and regained emotions (Carle 1990:101), is so different from that of men in position of power in the film industry that the latter cannot understand it? Whatever the answer to these questions, women film-makers' production is rarely vested with the authority that would facilitate the development of a career. Even in the mid 1990s, this lack of recognition is still remarkable.

This paper is an exploratory investigation of women's knowledge in the film industry. As such, its purpose is rather to raise rarely asked questions about the place of women in the industry than to answer them. My exploration of the issue is enlightened by a discussion of Foucault's (1972, 1980) notion of knowledge in relation to power, of Code's (1991) analysis of knowledge in relation to gender, and by a review of some of the issues in the debate over women, culture and communication. I turn finally to an empirical examination of the case of women as film directors, through a review of secondary sources such as books written on the issue and art critiques in newspapers. This examination is by no means thorough, but should rather be seen as a point of departure for deeper and more extensive empirical studies on this issue.

What knowledge?

According to Foucault (1972), there is knowledge when 'a group of elements is formed in a regular manner by a discursive practice'. These elements must be related in some ways and linked through some statements in which some of them will be given more importance than others, either to stress a particular point or because some concepts are closer to one's position than others. Knowledge, then, exists as a field of coordination, subordination of statements in which concepts appear, and are defined, applied and transformed. It is 'the space in which one subject may take up a position' and explain the elements used in one's discourse. However, knowledge constituted by the coordination of such elements and concepts may or may not acquire a scientific status (1972: 182-3).

In The Archaeology of Knowledge (1992), Foucault distinguishes between two types of knowledge: 'connaissance' and 'savoir'. 'Connaissance' is identified as scientific knowledge, subjected to specific rules determined by a particular discipline or field. 'Savoir' is not necessarily subjected to formal rules, but represents the necessary
conditions, in a particular period, for an element or an enunciation to become ‘connaissance’. It is acquired either in formal institutions (schools, church, etc.) or more spontaneously in daily experiences. It may be constituted in the form of a general statement or in more precise forms of expertise. In this paper, I discuss knowledge in the sense of ‘savoir’. So the meaning of knowledge here rests on concepts associated with social practices rather than with science, and with women’s practices in the domain of communication and culture.

As such, I do not consider knowledge as a fixed concept of the dominant scientific discourse, defined once and for all, but as something that fluctuates, that undergoes ‘displacements and transformations’ in history, to use Foucault’s words. Knowledge, then, consists of a group of concepts which may be understood differently according to the perspective (macroscopic vis-à-vis microscopic) from which one looks at them, or to the development of a particular field or discipline which may influence the way they are connected and organized into a hierarchy. In other words, the historical perspective adopted to link concepts and elements influences the way in which a society is conceptualized and reconceptualized. History involves discontinuities not always acknowledged (and sometimes deliberately omitted for different reasons) by historians or practitioners. The effect is the production of partial knowledge which may help to promote the empowerment of some social groups to the detriment of others. As such, knowledge is related to power.

Knowledge and power

Like Foucault, I believe ‘that power is neither given, nor exchanged, nor recovered, but rather exercised, and that it only exists in action’ (1980:89). Thereby, the questions arising are: What sort of ‘exercise’ does power involve? Through what mechanisms is it exercised? To study mechanisms of power and their relation to knowledge, Foucault suggests that we look at the way that knowledge leads to power and that power influences knowledge, since the exercise of power itself causes the emergence of new objects of knowledge and the accumulation of bodies of information which, in turn, may change the way power is exercised.

How do mechanisms of power come to be accepted or rejected? Part of the reason for their acceptance is that they are rarely in the form of crude coercion and repression but rather are parts and effects of social, political and cultural conditions acting as a force which ‘traverses and produces things, ...induces pleasure, forms of knowledge, produces discourse’. As Foucault points out, power ‘needs to be considered as a productive network which runs through the whole social body, much more than as a negative instance whose function is repression’ (1980:119). It is not to be ‘identified with an individual who possesses and exercises it by right’, but rather as ‘a machinery that no one owns’ (1980:156).

Mechanisms of power often take the form of types of knowledge imposed on a group of people by another. The imposition of a certain type of knowledge entails the omission of others. Why are some types of knowledge dismissed while others are seen as universal truth? Knowers have identities and characteristics that have emerged from the relations of power which have influenced their conditions of life and work. Different types of knowledge are produced and hierarchized within these conditions. Hence, such characteristics as social class, culture, race, age and gender influence the specificity of the politics of truth in bourgeois society. Groups of knowers living within specific social conditions establish a system of rules orienting the production, distribution and circulation of different types of knowledge which they may find more productive than others. These groups are part of the systems of power which produce and maintain ‘truth’ and which are reproduced by it. Thus, there is an administration of knowledge as
truth, a politics of knowledge and relations of power created by knowledge. If these are studied in terms of location, implantation, displacement and transposition, they may unveil the mechanisms through which knowledge functions as a form of power and through which various types of knowledge are subjugated to silence and disqualification by dominant knowers.

Indeed, different types of knowledge have been disqualified in our society. 'Naive' knowledge, 'subjective' knowledge, 'popular' knowledge have been located below what is considered as objective, scientific, universal knowledge in the social hierarchy. In other words, 'non-scientific' ways of knowing have been often dismissed to give place to the 'universal truth' of science, the truth of those in positions of power. It is among the former ways of knowing that women's knowledge is generally located. To counter this partial understanding of knowledge, we must avoid 'reduc[ing] others to silence, by claiming that what they say is worthless' (1972:17).

Gendered knowledge

In dominant discourse, it is a self-evident principle that truth and knowledge, once discerned and established, acquire the status of objective, a historical, neutral and universal, a status recognized by the 'experts'. This principle of objectivity and universality is at the basis of the significance of scientific knowledge and professional expertise. It is used to establish the credibility and authority of different types of knowledge. Credibility and authority are at the core of the relationship between power and knowledge; they are central to the place given to different types of knowledge in the social hierarchy of knowledge. Yet, Code asserts that pure objectivity is an impossible aim in scientific research, and the subjectivity and the specificities of the knower 'can and must be accorded central epistemological significance' (1991: 4). This is all the more important in feminist research, since women as social knowers are disqualified in the fullest sense of that term, because female knowledge is considered to be subjective and particular. This disqualification, however, operates differently according to a woman's class, race, age and culture, and is not always or wholly conscious. It is part of the 'machinery' of power and takes the form of a 'network of sociopolitical relationships and intellectual assumptions [which] creates an invisible system of acceptance and rejection, discourse and silence, ascendancy and subjugation' (1991: 25) within and around various fields of intellectual and cultural activities.

This exclusion of women as knowers has led, according to Code (1991), to the creation of feminist approaches which attempt to rehabilitate 'non-scientific' ways of knowing. One is based on the idea that women should create their own models of scientific knowledge because there is a distinctive feminist way of knowing which has not been acknowledged by dominant theories. The other approach suggests that women should use the already existing models of science and adjust them to their own ways of knowing, showing their strengths and their shortcomings. Both approaches present male power as a unified hegemony and female repression as a single, unique position. This has the effect of giving an essential characteristic to the concepts of women and men, and to dismissing the fact that masculinity and femininity vary according to class, race, age, culture, etc. This way of presenting male power and female repression negates the specificities of the knowers, the fact that there is an interplay of subjective and objective factors in the establishment of knowledge. It also encourages the use of such dichotomies as objective/subjective, male/female, scientific/popular, theory/practice, reason/emotion, universal/particular, mind/body, abstract/concrete, with the first term of each attributed to men and the other to women. These dichotomies invariably lead to the creation of a hierarchy of types of knowledge, the very characteristics of dominant thought. As Code points out, studies of women's oppression 'need to be wary lest they replicate the very structures they deplore' (1991: 20).
Types of knowledge

Dichotomies are problematic since they necessarily posit the exclusion of nuanced positions and fluctuations in knowledge. Yet, in the areas of truth and knowledge, things are rarely so clearly distinguished, since knowledge is "a product of an intermingling of subjective and objective elements" (Code 1991: 30). Though some forms of knowledge are more purely objective and others more purely subjective, there exist other types of knowledge along the continuum relating these two more or less extreme forms. But even in the creation of more purely objective knowledge, 'objectivity requires taking subjectivity into account' (1991:31), subjective elements that stem from the knowers' historical locations. Their locations in history are constitutive of what and how they can know.

The essentialist approach erases differences among women and men due to elements linked to the historical and social contexts. Affectivity - personal commitment, interests or desires - and creativity are seen as elements of subjectivity influencing the types of knowledge produced by all women, while all men are seen as having the characteristics of Man from dominant groups. Yet, men's supremacy and dominance takes various forms according to the class, race, culture and society to which they belong. For instance, knowers from the dominant class select and discriminate certain elements of knowledge on which they impose a specific structure and a certain unity. Knowledge is then the product of a complex accumulation of political conceptual factors. As women have been subjugated politically, they have been qualified as ignorant, and their types of knowledge have been dismissed as worthless.

The objectivity/subjectivity dichotomy creates gender specific experiences, and emphasizes the fact that the sex of the knower is significant. In patriarchal society, this dichotomy has legitimated ways of knowing favoured by men in positions of power, while discredited ways of knowing common to other groups in society, including women. This dichotomy is a manifestation of "a sex/gender system" that structures all the other inequalities of western social arrangements and informs even those areas of life - such as "objective knowledge" - that might seem to be gender-free' (1991:67). This system, however, takes divergent forms and adopts different mechanisms according to economic, racial, religious, class and cultural elements, as knowledge 'is rooted in and shaped by, specific interests and social arrangements (1991: 68). Hence, gender politics orient the definition of what is to be considered as knowledge, and deny authoritative status to women's knowledge, failing to recognize it as knowledge because it grows out of experiences and practices, frequent contacts with material and sensory objects. As Code points out, 'for a system that enshrines male subjectivity in the name of objectivity, while suppressing the products of female subjectivity with the accusation that they lack objectivity, knowledge of these kinds can count only as women's lores (1991: 69).'

Academic researchers sometimes promote these discriminations. Some feminist studies reinforce these inequalities by assuming a sharp difference between male and female knowledges, or by reifying technology. Some of these studies are in culture and mass communication.

Some feminist studies in culture

Feminist studies in culture generally agree that women's knowledge diverges from men's, and that its dismissal was primarily due to men's rigid and fixed notion of knowledge. Yet, women have their own culture, according to Lafontaine (1987), a culture of individual resistance to proscribed norms, which does not necessarily become collective resistance, but which has some effect on the dominant culture. Individual interventions gradually bring about a feminine culture in the form of 'a set of desires revealing... a certain representation of women, a way of life which had been dismissed, but are now revalued' (Chombart de Lauwe 1987: 54). This type of cultural knowledge
contrasts with a dominant culture based on exclusively masculine events (wars, power, etc.) (Michel 1987).

Still, female knowledge in culture remains difficult to identify, says Collin (1987), because it is defined in relation to male knowledge, since women have to use a language created by dominant male groups to communicate. Women's access to knowledge is thus a form of liberation at the same time as it is 'a thickening of the veil that separates women from themselves.' Since women use concepts defined and assessed by men, their knowledge always reflects a point of view which is not theirs in a culture which is not theirs. 'Truth increases the untruth of her point of view' (1987: 108). Collin however admits that a 'pure' feminine culture cannot and should not exist. To separate it from masculine culture would be 'to reduce it to a moribund state' (1987: 112). Yet, male knowledge remains the dominant knowledge, that of power, while women's knowledge is kept in a state of marginality and dependence. What are the social mechanisms allowing unequal positions to male and female knowledges in culture?

According to Smith (1989), women's situation is only one case among many of cultural marginalization. Dominant culture is not the making of people generally, but the product of the dominant classes. Cultural creations, images, ideas do not emerge from the spontaneous production of people's various daily cultural experiences, but are produced by specialists, experts in culture, who have powerful positions in ideological, cultural institutions and industry. In capitalist society, culture is made for profit, and is regulated and controlled to sustain and maintain this economic process. Hence, images and thoughts communicated to us through media or otherwise, and which we use to think and talk about ourselves are not only the product of male knowledge, as Collin points out, but emerge from men in positions of dominance. The institutional structures sustaining these activities and the means they offer to perform them have been produced by men for women and not by women (Smith, 1989). Thus, the perspectives, concerns and interests of one class, one sex, and one race, expressed in patriarchal culture and presented as natural, obvious and general, dismiss or compartmentalize other forms of creation. Smith's apparent homogenization of female oppression is tempered by her assertion that it does not originate from a bias against women (or against working classes or other races), or even from negative stereotypes, but from '[t]he exclusion of women from participating in creating the culture of the society', an exclusion 'largely organized by the ordinary social processes of socialization, education, work and communication' (1989: 10).

This supports Code's assertion that women's exclusion from participating in dominant cultural and intellectual activities is due to complex patterns of knowledge created by institutions which reinforce and legitimize the network of authority and expertise maintaining asymmetrical, discriminating social and institutional power structures. The division of intellectual labour presented as essential for the functioning of bourgeois society maintains patterns of privilege disempowering women and men. Women's disempowerment by structures of authority crosses the lines of class, race, age or culture.

The intransigence of the institutionalized structures of power/knowledge... blocks women's access to the authority they require to take responsibility... and to achieve the level of cognitive and moral autonomy that is crucial to their social empowerment (1991: 177).

Women find themselves in a position of vulnerability since they have to trust men to evaluate their knowledge. In principle, every way of thinking, creativity and intervention is equally open to men and women. But practically, power structures, based on an essentialist conception of women, deny credibility to their cultural projects and creations.

In such a male oriented social organization of knowledge based on power relations among women and men, women's creative work is generally devalued. According to the
novelist Tillie Olsen, when a book provokes an injurious reaction, it is not because of its quality or content, but on the basis of its having been written by a woman, with consequent misreading, mistreatment’ (quoted in Smith 1989: 16). Although Tillie’s position is extreme and reflects the lack of subtlety often associated with the dominant discourse, the fact is that women are excluded from the position of dominance in cultural institutions. In consequence, their production may not always be granted the recognition that is deserved in the dominant culture nor be acknowledged by its experts. Hence, it has to be presented in marginalized places such as women’s film festivals, women’s sections in book stores, women’s book exhibitions, etc. in order to be made public knowledge. Women’s exclusion is also part of the communication industry.

**Gendered knowledge and communication technologies**

In the domain of communication, women’s knowledge and cultural creations are closely related to technologies of communication. Various feminist points of view exist to explain the relationship between women and technologies. These studies often propose an explanation which suggests the homogenization of female oppression and blames it on technological features. Some (e.g. Cockburn, 1986) assert that technology in bourgeois society is entirely controlled by men, which places women in a position of subordination and subjection in relation to technological uses. Others (e.g. Rothschild, 1983) suggest that since technology is controlled by men, it necessarily bears male values, and prizes aggressiveness and anti-humanism. They claim that should women develop them, they would build them on values favouring sensitivity, liberation, etc. Some (e.g. Stanley 1983) believe that women have historically created technologies but were not recognized for their work because most of these technologies were in the domestic sphere. Still others (e.g. Furnis as cited in Rakow, 1983) assert that technology has a role in the construction of gender because it organizes social relations and experiences and influences the organisation of space and time (in Rakow, 1988). Finally, some (e.g. Rakow, 1988) assert that technologies do ‘not only describe but ascribe’ women (1988:67). They are gendered because they have been conceptualized by men to use in specific forms of social relations and practices.

All these positions represent more or less deterministic approaches in which the technology is given a power which should rather be attributed to social relations. To say, as Rakow does, that technology ascribes specific uses to women, for example, is to dismiss the fact that women of different classes have divergent access to a technology. Bourgeois women may never come in contact with a domestic technology used by women from the working classes for instance. But, Rakow’s article is useful in other ways – in discussing how technology is related to gendered practices in society –, and she admits that we know too little about communication technologies to assert whether they alter or inherit power relations in bourgeois society, and enhance or diminish women’s repression.

My own study on women and communication technologies shows that although these are not neutral, the relations of power in bourgeois society should be traced to the developers and users rather than to the technological elements. Private and public interests involved in the development and use of a technology and related to economic, political and ideological elements of the social organization within which it is distributed are the forces orienting access to, and control and use of, a technology. I believe that discrimination against women in relation to communication technology is not inscribed in the artefact, that women’s repression is not ascribed in the design of the technology itself, but in its control by certain social groups, in their level of access and types of use.

As well, discrimination against women in the labour process is more likely to be bound to the relations of power in the organization where a technology is used than to the technology itself. Nonetheless, this does not mean that the technical features have
no limiting effect. The example of women working in the telecommunication and media industries supports these assumptions. Women’s knowledge was not given the same credit in the privacy of the telephone operating labour process as in the very public work of radio broadcasters. The reason for such unequal access to these two different technologies were to be found at different levels of analysis.

Among them, the private versus public use of women’s knowledge was an important element. With such a means of communication as the telephone, where women’s knowledge could only be used privately, the economic aspect had priority. The case of radio broadcasters was different as it involved the public use of women’s knowledge on mass communication technology. The control of educated women talking in public was problematic. The radio gave them the opportunity to express political views supporting issues which could contradict the dominant ideology. It might also have invested their knowledge with an authority until then exclusive to men. So, while male administrators’ concern was mostly economic in the privacy of the telephone operating labour process, it became more political when related to a mass communication technology. This shows that the oppression of women’s knowledge in mass communication may be linked to various elements which are not always directly related to the technical elements. This issue is also multi-faceted in the film industry.

The eclipsing of women’s knowledge as film directors

The camera hardly appears as a gendered technology. Yet, Rakow asserts that the camera ascribes men and women in gendered practices, as women are usually positioned before the camera while men are behind, operating it. No one can deny that practices in photographing are gendered, but I would say that the camera itself has little to do with it. If women generally found themselves before the camera, it seems to me that it is not because the technology is gendered, but rather because, in bourgeois society, women are often identified as objects and men as subjects with technical skills. This kind of sexual discrimination finds itself in the film industry as well.

Studies (e.g. Lamartine, 1985; Lejeune, 1989) have shown that, historically, women’s knowledge in the film industry has been, if not completely dismissed, given little credit, by historians and critics. In France, where Lumière invented the technology of filmmaking in 1895, and was the first to shoot short sequences on film, some of the most prominent historians of cinema (e.g. Georges Sadoul, Jean Mitry) ignored women’s film creations or gave credit for them to their male assistants. Mitry says about the films made by Alice Guy, who is now recognized as the first film director: “… these minor comedies whose technique was very rudimentary, could not be compared to Méliès’ films, even the most mediocre” (in Lamartine, 1985: 26). A male objective knower had readily dismissed female film-making.

In the past, when historians gave credit to women’s work, or were sympathetic to women directors (Charles Ford), they often adopted sexist attitudes and used a condescending, reductionist and paternalistic tone, more insulting than gratifying (Lamartine, 1985, Lejeune, 1989). But then, these historians were partly reproducing what they found in catalogues listing historical productions of films and their directors. These catalogues rarely gave credit to women for the films they directed, and when they did, women were often misidentified by being subsumed under their husband’s name or work. A large part of women’s work as film directors was then dismissed. Even if the husband did not organize, or even desire, that eclipsing, Lamartine says, historians, critics and catalogue makers ensure respect for the male order by failing to acknowledge women’s creations and knowledge (1985: 31). This is particularly important since catalogues and statistical and scientific reports represent the official knowledge in a domain and, as such, are regularly used to justify some policies and regulations governing that domain. Clearly, such documents are often the source of production of partial knowledge.

3. For more information on this particular issue, see Martin (1989).

4. Thanks to Sadoul who always refused to credit Guy with the first film direction. Méliès was recognized as the first film director for years.
Not before the early 1970s were women's creations given proper recognition, when their contribution was finally established by Francis Lacassin (1972) after thorough research on women directors. According to Lacassin, French and American writers had wiped Madame Guy's films out. He and other historians like Nicole-Lise Bernheim (1976) were among the first to give credit to women pioneers in film direction like Alice Guy and Germaine Dulac.

Discrimination against women film directors is not a thing of the past. In French speaking countries such as France, Belgium and Switzerland, women directors are reported as representing only six per cent of the total number of directors (Lejeune, 1989). In Canada, a recent inquiry shows that, in the private sector, only sixteen per cent of the directors of feature films are women, and 30.9 per cent of those for short and medium films (Soucy, 1990: 43). At the National Film Board (NFB), a Canadian federal state agency where a large number of film directors acquire their experience, some of them spending their whole career in that institution, women are still in the minority as film directors. They represent 34 per cent of the continuing film directors (a secure position) while they constitute 63 per cent of term directors (an insecure position). Only 22 per cent of the largest grants distributed in 1986-87 were awarded to women, while all those under $20,000 were attributed to men directors. Yet, women's creations were proportionately over-represented as recipients of awards: 25 per cent of GENIES (Academy Canadian Cinema and television); 25 per cent of GEMINIS and 27 per cent of GEMEAUX went to women's films. (Foundation of Toronto Women in Film and Video (FWFW) 1990). So it seems that women receive some recognition from the professional associations. Nonetheless, this does not seem to vest them with the authority necessary to find funding. This is an interesting paradox which should be explored at greater length. What makes women's knowledge recognized by juries awarding prizes and not by juries granting funding? Politics of knowledge does not seem to translate into economics of knowledge.

Why the discrepancy then? Why do women directors have so much difficulty in gaining the necessary authority to obtain decent funding from the producers, including the NFB? I suggest that the answer to these questions is twofold: dominant producers seem to be unable to understand, and then to authorize, women's types of knowledge; and, as a corollary, women's position in the power structure of the industry remains, in spite of their relative successes, at the bottom of the hierarchy. These elements can be observed in the relationship between film 'experts' (e.g. critics, producers, administrators) and women directors' knowledge.

**Feminine or feminist knowledge in cinema?**

I have previously discussed different types of knowledge arising from the relationship between the notions of objectivity and subjectivity used in the dominant discourse. Using Code's conception of gendered knowledge, I have shown that dichotomous categorizations of knowledge block our capacity to understand society. Knowledge forms are continuous; we have to consider various types of knowledge, more or less objective and more or less subjective. Further, pure objective knowledge is an ideal more than a reality, as the knower always has to interpret the objective elements of knowledge through his or her subjective characteristics. Yet, it is often in the name of that knowledge that decisions are made, politics developed, funding allotted and film criticism written by 'experts' in the film industry. Before I discuss the relationship between male experts and female film-makers, I would like to examine briefly the different types of knowledge that can be identified among films made by women.

A survey of some literature on women's film-making (e.g. Collectif 1990; Lamartine, 1985; Lejeune, 1989; Miller, 1988) suggests that, while there are generally some clear distinctions between films made by men and by women, those created by women do not altogether constitute an homogeneous category. Indeed, some films made by women are
as distinctive from other women's films as from men's. At the same time, women's creations entail some common characteristics. At a general level, the literature surveyed suggests that women's knowledge as film directors is about human conditions of people, more often women's living conditions, while men's knowledge is about the Human Condition. Since women's films then take their distance from the great formalist characters of popular cinema, they may be characterized as subjective as opposed to men's objective products.

From that survey and based on this theoretical discussion, women's films, despite their common characteristics, can be tentatively classified into four ideological streams of creativity: dominant stream, feminist stream, feminine stream and politicized stream. It is important here to stress that although some female film directors may be identified with one stream, others may fit into more than one, either because their knowledge has evolved along with their creations, or because they happen to make different types of movies. Despite this important nuance, and because this article is primarily a theoretical discussion on women's knowledge in the film industry based on secondary sources, I describe only briefly the four categories, which are useful to understand the discussion on the relationship between experts and women film-makers that follows. In a study based on primary sources, it might be more appropriate to use the classification on the movies rather than on the film directors, the four streams remaining the same nonetheless.

The dominant stream is that of the female film directors who want to 'play in the boys' team' (Lamartine, 1985: 144). They use male knowledge, and do not question the misogyny of the characters or the sexism of the stereotypes at the core of their creations. The theme they exploit is supposed to reach a level of universality and objectivity that transcends realistic and empiricist qualifications. The feminist stream is at the opposite end of the dominant stream: women's knowledge here intends to be militant. Lamartine compares its effect to that of 'a bomb in the quiet garden of privileged males' (Lamartine, 1985: 139). Feminist knowers' movies are always disturbing because they throw women's most important problems in the face of the viewers, clearly identifying the culprit. The themes treated are life experiences specific to women, presented as a form of knowledge that transcends the specificity of an issue and takes a universal character, as objective knowledge, in order to gain authority in the world of dominant cinema. For instance, they exploit the theme 'the personal is political' and present it as universal, transforming what is considered as subjective knowledge in the dominant discourse into objective truth.

The feminine stream consists also of women's knowledge about other women, but without any preoccupation with political or militant intervention. This is a pro-women cinema in which women's roles are integrated as subjects, no matter the issue debated in the film. Their knowledge is not about women's struggle, but about daily activities that they know well, or that are more specifically concerned with women. These creations, based on limited and well defined experiences, are identified in the dominant discourse as subjective knowledge. Finally, the politicized stream consists of women's knowledge that is not particularly related to women's issues, but rather to wider political issues exploited from a woman's point of view. The films that fit here denounce situations of political and economic oppression of people in their countries or their particular ethnic or racial groups, giving important roles to women as well as to men. But, instead of using wars and struggles over power among various social groups to exploit the theme as men do, they show the daily struggles of ordinary people.

Struggling for authority more than for credit

We have seen that historians did not give much credit to women film directors in the early period of the cinema industry, but that, since the early 1970s, some of them are giving women their due for the work they have done. It seems, then, that the lack of
recognition of women in the film industry, with all the financial and professional struggles that it raises, would find its origin at another level. 'Experts' have not given women directors the necessary authority to gain the producers' assurance that it is worthwhile to find the money to make the film. Would this lack of authority reside in the fact that women's work as film directors is not identified as objective, universal knowledge capable of attracting a huge audience, but as subjective knowledge arousing the interest of a limited group of people?

Women's identification with subjective knowledge, despite the fact that some of them have attracted a large popular audience, often comes from film critics influenced by dominant discourse, and may have some echo among producers. But, critics give women's knowledge more or less authority depending upon the ideological stream of creativity to which their movies belong. This suggests that male domination upon filmmaking goes beyond technological and gender issues. The works reviewed for this paper show that women's films that belong to the dominant stream seem to attract some positive appraisal from male critics. Thereby, their directors are vested with the authority to create openings for funding, sometimes quite substantial. Works belonging to the politicized stream seem to experience similar conditions, though at a more modest level, as the funding generally comes from groups politically and socially involved in the issues treated in the films. The most problematic streams in relation to authority are the feminine and feminist ideological streams. Film directors who belong to these experience a complex situation in which some of their work gains credit from some professional associations, and popular recognition, but not enough authority from experts from the dominant ideology to attract serious funding.

Critics are usually rather hard on these types of knowledge. Despite the awards they have won at various festivals, they do not attract much praise particularly from male critics. Maurice Bardèche, for instance, qualified movies representing the feminine stream as 'd'aimables ouvrages de dame' (lady's nice needle-work), though these movies exploit crucial feminine themes of independence and liberation (Lamartine, 1985:70). Luc Moulet writes in his critique of the feminist films made during the 1960s and 1970s: 'the anterior mediocrity of cinema can be explained by the fact that it was almost exclusively the work of managing women with male domineering characters, who offered only the faults inherent to their hybrid character' (Lamartine, 1985:80).

For these critics, any theme that goes against male knowledge is to be rejected. As it is, the same critic suggested in his comments about a film prized as one of the two best films at the Festival du Cinéma in Cannes in 1963, and made by the Ukrainian director Youlia Solntseva, long after the death of her husband with whom she worked for several years, that she had won the award because she was a 'real woman', wife of a director who had good influence on her. So women's creations are given credit by some male critics when these can detect dominant knowledge in the products. Yet, Solntseva's prized film was seen by an anonymous critic as a work of her own, almost a treason in relation to what she had done previously with her husband, Dovjenko.

Films directed by women are sometimes mistreated and misunderstood because the knowledge they carry is different from dominant types of knowledge. This was the case, for instance, with Anne-Claire Poitier's Mourir à Tue-Tête the theme of which was rape. Although Poirier denied any feminist content in the film, or any political assessment and moral judgement on Man, some male critics saw it otherwise. Both critics in Le Soleil (September 1979), a widely read newspaper in Quebec city, and in La Presse (September 1979), a widely read newspaper in Montreal, said that it was clear that the message of the film was that men were all rapists. Yet nothing in the movie could make the viewer believe that the message intended to encompass mankind. Male critics constructed their own interpretation of the film and presented it as general, universal truth. In this case, it did not prevent the film from having a popular international success. But mistreatment of feminine films has been widely applied in dominant discourse and more often than not it has been detrimental to their success. As Alice Guy puts it, she who made hundreds of short and long films: 'There is no doubt in my mind
that women's success in many domains is always made very difficult because of a strong prejudice against those of their sex who work where only men have worked during centuries' (Lamartine, 1985: 46). Some male critics indirectly recognize that prejudice. Commenting on a film directed by Mireille Dansereau, a woman director in Quebec, Jean-Pierre Tadros says: '...we leave [the theatre] somewhat surprised. We expected a vibrant feminist plea, we see instead the description of a chaotic world, ...and feminine. So much the worse for our prejudices; and so much the better for the film (1972).'

Prejudices against female film-makers come also from other experts. Women's knowledge is devalued by male producers and administrators in different ways. Some have suggested to women who attempted to become directors that they should rather become models or get married (Tadros, 1972). Others have advised them to make their films in ways that would make people forget that they were women (Dussault, 1979). Sometimes, however, women directors are supported by some of their male counterparts, by technicians or by actors. This support is important for women directors as producers often force them to associate with male directors to get funding. Although this type of discrimination is not as crude as it was before the 1970s, women directors realize that they can get more money when they are associated with a man, even if he has less experience than they do. This speaks directly to the politics associated with the social hierarchy of knowledge. It clearly shows that women’s knowledge is so low in that hierarchy that, in the politics of distribution of funding, an experienced female director is viewed as inferior to a new male film-maker.

As a result, women directors seem to have established niches in the world of filmmaking. Their highest representation is in the domains of short-length films and documentaries. Since the greatest of recognition is to make a successful feature film, it seems that there would be less competition from men in these two categories. Moreover, women are good at that kind of film, they often win professional awards. A well known filmmaker in Quebec, Gilles Carle, stresses their innovative approach: 'The art of documentary is experiencing a revolution... this is women's doing' (1990: 101). From his point of view, the documentary is the only domain of cinematographic change. Thanks to women, cinema 'is experiencing some transformation'. Women's knowledge helps to attenuate the boundary between fiction and documentary, he says. By a curious coincidence, he observes, civil servants in Canada have turned documentary into a minor genre, which means that they spare little funding for the films categorized in that genre. As if to prove Carle right, NFB has lately cut its financial support to the E (for study) section, curiously that in which women were the most likely to find money.

To kill the documentary film is to kill the only cinematographic genre that is now bringing a certain revival to the core of Quebecois cinema, thanks to women's contribution, and this just when it is experiencing spectacular success. It is also to deny our women film-makers the possibility, not only of making a personal film from time to time, but of pursuing a long term career' (Carle, 1990: 101).

Yet, women's work in the documentary genre is somewhat of a compulsory choice, given the lack of money to make feature films. Women often have to create their own production companies in order to get the money they need and even then, they only get small amounts. So most of them are compelled either to go into the short film or documentary, or to innovate in terms of technique, being constrained to find new ways of making their feature films with very little money. Hence, we find some very successful women in avant-garde cinema such as new wave cinema, or underground cinema, whose talent is recognized by some experts, but these genres never gain the type of authority vested in feature films dominated by men. But, do women want to have big commercial successes, if it means that they have to dismiss important aspects of their knowledge? It is not the purpose of this paper to answer this question.

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Conclusion

Women’s knowledge in the cinema industry should not be considered as a collective resistance to men’s knowledge. My analysis shows that their contribution as film directors is diverse and should be examined in its own right. Some are creating different types of knowledge that have a definite influence on the spheres in which they work but that are not usually recognized as such by the dominant discourse. But, are the difference in types of knowledge the only reason sustaining the lack of authority of women film-makers in the film industry?

Is women’s knowledge that different from that of men? It seems that whether women’s films are different from men’s in technique and style is partly a result of the level of funding. If women directors had access to the same levels of funding as men do, they might treat their own themes in a different way. But this does not mean that they would all do so. In their film-making, both women and men explore and speak from their own experience, influenced by gender, but also by social class, race, age and culture, as we have seen in the theoretical discussion. However, each sex seems to use a different style in this exploration. Scholars of film-making assert that men, in general, use more violent, oppressive images, and women more nuanced and realistic. Nevertheless, women directors claim to enjoy what they do, some of them say that they are not interested in making large budget feature films, even if funding was available. They take pleasure in their work despite numerous barriers that they meet in their careers, arising from the mechanisms of power created by male ‘experts’ in the industry.

Indeed the mechanisms of power regulating the film industry are controlled by male administrators and experts who adopt the conservative dominant discourse of rationalization in which women’s knowledge is disqualified, to use Code’s words. The type of knowledge valued as profitable by these men is male knowledge, based on so called ‘objective’, ‘universal’ truth, and supposed to attract mass audiences.¹⁰ Foucault’s assertion that mechanisms of power are to be found at different levels is verified in the film industry where they are exercised at three levels: the administration of knowledge as truth, a level that controls which films should be profitable; the politics of knowledge created by male knowers that assess which types of knowledge should be authorized to become public; and the relations of power created by a certain type of knowledge which control who should have access to the first two levels. Women film-makers are not significantly represented at any level of these mechanisms of power in the film industry. Rather, they are those on whom power is exercised.

However, as we saw earlier, there is a noticeable gap between movies made by men and women which is to be found also between films made by women from different ideological streams. This means that women’s place in the spheres of administration and production may not be the only important element in the existing mechanisms of power. My study questions women’s solidarity with one another. The idea that women are essentially humanistic and understanding, and that they would spontaneously support other women’s work should they find themselves in positions of power is idealistic. Competition exists in female as in male circles, though it does not necessarily take the same form. Since knowledge is as much influenced by gender as by class, race, culture, etc, women with different ideologies and politics will not spontaneously support their respective work on the principle that they are made by women.

So, how then should we understand the discrimination against women film-makers? Why is it that they cannot gain authority in the film industry despite the recognition of the quality of their work in various festivals? Is it because women’s work is actually gendered work? Women’s cinematographic creations should be considered as part of the culture of a society, in the way men’s are. It is the politics of knowledge that is gendered, leading to discrimination in terms of vested authority and financial support.
References


Collectif (1990) Zoom sur elles, Montréal.


Scots Gaelic and Welsh language broadcasting in the cultural contexts: A comparative analysis

Fachna O'Drisceoil

This paper will be a presentation and comparative analysis of the experiences of Welsh and Scots Gaelic broadcasting. The intention is to draw conclusions regarding broadcasting strategies in those languages and to identify the implications of those conclusions for Irish language broadcasting strategy. It was decided that a brief discussion of a wider range of lesser used languages would be superficial in nature, and of little real benefit to understanding the Irish situation. Instead, a more detailed presentation will be given of the Welsh and Scots Gaelic cases on the basis that their cultural and historical experience has most similarity to the Irish situation, especially with regard to their relationship to the English language and their historical position within the United Kingdom. The presentations will not be subjected to a tightly defined theoretical or comparative framework, (i.e. the ‘minority language’ model) because these methods have led to relevant features being ignored in previous research. The only conscious bias will be an attempt to identify features in the Welsh and Scottish situations which are relevant to the comparative analysis and to the Irish situation.

Welsh Language Broadcasting

In 1924, the BBC established radio stations in Cardiff and Swansea. From the beginning, some of the broadcasts were in Welsh but most of the programmes were in English, and the majority of the population of Wales could not receive the stations. From 1925 onwards the Welsh Nationalist Party, certain local authorities, Welsh MP’s and numerous individuals began lobbying for improvements in Welsh language broadcasting. At that time, the West of England formed one broadcasting unit with Wales and there was mounting dissatisfaction with this situation on both sides of the border. In 1935, the BBC finally agreed to treat Wales as a separate broadcasting region and modified its transmission system to achieve this.

After the war Welsh grievances against the BBC flared up again, as there was only a twenty-minute Welsh broadcast every day, and never at peak listening hours. In 1947 Regional Advisory Councils were set up to meet the demand for greater devolution of authority over broadcasting. In 1952, the Welsh Advisory Council was superseded by a more powerful body, the Broadcasting Council for Wales.

Until 1978 radio broadcasting in Wales was tied to BBC’s Radio 4 with thirty hours a week of programmes in Welsh and English as opt-outs from that service. However, in 1978 the English language Radio Wales was established followed in 1979 by Radio Cymru which began providing eighty-five hours weekly of radio programmes in Welsh.

When television broadcasting began in Wales in 1952, Wales and the West of England were again linked in one broadcasting region. In 1956 a separate television studio was set up at Cardiff which allowed a daily news bulletin to be broadcast in Welsh. However, in general, Welsh programmes could only be broadcast at lunchtime or very late at night when the transmitters were not occupied by UK network programmes. This caused great dissatisfaction amongst supporters of the Welsh language. Eventually in 1964, the BBC Wales Service was established offering twelve hours of programmes a week as opt-outs from BBC 1. This consisted of seven hours in Welsh and five hours in English.
However, Welsh-language activists were still unhappy that television was dominated by English-language programmes. This dominance was seen by them as one of the causes of the decline of the language. This view of the process is summarized by Jones:

In every Welsh home television is a voluble and attractive alien presence. The natural domain supports of the language are being cut down by the homogenising aspects of modern mass culture, a culture which by its very nature induces conformity with the norms of a mass market at the expense of the traditional and the particular (Jones, 1981:49).

From November 1968 the campaign for Welsh language-television intensified when members of Cymdeithas yr Iaith Gymraeg (The Welsh Language Society) occupied for some hours the BBC newsroom in Cardiff and a radio station in Bangor. Other actions taken by protesters including climbing television masts in an attempt to disrupt the service and calling on the people of Wales to refuse to pay their broadcasting licence fees.

Gradually a consensus evolved amongst the political parties, the BBC and the various interested parties that a Welsh language channel should be established. In its 1978 Report, the Council for the Welsh Language supported the Welsh fourth channel proposal, but it also warned of the dangers of isolating the Welsh language by confining it to one single channel. It argued that:

...it would be in the best interests of the Welsh language: a) to concentrate most of the programmes in Welsh on the fourth channel, where they should have priority, especially at peak hours; b) to retain a limited amount of broadcasting in Welsh on BBC Wales and HTV Wales as a point of contact with the majority of the viewing public; c) to include in the fourth channel a proportion of the programmes in English produced in Wales by the BBC and HTV, so that the channel would serve the interests of the whole community in Wales and contribute to its unity; d) to include also some popular programmes in English from the networks, probably as repeats rather than at original broadcasting times. It is reasonable to suppose that many Welsh-speaking viewers will want to see such programmes, which may clash with programmes in Welsh at peak hours; and if some were available on the fourth channel at alternative times it would strengthen audience loyalty to the Welsh programmes (Council for the Welsh Language, 1978:57).

When the British government introduced broadcasting acts in 1980 and 1981 which allowed for the establishment of a fourth UK network, provision was made for a separate service in Wales to provide Welsh language programming. The Welsh Fourth Channel Authority was set up with a five-member body and S4C (Sianal Pedwar Cymru - Channel Four Wales) started broadcasting in 1982. The programmes on S4C are provided by BBC Wales, HTV Wales and independent producers.

From the beginning S4C planned to broadcast twenty to twenty-two hours of Welsh-language programmes a week, which in accordance with the 1981 Broadcasting Act had to be scheduled at peak-viewing time, between 6 p.m. and 10.30 p.m. Consequently, the English language programmes of Channel Four had to be rescheduled around those Welsh programmes.

Economically, the new service stimulated the growth of employment in the independent production sector through the making of Welsh-language programmes. In South Wales, for example, the media sector is now a greater source of employment than the coal industry. The number of independent television producers in Wales grew from 35 in 1981 to 39 in 1988 (S4C, 1988:26).
The Welsh-language production sector has also been internationally successful, particularly in the areas of drama and animation. In the first five years of S4C’s existence Welsh TV programmes earned more than thirty international prizes and the number of co-productions between Welsh companies and foreign companies has increased considerably (Ibid:30-34) (S4C, 1988:30-34).

S4C adopts various strategies to maximize the audience for its Welsh language programmes. Since 1987, the S4C teletext service has offered its viewers subtitles in English on a range of these programmes. The proportion of programmes carrying subtitles has been increasing steadily each year. During 1993, 825 hrs 55 mins of the Welsh language output carried teletext subtitles, 20 hrs 55 mins more than in 1992, a percentage increase of 2.6 per cent. This brought the overall percentage of Welsh language hours carrying teletext subtitles to to 48.7 per cent which compares with the 48 per cent achieved in 1992 (S4C, 1994:26) (S4C, 1994:26).

Welsh language programmes are scheduled at peak viewing times and Channel 4 programmes are rescheduled at other times. Popular English language programmes such as Brookside and The Golden Girls attract larger audiences to the station than would otherwise be the case. In 1993, the top twenty English language programmes attracted greater audiences than the top twenty Welsh language programmes (see appendix A/S4C 1994:35-37). However the most popular Welsh programmes are succeeding in attracting significant audiences. The most popular of these, the daily soap opera Pobyl y Cwm reached an average audience of 188,000 on a Welsh-speaking base of half a million in 1993 (see appendix A/S4C, 1994:39). According to Rhodri Williams of the independent production company Agenda, S4C’s flagship programme of 1990 Heno, deliberately used tabloid format and content in order to widen the programme’s appeal (Closs Stephens, 1990:31). Interviews were also conducted in English to bring in those families where perhaps only one parent speaks Welsh or where there might be a traditional resistance to viewing the Welsh language channel. The importance of scheduling is again emphasized:

It is also recognized by Agenda and S4C that early evening viewing is habit-forming and that, although the initial breakthrough has to be made, viewers tend to remain loyal to their favourite programme at this time of the evening. The breakthrough, of course, had to be made against the competition of soaps such as Neighbours and against the problem that a popular Welsh service has been placed on a minority channel (Closs Stephens, 1990:31).

The struggle for Welsh language broadcasting has always been very much based on an assertion of the rights of a ‘minority’ culture by Welsh language activists. The minority model has been the dominant mode of analysis by commentators of this process. The problems inherent in the construction of the Welsh language as the domain of a minority group, even within Wales, are articulated by Bevan:

...in the long term there is reason to doubt the effectiveness and perhaps the appropriateness of the expectations underlying the attempt to use broadcasting for the preservation of a minority culture. Given the existing disposition of market forces in mainstream television, it is difficult to see how any minority service can operate other than in the margins of contemporary cultural production (Bevan, 1984:115).

Bevan goes on to elaborate his thesis in the specific context of S4C. With licence revenue at saturation level and the ITV companies fiercely resisting even those contributions which they have been obliged to make up until now, any further developments will have to be funded by advertising. Furthermore, S4C faces the same challenges that all domestic broadcasters do in the form of new satellite and cable services. The station’s response to this, as we have seen from the case of Heno, is to
produce more popular and audience-catching shows. However, within the construction of the Welsh language as the domain of a minority culture, 'it is possible to argue that the channel’s subscription to ‘Welshness’ is in some senses being compromised.' Bevan points out that the dominant view of Wales which is enshrined in the nationalist tradition is an essentially rural construct. He argues that it is doubtful whether S4C will succeed in increasing significantly the Welsh language audience. Meanwhile, he believes that monolingual English speakers in Wales will become increasingly alienated by the imposition of the Welsh language service upon them at the expense of the popular Channel 4 service.

In the absence of a sense of cohesive cultural identity recognized by the majority it is bound to be difficult to restore the language as a living medium once a process of decline has set in. (Bevan, 1984:115).

Scots Gaelic Broadcasting

The history of Gaelic in Scotland is outlined by Thompson (1983). The language once dominated the country, and in fact, the name 'Scot' originated as the name for Gaelic speakers who crossed from Northern Ireland to Western Scotland from the fifth century onwards. However, the language began to retreat during the eleventh century and by the eighteenth century the Gaidhealtachd (a collective term for the Gaelic speaking regions) was largely restricted to the Highlands and the Western Isles. During the twentieth century, as with the Irish Gaeltacht, even this area has gradually become largely English speaking. The Gaidhealtachd is now largely restricted to island communities on Skye and the Outer Isles of Lewis, Barra, Harris, Uist and Barra, but even here English has made inroads. The number of Gaelic speakers in Scotland declined from 231,594 or 6.2 per cent of the population in 1881 to 82,620 speakers or 1.6 per cent of the population in 1981 (Thomson, 1983:57). However, speakers of the language are also distributed throughout Scotland. Glasgow now has the greatest concentration of Gaelic speakers anywhere in Scotland, and some of these are native speakers who were born there. Thus, the Gaelic community is bilingual and partially dispersed.

In recent years, Gaelic has been making a comeback with what one commentator has called 'a massive resurgence of interest in the Gaelic tongue' (Macleod, 1993:11). Since the 1961 census, the number of speakers has stabilized and there was even an increase in 1971. Important developments for the language include the foundation of a third level Gaelic college, Sabhal Mor Ostaig on Skye in 1973, the establishment of Communn na Gaidhlig in the 1980s to co-ordinate, organize and lobby for Gaelic language developments, and the foundation of Comhairle na Gaidhlig in the 1980s to co-ordinate, organize and lobby for Gaelic language developments.

Until very recently, Gaelic received very little airtime and this made the problem of defining their audience more acute for Gaelic broadcasters.

The programmes seemed to be catering for an ageing community mainly interested in religion and traditional music (Cormack, 1993:107).

Cormack also notes that the broadcasters were criticized by An Commun Gaidhealach (The Highland Society) for working to a concept of a ‘blue-print Gael’ interested only in singing. The very first radio broadcast in the Gaelic language in 1923 was a short religious talk and the longest surviving Gaelic programme is Deanaimid Adhradh, a Sunday afternoon religious service. The situation on television was similarly unsatisfactory for supporters of Gaelic.

...Gaelic television was for the most part meagre and unimaginative (Macleod, 1993:12). There were occasional television current affairs programmes such as the
BBC's *Bonn Comhraidh*, but they were usually produced on small budgets, were shown at 'unearthly hours of the night' thus reducing their potential audience, and have been described as being of 'weary worthiness' (Macleod, 1993:12).

Gaelic radio broadcasts were reorganized in 1976 when the BBC established Radio Highland, based in Inverness. A further reorganization took place in 1979 when the Gaelic programming was increased and brought under the name, Radio nan Eilean (Radio of the Islands), with a studio in Stornoway on the Island of Lewis. Another important landmark was the BBC's beginners language television series *Can Seo* in 1979 which Mackinnon has described as 'the most popular language course ever shown on television in Scotland' (Mackinnon, 1991:150). The latest phase of expansion of radio services took place in 1985 when the BBC started using the name Radio nan Gaidheal for their Gaelic language service. The current situation recognizes the necessity of serving both national and regional audiences. Thus, every week the station broadcasts 7 hrs 45 mins of Gaelic programming to the whole of Scotland, a further 12 hrs 49 mins is confined to the Highland area and the Western Isles, and a further 11 hrs 20 mins is broadcast exclusively to Lewis and the western coastal areas.

In spite of the three tier radio service, the problem of defining the audience remained.

What is likely to satisfy Radio nan Gaidheal's core audience of elderly Islanders may be of little more than passing interest to the more outward-looking young, or to those Gaels on the mainland who, as a linguistic minority, are not likely to use Gaelic in most of their social contacts. This is a challenge which Radio nan Gaidheal had begun to address, and its success or failure may have profound repercussions for the survival of Gaelic culture (Bistrow and Bovill, 1988).

In the early 1980s the BBC began to tackle the challenge of serving a wider audience in the Gaelic language. They started broadcasting regular, short Gaelic programmes for young children and they initiated *Brag*, a youth magazine programme which Cormack describes as 'livelier and more contemporary than anything that had been seen before' (Cormack, 1993:108). In the ITV network, Scotland is geographically divided between two franchises, Grampian and Scottish Television (STV), and both companies began to increase their Gaelic output in the eighties. STV in particular, took a new approach to Gaelic programming when they started a regular prime time slot in April 1991, between 6.30 p.m. and 7.00 p.m every evening. The slot was filled with general light entertainment programmes, along with some documentary features, all with English subtitles.

This constituted a determined effort to avoid any kind of ghettoization, either by scheduling or by programme content (Cormack, 1993:109).

However, the most dramatic recent development in Gaelic broadcasting has been insertion of a clause in the 1990 Broadcasting Act which created a £9.5m Gaelic Television fund to increase Gaelic programming output from one hundred to three hundred hours annually, beginning in 1993. The money is administered by Comhataibh Telebhisein Gaidhlig (GTC – The Gaelic Television Committee) which is appointed by the new Independent Television Commission. This development was primarily the result of lobbying which was masterminded by John Angus Mackay, the then director of Communn na Gaidhlig. The lobbying was based on economic rather than cultural arguments, stressing the value to the Gaidhealtachd of the investment in television, both in terms of finance and increased local self-confidence.

He used an economic and cultural argument, and was successful in persuading what was essentially a right wing government, opposed to handouts, into giving £9.5 million, an incredible amount of money to provide 200 hours a year of Gaelic programming (Macdonald, 1993:14).
In 1991, Mackay himself was appointed as the first director of Comhataibh Telebhisean Gaidhlig.

Some members of the Gaelic language lobby were unhappy with Mackay’s approach and argued for an exclusive Gaelic language service. The case against the dedicated channel option is summarized by Rhoda Macdonald, the Head of Gaelic Language Programmes for STV. ‘I strongly disagree with that at this moment in time, simply because we don’t have a big enough mass of speakers. It would be a ghetto channel. People would opt not to watch it’ (Macdonald, 1993:15).

Macdonald goes on to point out that the audience ratings for Scots Gaelic programmes regularly exceed the half million mark whereas the highest rating Welsh programmes, on S4C only attract viewing figures of 120,000 (sic). She believes that a dedicated Gaelic channel may eventually be appropriate, but only when the situation of the language is much improved. With regard to the effect of the new programming, Macdonald argues that it has generated and stimulated an interest amongst those who had a latent interest in the language. ‘If you scratch at the surface of many Scots, there’s a Gael or some sort of Gaelic connection underneath’ (Macdonald, 1993:14).

While there are only 40,000 Gaelic speakers in STV’s transmission area according to official statistics, the average audience for the three year old Wednesday evening slot mentioned earlier was 350,000 viewers (Macdonald, 1993:14). This would appear to indicate that the programming strategy is succeeding in widening the audience appeal for Gaelic programmes. Macdonald explains her company’s scheduling and programming strategies.

For instance, we didn’t have a local cookery programme, so we decided to make one in Gaelic. Thereby, you hit both constituencies. You satisfy your average Scot by providing a Scottish cookery programme and you also satisfy your Gaelic viewers by providing a type of programme which had never been done in Gaelic before. It was a great success. Cookery programmes are highly visual, they attract viewers. You don’t have to understand Gaelic to understand what’s happening. And you subtitle, that’s the other big factor. Subtitling makes it accessible. We always argued that Gaelic belongs to the whole of Scotland...

We decided to make a Do-It-Yourself series and we made it in Gaelic. Many people would like to build their own house. You don’t have to understand Gaelic to know somebody is banging a nail in a wall. I think the secret of our success is simple, we make Gaelic programmes that are attractive, and visually accessible (Macdonald, 1993:15).

STV also made Gaelic language series about cars and fashion:

...all of these things are identifies with the good things in life, so Gaelic becomes identified with the good things in life (Macdonald, 1993:15).

Macdonald also quotes STV research which shows that when people who wanted to learn Gaelic were asked what their prime reason was, 70 per cent answered that they wanted to understand Gaelic Television programmes.

In a similarly optimistic vein, Macleod heralds 1993 as the dawning of a new age for Gaelic broadcasting. He enthuses about the high quality of the CTG sponsored output which includes a ‘competent’ Gaelic news bulletin service from Grampian and ‘good’
documentaries from the BBC. He also singles out some STV productions for praise: *Speaking Our Language*, a learners' series, *Aig Aistear*, a youth programme and *Machair*, a soap opera. Overall, there are some ten hours weekly of assorted documentaries, news-shows, cookery programmes, motoring fanzines and dubbed cartoons, investigative journalism and drama (Macleod, 1993).

However, there has been discontent in some quarters about the amount of time being taken up by Gaelic programmes in the schedules. Criticism has appeared in the columns of some newspaper television commentators and Cormack sees this as a sign of a potential backlash against the language by non-Gaelic speakers. In a CTG survey carried out in 1993, 26 per cent of respondents were of the opinion that there were too many Gaelic programmes on television while 56 per cent disagreed with the proposition; and 28 per cent thought that too many Gaelic programmes were shown at peak times while 53 per cent disagreed. On the other hand, the vast majority, 75 per cent of respondents believed that it is important that the Gaelic language in Scotland be kept alive through Gaelic programmes on TV, as opposed to only thirteen per cent who disagreed. However, both Cormack (1993) and Dunn (1986:55) point out the danger of unrealistic hopes being pinned on the new television services.

The struggle for support from the media is only one of the struggles of a language and culture which, although of undoubted relevance to national identity, is now the immediate concern of only two per cent of the population. The support of the media is of considerable importance in the fight for the survival of the language.

**Conclusion**

The approach to Welsh language broadcasting has been based firmly on the minority language model. Welsh speakers are in a relatively strong position to assert themselves as a distinctive minority group within Wales, with a base of over half a million speakers making up 18.9 per cent of the population (EC, 1986). Since its inception in 1982, S4C has built up and maintained a significant loyal audience. Its average share of the television viewing of Welsh speakers is 19.4 per cent and its average share of all Welsh viewers is 9 per cent (S4C, 1994:41). However, the main distinctive elements which have contributed to S4C's success are the careful scheduling of popular English language programmes around the Welsh programmes, the provision of subtitles for viewers with little or no Welsh and the production of popular programme formats in Welsh and bilingually.

However, the Scottish approach to Gaelic broadcasting has been much more successful in promoting and extending the use of the lesser used language. Despite having a linguistic base which is a only a fraction of its Welsh counterpart, (79,000 speakers, 2.5 per cent of the population) Scots Gaelic programmes have been achieving much higher audience figures. The top rating Gaelic programme reaches audiences in the region of 500,000 compared about 200,000 viewers for the top rating Welsh language programme. The fundamental difference is that Scots Gaelic programmes, rather than being concentrated on a specialist channel, are carefully scheduled across all the channels in regular prime time slots before and after popular English language programmes. The Scots approach does not construct the language as the property of a particular minority but as a central aspect of Scottish life. However, the revival in interest in the Gaelic language was not caused by the renaissance in Gaelic language broadcasting. Both processes fed into each other. The increased interest in Gaelic led to the extension of broadcasting services and these in turn greatly reinforced the pre-existing trend for the language to take up a more central position in Scotland's cultural life.

The comparative analysis of the Welsh and Scots Gaelic cases suggests that the foundation of a dedicated Irish language television service at the present time could be counter-productive to the long term promotion of Irish. A specialist Irish language
channel could contribute to the definition of the language as a minority interest and would be unlikely to attract audiences as high as those achieved by Irish language programmes on RTE. Viewers are not likely to switch over to an Irish language network in preference to popular programming on the other national networks and foreign channels. The Irish language television model (usually referred to as 'Teilifis na Gaeilge') will be more similar to the S4C than to the more successful (in terms of language promotion) CTG model. However, popular English language programmes from the Channel 4 schedules which are not available on any other channel in Wales are an essential feature of the relative success of S4C in attracting audiences. There are no proposals that this should be a feature of the Irish language service. On the contrary, suggestions for English language programming on the new channel have centred mainly on Oireachtas coverage and educational programming which would only further reinforce the station's minority or fringe image.

There is an argument that the existing Irish speaking community has a right to a complete television service in Irish. However, the question is one of priority. RTE is not at present achieving its full potential for broadening the Irish language viewing audience. The expenditure needed for an Irish language channel could be invested in subtitling, drama, learners' series and other methods of reaching that audience. Furthermore, the promotion of the Irish language among the wider community is ultimately a means of ensuring the viability of existing Irish speaking communities and networks by creating a favourable ideological and cultural environment in which they can flourish. The establishment of an Irish language channel may become a more viable proposition in terms of language promotion, as distinct from serving the existing Irish speaking community, at some stage in the future. However, this will only happen when the position of the language has been much strengthened.

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Some thoughts on freedom of information and the civil service

Sean Dooney

All new civil servants receive from the personnel unit of their department a number of circulars dealing with various aspects of their conditions of employment. One of these circulars, the receipt of which they are obliged to acknowledge, deals with official secrecy. The circular draws attention to the obligations of civil servants in relation to secrecy in the transaction of official business, which obligations are provided for in Section 4 of the Official Secrets Act 1963. That section, as readers are no doubt aware, provides that they shall not communicate any official information to any other person unless they are duly authorized to do so or do so in the course of, and accordance with, their duties as the holder of a public office; or when it is their duty in the interest of the state to communicate it. Reasonable care must be taken to avoid any unlawful communication of such information. Any doubt which may arise as to whether a person is authorized to communicate information in the course of and in accordance with their duties should be referred through the appropriate official channels (through their superiors) to the head of their department for determination.

The circular goes on to remind civil servants that it is their duty not to make unauthorized communications, directly or indirectly, about matters which come to their knowledge in the course of their official duties and to refrain from mentioning such matters to anyone other than in the course of such duties. Particular care should be taken to avoid releasing official information in the course of informal or unguarded conversations. This instruction applies to decisions already taken as well as to matters which may still be under consideration or discussion.

It further says that civil servants may not, without the prior permission of the head of their department use any material drawn from sources to which they have had access in their official capacity or of which they have acquired personal knowledge in the course of their work relating to the business of their own or any other department. (Thus, this writer had to get such permission for two books written while he was still serving.) In addition, persons who have charge of official documents are obliged to take precautions to ensure that the arrangements for their handling are such that there is no risk of unauthorized disclosure.

Official information is defined as any official code word or password, and any sketch, plan, model, article, note, document which is secret or confidential or is expressed to be either and which is or has been in the possession, custody or control of a holder of a public office. A certificate given by a minister that any of the foregoing items is secret or confidential is conclusive evidence of the fact so certified.

In principle it is, of course, necessary to have some such act. And yet what is the situation in practice? Going back, one finds that unauthorized disclosure led to the arms trial, to the award of damages to two journalists whose telephones were tapped and to the Beef Tribunal; in regard to the latter it was obvious that some of the deputies who raised issues about the meat trade had sight of official documents. In between, there were several other cases. Such disclosures arise for a variety of reasons: reward, perversity, party political or because of a view that a well-informed opposition improves the quality of government. There may also be some civil servants who if they perceived what they felt was inappropriate behaviour in their department would consider it to be in the public interest to reveal it. Can this be acceptable? What do civil servants do who are convinced that the decision taken by a minister in a particular case is unethical or
that their minister is otherwise engaged in unethical practices? Do they remain silent or do they pass on the information? These are not easy questions to answer. Note what happened in the British courts in the Ponting case where the judge went one way and the jury the other.

In addition to the controls under the Official Secrets Act there are what might be called constraints on civil servants being free with information. These derive from the role of the minister as set out in the Ministers and Secretaries Act, 1924. When the state was established in 1922 it was not unnatural to expect that the new ministers should wish to be in total charge of what was going on. They, therefore, adopted the Westminster model of government which was, and remains, centralist and essentially secretive in character. The view of the first ministers was that all of the activities of the state should be under the direct control of the elected representatives of the people, an entirely natural desire at the time, as already said. The situation was legalized in the Ministers and Secretaries Act, 1924 which is accepted as placing responsibility for all of the activities of a department on its minister. The minister is the department and no civil servant can, in law, give a decision. That is the reason why letters emanating from governments frequently commence with the phrase 'I am directed by the Minister for X to state'.

In this situation where ministers are held accountable to the Dáil and to the public for the actions of officials it is also entirely natural that the officials should proceed with their work with a great deal of care and a certain amount of caution. There are many ways in which civil servants may bring themselves to the notice of the minister, but taking any action, including being free with information which is likely to embarrass him/her, cause controversy or cause him/her to be questioned in the Dáil, is not the most desirable way. So, in addition to their natural conservatism, a natural trait of the Irish, the culture is one in which there is a reluctance to take chances or to speak out. Civil servants generally are happy enough with this situation. And so, freedom of information is not an issue that bothers them greatly. Rarely if ever is it discussed in corridors or canteens. The campaign to 'Let in the Light' is not one which really interests them. The average official does not see any advantage in having their activities paraded in public, and questions about the public interest or the common good, in this particular context, rarely cross their minds.

Some of the questions that this writer has heard raised relate to the nature and manner in which civil servants tender advice to ministers. As everyone knows that advice is tendered freely, frankly and independently, mainly in writing but, on occasion, supplemented orally. Some ask what effect would freedom of information legislation have on the giving of that advice if who said what and why were to be made public. Some would, of course, know that the situation differs elsewhere, for example, in Sweden. (How the freedom of information Laws apply in Sweden is not for discussion here. Suffice it to say that the culture of openness is long embedded in the Swedish system, that official activities are closely governed by law, that clientelism has not reached the heights or depths that it has in Ireland, that they go to great lengths to achieve consensus etc.).

Freedom of information is, however, a subject on which the Association of Higher Civil Servants has a firm view. It supports a freedom of information culture. The association represents the key managerial grades in the civil service who are intimately involved in the formation of policy. It has published a policy document on the subject and has called for the introduction of a Freedom of Information Act. It, therefore, welcomes the commitment in this regard in the policy agreement made between the parties in A Government of Renewal (1995-1997):

There is a clear need for greater openness and accountability in Irish life, to allow better public access to information in the possession of State Departments and Agencies, both about themselves and the workings of the Government and Administration. We are, therefore,
committed to the enactment of Freedom of Information legislation, to cover both central government and the broad public sector, in 1995, modelled on the best practice in other countries.

The association draws attention, however, to the present situation in regard to civil servants appearing before Oireachtas committees who may find themselves in the midst of controversy with no rights under the Official Secrets Act and no opportunity to vindicate their professional character and reputation, possibly against elected representatives who may criticize them unfairly under the protection of parliamentary privilege.

The policy document published by the Association proposes radical changes to make decision-making more open and accountable. It goes further and calls for the publication by each department of a strategy statement which would give basic details of what a department proposed to do over a period of, for example, five years, which would be openly debated in the Dáil. It also suggests that instead of the conventional estimates each department should prepare an annual report and accounts in a modern format and submit these for public consideration by the Dáil in the light of the earlier strategy statements. These proposals, would represent a practical framework for making government decision-making more open and accountable. So far, the Association's pleas for more openness have met with little apparent response and it awaits with interest, as we all do, publication of the government's proposals.

The Irish civil service has not been very good at change. One has but to recall the changes suggested in the Devlin Report, the promised reforms in the 1985 White Paper *Serving the Country Better* or such issues as the abolition of what is known as the dual structure1, the introduction of merit pay or the adoption of comprehensive career development programmes, to mention just a few. But, the civil service cannot launch into reform programmes on its own. As pointed out above, civil servants are subservient to ministers and ministers are not noted for their interest in change and certainly not in the area of freedom of information, if one is to judge by the evidence to date. Indeed a feature of our political system is the lack of interest of politicians in issues such as organization and management of the public service. When in opposition they promise many changes, including more freedom with information. When they come to office, however, politicians are remarkably slow to change a system which, overall, they see as being to their advantage because of its secrecy, the power it confers on them and clientelism. This is obvious in their tardiness in making changes in the area where one would think changes would be of most benefit to their own activities, i.e. in the Dáil.

In adopting the Westminster system of government, where Parliament is supreme and secrecy is considered very important to its working, we seem to have gone further, in that it appears to be incumbent on ministers to seek to be the repositories of all knowledge and to filter out that knowledge as they see fit. Some of the ways in which this manifests itself are in the drawing up of proposals for legislation or for new schemes. In the past year alone there have been a number of examples of this. The reasons for the designation of certain areas for urban renewal have not been explained; nor have the reasons for the new TV station in the Gaeltacht, nor the precise circumstances in which foreigners are granted Irish passports. There are countless other examples and there are a number of unpublished reports of commissions and working parties.

Would the release of more information, for example, in regard to proposals which a minister has for new legislation improve the adversarial atmosphere in which much legislation is debated in the Dáil? And if the replies to parliamentary questions were framed in such a way as to give the maximum information to deputies and so be as helpful as possible, would that also help to improve the atmosphere? It is, of course, recognized by ministers and civil servants that many of the questions asked are both actual and potential banana skins designed to embarrass the minister. All are treated accordingly; many replies are framed as damage limitation exercises. The practice of

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1. Administrative and technical people having separate hierarchies instead of having a single structure as obtains in many other national organizations and in international organizations.
giving the very minimum of information to questions is enshrined in our system. Replies, if not economical with the truth are economical with information. The rules for civil servants in preparing replies for their ministers have (up to the time of writing) obliged them to answer only the specific question asked, to keep the reply as brief as possible, consistent with civility to the enquiring deputy and, above all, not to be discursive. My former colleague, Donal Russell, set out the position in reply to Mr Justice Hamilton at the Beef Tribunal ‘Well, there is no rule of thumb on this as such, but one has to look at a question that’s asked and give the information in direct answer to that question but not to offer information’. The situation was, perhaps more bluntly put by a former minister in the course of his evidence ‘If the other side does not ask the right question they do not get the right answer and it’s not for me to lead them where they figure they want to go’. It would not make much difference for civil servants if they had to provide more comprehensive replies than is the practice since they have to get out all the information anyway for inclusion in the minister’s back-up note to enable him/her deal with supplementaries.

As mentioned earlier, civil servants, in our system, collect, analyse and synthesize information which they then submit to ministers with their recommendations for action. This is then discussed freely with the minister and views are expressed on the merits of the courses recommended. If all of this written material and notes of discussions were to be made publicly available, some civil servants would argue that it would cause them to be more circumspect and less frank in putting forward their views since they would then be forced into the public arena and into public controversy in a situation in which they could not reply. One change that would then certainly have to take place is that ministers’ decisions would have to be clearly set out on the file; that notings by officials such as ‘discussed with minister’ or ‘minister agrees generally’ would no longer suffice and that ministers would have to set out specifically what they want done. Decision-making would require more recording. This, certainly, would be a change in practice since ministers are extraordinarily reluctant to write on files. Of course, if the system of political neutrality were to be modified – and perhaps we are seeing the beginning of this with the appointment of programme managers and advisers – there would be no difficulty for senior civil servants if their views were made public. In France and Germany, for example, civil servants are closely allied politically with their ministers.

Another aspect of freedom of information, or perhaps dissemination of information to be more apt, is that of participation in discussions on radio or television to explain and give information on the application of schemes and projects once they have been approved by ministers or the government. Frequently civil servants are the experts on these matters, having been engaged in drawing them up, each in their own area. Yet one could count on the fingers of one hand the number of times in the last year that civil servants have been so heard. Queries to government departments from journalists and others wishing to get information are usually referred to the department’s information officer who because of his or her very close contact with the minister is regarded as the appropriate person to answer. Because of the culture, civil servants are reluctant to talk to the media about their work; sometimes they are reluctant to give information on the most straightforward matters.

To conclude, one thing is reasonably clear: in our system the whole issue of freedom of information is one that needs a great deal of consideration. This is, no doubt, the reason proposals on the matter have not yet been put forward, proposals which were promised also by the last government.
In the history of Irish public policy on communications, the ban on the publication of information about contraception merits a special place. It existed for half a century, and the circumstances of its elaboration and implementation offer a special insight into the sensitivity of Irish governments on matters of sexual morality, as well as into public and media attitudes to the controversies involved.

The ban did not exist when the Irish Free State came into being in 1922. It was first enacted into law in the Censorship of Publications Act¹ some seven years later. Seventy-year-old papers giving details of the evidence and hearings of the Department of Justice's Committee on Evil Literature, have now, however, been released by the Department of Justice², and make clear that this legislative provision was in fact the culmination of an extended campaign originating, in a formal sense, some eighteen years earlier. The campaign led, in the first place, to the establishment of the Committee in February 1926. The Committee's final report, which was delivered to the Minister by the end of 1926 and published early in 1927, contained recommendations which were the foundation not only for the establishment of the Censorship of Publications Board, but for important changes in the criminal law, affecting the distribution of information about contraception as well as birth control appliances themselves. Section 16 (1) of that Act made it a criminal offence to print, publish, sell or distribute any book or periodical publication (whether appearing on the register of prohibited publications or not) which advocates or which might be reasonably supposed to advocate the unnatural prevention of conception or the procurement of abortion or miscarriage or any method, treatment or appliance to be used for the purpose of such prevention or such procurement.

The penalty on conviction was six months, a fine of £50³, or both.

The papers are also of considerable contemporary relevance, given that a major political and legislative battle has been on-going over the question of abortion information in Ireland. Almost seven decades ago, one of the key issues was the provision of information on family planning; the other was the more general one of the morality of British newspapers and magazines circulating in Ireland and, to a lesser extent, of books, whether published in Ireland or elsewhere. The questions of morality addressed were not exclusively sexual: UK-based newspapers and periodicals were also criticized for lurid crime reporting. The documents of the Committee make clear, however, that the campaign, as documented by its own organizers, was more of an uphill struggle than might at first glance appear to have been the case. The eventual enactment of the ban took place in an atmosphere characterized not only by carefully stage-managed protest but also by a degree of public indifference. They also throw interesting light on the role played by a number of Irish Protestants and others in a controversy in which nascent ideas relating to freedom of expression and freedom of conscience received a first, tentative airing⁴.

The campaign to ban the dissemination of literature on contraception – abortion, as already adequately covered by the Offences Against the Person Act, was not a public

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1. No. 21 of 1929.

2. Release date 1 January, 1995. No explanation for the delay in releasing the papers has been forthcoming. The present writer's first, unsuccessful attempt to get the Department to release the files was made when he was a member ofSeanad Éireann in 1971.

3. £1650 in 1994 values.

4. All references in this paper, unless otherwise specified, are to documents of the 1926 Committee on Evil Literature in the box file Jus 95/7 (Department of Justice, 1995 release), National Archives, Dublin.
issue - goes back in a formal sense to 1911, when the Irish Vigilance Association was founded in Dublin on 10 November. Its president was a Dublin solicitor, Thomas J. Deering, and its headquarters were at 39 North Great George’s Street. A number of priests were prominently involved, notably Fr. M.H. McInerney of St. Saviour’s, Dorset Street, Fr. Kirwan, SJ, of Gardiner Street, and Fr. R.S. Devane SJ, of Limerick, who made the prosecution of a crusade against ‘evil literature’ his life’s work, even to the point of physical exhaustion.

The Association’s initial campaign focused on Dublin newsagents, who were asked to sign pledges that they would not distribute any of the offending publications. Later handbills were distributed, a number of pamphlets were written and published, and pressure was brought to bear on ‘certain Dublin journals’. This method of proceeding did not, however, produce the required results, and so local vigilance committees were formed. These were not completely successful either, with the possible exception of the Limerick committee, which substituted extra-legal zeal for more orthodox powers of persuasion with more tangible results. There were, in that city, some 28 news vendors, all but two of whom agreed to sign a pledge that they would refrain from selling objectionable papers. On Fr. Devane’s own doorstep, however, even this minimal act of defiance was too much to be borne. Their papers had to be seized and burned, he later told the Committee. ‘Certain measures had to be resorted to to show that people were behind the movement. …There are only two alternatives in stamping out an evil: law or terrorism, and we had to fall back on terrorism.’ Writing in the Irish Ecclesiastical Record, he gave the point an additional, political dimension: ‘In 1911, one had to take the law into one’s own hands, and to anticipate the dictum of that brilliant lawyer who declared in relation to the arming of “Ulster” that “there are illegalities which are not crimes”.

Devane’s advocacy of censorship focused particularly on birth control, and had more than a tinge of anti-Semitism about it. In 1925, he and another priest, Fr. John O’Flanagan, as part of an ongoing pressure campaign aimed at changing the law, formed a deputation from the Priests’ Social Guild which went to Kevin O’Higgins, the Free State Minister for Justice, to complain about an incident in the west of Ireland. As Fr. Devane was later to describe the same incident to the Committee:

I was on a mission in Ballina last year. There arrived in the town a jew (sic) with a lorry... and he started selling contraceptives made up as pencil holders at 2/- each. Someone told the parish priest about this traffic and he found it was a fact. He notified the police who could do nothing. He then set up a court of his own and tried him and fined him £100. The jew paid £10 and cleared out.

Nor had the Minister been unsympathetic. ‘Mr O’Higgins told us instantly’, Fr. Devane added, ‘that the police had reported a jew travelling in the west of Ireland selling these things by the wayside. The police were advised to take action but they threw the onus on the legal authorities.’

Initially O’Higgins had seemed willing but hesitant. The editor of Our Boys, Brother J.L. Craven, had written to him early in February 1925 asking him to take action. ‘It is felt’, the Minister’s secretary replied on 18 February, ‘that the matter could only be satisfactorily dealt with when the public conscience has been aroused to a healthy frame of mind towards the evil. The Minister would be glad to receive encouraging resolutions of the kind referred to in your letter.’ The Christian Brothers went to it with a will. Brother Craven, writing subsequently to the Committee, said that he had expended £1,100 of the Order’s money in an extensive campaign ‘to drive gutter literature out of Ireland’. Not the least dramatic of his initiatives was a full-page advertisement, taking up the entire front page of the Irish Independent, on 1 May 1925, with the arresting headline ‘The Remedy: Strangle the Traffic’, and the sub-heading ‘Ireland Speaks: The Serpents Must Go’.

An undoubtedly crucial event in this assembling of public opinion was a decision by the Irish Catholic Bishops’ Standing Committee, on 19 January 1926, to seek a meeting

Ecclesiastical Literature:


6. cf Irish Independent, 1 May 1925. The Minister’s Secretary, Mr. Thomas J. Coyne, was the civil servant later entrusted with the administration of wartime censorship during World War II.

7. £36,300 in 1994 values.
with the Minister for Justice on the issue. The meeting was arranged, with noticeable
celerity, for the next day. The fact that the Committee was appointed less than a month
after their meeting with the Minister speaks for itself. Later invited to give evidence to the
Committee, the bishops declined: evidently, their talking had already been done, and
behind closed doors. The significance of this démarche can also be seen in the initial
hesitation of the Catholic Truth Society when asked to give evidence. They agreed to meet
the Committee only after their possible participation had been discussed, and
presumably agreed, at a meeting of the hierarchy's Standing Committee on 13 April 1926.

The establishment of the committee had mixed reviews. The Irish Times was
amiable: in a leader on 'Public Morals' published just before the establishment of the
Committee, it went to town on declining standards:

Today... the Free State is not only a less industrious, but a more
immoral country than it was fifteen years ago. Parents are losing the
capacity to control their children. Extravagance in dress is almost
universal, and is most reckless among the very people who can
afford it least. Fifteen years ago few women of the middle classes
touched strong liquors, even in their own homes. Today many of
them take wine and whiskey in public places; and women and men
drink with equal abandon in the dancehalls of country towns and
villages. Sexual morality has increased in the Free State and is
increasing. If the police authorities and hospitals could speak freely
on this subject, they might shock the national conscience.8

Some ten days later, a leader castigating the 'intolerance' which had just greeted the
first performance of The Plough and the Stars, went on to give a cautious welcome to
O'Higgins' initiative but warned that it detected 'the smug voice of cant... in the demand
for a moral censorship of the press.' This would 'merely... feed the national vice of self-
complacency and would divert public attention from more urgent perils. The things that
defile Ireland today come not from without, but from within.'9 The Irish Independent was
more forthright:

There are stringent regulations to deal with the sale of anything that
may prove poisonous to the body; but there is no attempt made by
the law to prevent the indiscriminate circulation of imported papers
that poison the soul... The witnesses should come in with their
proofs in black and white... The fact that the vilest newspapers are
flaunted in the face of the public every Sunday, while no
prosecutions ensue, is evidence enough that the present law is
powerless, unless, indeed, one assumes there is no desire to
enforce it.10

A report prepared for the Committee by the Garda Deputy Commissioner, Eamonn
Coogan, disclosed that only three successful prosecutions had taken place in five years,
two of them in Dublin, where a chemist named Blake had been prosecuted in 1920 and
another named Rice in 1925. Blake had been prosecuted under the Obscene
Publications Act for advertising 'rubber goods' by post: the Divisional Justice had
ordered the seizure of some 240 books from the premises, and he had given up the
business. Mr Rice, prosecuted in the Central Criminal Court, was sent to jail for twelve
months. In general, however, magistrates tended to throw out prosecutions, and the
enthusiasm of the gardai was clearly lessened as a result.

The extent to which the magistrates' attitude may have mirrored a certain public lack
of concern is open to question. What is undeniable, however, is that Fr. Devane and his
allies were far from pleased with the public response to their crusade. Asked by the
Committee's chairman, Professor Robert Donovan11, whether the effect had been
permanent, he replied: 'Absolutely, until the arrival of the Black and Tans. The difficulty
we had was to get anybody interested. I say that with a certain amount of pain. I have
always found it difficult to maintain public interest in the matter.' Later, in a letter to
another member of the Committee, Fr. Dempsey, he complained: ‘it is a pity we cannot
get a few educated women to come forward and give their views on birth control
propaganda. I think they would help to impress the Committee.’ He had even, he also told
Fr. Dempsey, failed to impress Mr. J.P. Clare, the Committee’s secretary, with a display of
the ‘choice collection’ of pornographic material from Mr. Frank Duff’s collection. This new
evidence suggests at least a minor qualification to Adams’s suggestion that the Vigilance
Associations ‘represented a large body of opinion within the country’.

The theme of the committee’s work was immoral literature in general, but it focused,
to a degree not mirrored in subsequent public or political discussions, on journalistic
and periodical literature containing information on contraception in particular. The
worthy bodies and individuals who gave evidence included the Catholic Writers’ Guild,
who deplored the lowering of standards in Irish newspapers as a result of competition
from Britain; the Irish Retail Newsagents, Booksellers and Stationers Association, who
claimed that their trade had been ‘much maligned on this question’; and the
Catholic Truth Society of Ireland, whose evidence (including appendices) was later
published as a 100 page pamphlet.

Brother Craven weighed in with a carefully crafted, and highly political, argument. In
the course of a lengthy letter to the Committee detailing the results of his campaign, he
noted that the opinions he had garnered had been expressed ‘sometimes calmly, at
other times with knitted brows and clenched fists, according to the principles of the
speakers’, and had focused on one central issue: ‘Will the present government be
returned at the next election?’ His informants believed Cumann na nGael ‘to be a weak­
kneed government... which would be safer...’

The relationship between the Committee and organized Church opinion, particularly
Protestant opinion, indicates that a delicate form of political gamesmanship was being
played on all sides. Mr. Stevenson, a Presbyterian minister, at first demurred at the
prospect of inviting the Catholic Church, officially, to state its views: his criticism was
met by a decision to extend the same invitation to all the major denominations. By and
large, however, most declined: it is virtually certain that they had been informed
privately of the Catholic hierarchy’s decision to remain in the background. The Secretary
wrote on behalf of the Committee to the Chief Rabbi, Dr. Herzog, without receiving any
response. Nor was the Church of Ireland Young Men’s Association any more
forthcoming. The Church of Ireland Archbishop of Dublin, Dr. Gregg, told the Committee
that he would be pleased to answer any questions that the Committee wished to put to
him; his offer was not taken up. Methodists and Presbyterians, while expressing general
goodwill for the Committee and its objectives, did not feel it necessary to make any
direct input into its deliberations.

The heterodox case, however, did not go entirely by default. It is worth remembering
that the Anglican communion had still to take a formal decision accepting the rights of
married couples, in conscience, to use artificial contraception. Nevertheless there are,
buried deep in the Committee papers, indications of independent thinking, of a cautious
but clear-headed opposition to the prevailing climate of moral opinion. This is to be
found chiefly in the minute of evidence from the Dublin Christian Citizenship Council,
which was invited to submit its views at the urging of Mr. Stevenson. Although it was
undoubtedly a self-appointed group, its membership deserved to be taken seriously: it
included the Rev. H.B. Kennedy, Dean of Christ Church in Dublin, the Rev. J. Denham
Osborne DD, and Professor J. T. Wingham. Dean Kennedy had already been lobbied by
Devane in an unsuccessful attempt to enlist Church of Ireland opinion in favour of
censorship of birth control information. Kennedy had replied, Devane told Fr. Dempsey,
saying that ‘many conscientious Christian’ people believe in this practice. I suggested
that a friend of mine would put some of this hideous literature at his disposal but he did
not rise to the offer.'
The Council's submission was low-key but definite. It argued that the State, in any action beyond its present powers which it may contemplate for the protection of its citizens from the effects of immoral printed matter, should have due regard to the necessity in a free country of preserving the freedom of the Press... Prohibitory legislation by itself would not be sufficient to cope with the evil of pernicious printed matter; the best method of dealing with that evil being the promotion of education, by better school attendance, by the establishment of town and village libraries, reading clubs, women's institutes, halls for music and drama, and other ways of evoking a love of good literature.

Although it thought it a good idea that the Government should appoint an advisory committee to advise the Minister for Justice on these matters, it suggested that additional legal sanctions should be applied only in the case of 'any person who for the purpose of profit send without a specific order matter relating to birth control or sexual relations to any person under 21 years of age.'

This modest proposal fell on deaf ears. The Committee's determination to outlaw birth control information - let alone advocacy - in totality was almost unanimous. It again fell to Mr Stevenson to issue a modest caveat when the draft report of the committee, urging a total ban on literature dealing with contraception, came to be considered. He commented on the draft report:

I should like to see some word like 'indiscriminate' added, for we are not done with this controversy, and thoughtful people will require to know what is being said on the subject, if only for purposes of refutation. It ought to be possible in this as in other subjects (e.g. medical) to frame regulations that would protect the ordinary young person and decent citizen from having undesirable things continually thrust under their noses without making it a criminal offence for the right people to make up the subject and find out at first hand what is being said and done elsewhere.

This intervention was enough to ensure that the committee's final recommendations included a suggestion that material dealing with birth control could be made available to 'authorised persons'. This amendment was, however, little more than a fig-leaf to cover the main thrust of its deliberations. Fr. Dempsey told the committee bluntly: 'The legislation is for the Free State. The Free State is mainly Catholic. The Catholic Church condemns all traffic in things relating to restriction of families, not merely the indiscriminate sale.' Fr. Dempsey also argued that the texts of classics for schools should be 'rigorously bowdlerised' (a proposal he later withdrew), and argued strongly against any artists being appointed to the proposed censoring committee. 'We know what they do in the name of Art', he commented grimly. Interestingly, he also suggested that censorship should leave alone what was merely vulgar. 'Charlie Chaplin is often vulgar; never indecent', he added by way of explanation. And he made a suggestion - also withdrawn from the committee's final report - that there should be 'something in the way of an Appeal Court' to which banned publications might have recourse.

Even before the publication of the Committee's final report, there were skirmishes in the shrubbery. Charles Eason, of the major wholesale and retail newsagents' firm, wrote to the Irish Independent to suggest that there was no need for additional legislation, only to be reproved sharply by the executive director of the Catholic Truth Society, Mr. F. O'Reilly, who argued menacingly that 'as one of the largest distributors of Catholic prayer books in Ireland, I would have expected him, consistently, to be one of the most emphatic in favour of banning printed matter advocating foul practices condemned by the Catholic Church.'

Press reaction to the publication of the Committee's Report in early 1927 depicted, if anything, a further shift towards conservatism. The Irish Independent described the
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Report as a model of brevity, and criticised it only on the grounds that it should also have recommended making the actual possession – and not just the importation or sale – of any contraband publications a criminal offence.

There is fortunately almost complete agreement amongst all creeds and sections in this country that there should be a specific prohibition against the unnatural doctrine of artificial birth control. The proposals embody no more attempt to interfere with the liberty of the Press or of the subject than does the legal code against criminal libel or against bigamy. The whole subject is one of urgency.15

The Irish Times found ‘little positive fault’ with the Committee’s recommendations, but struggled, without conspicuous success, to achieve a workable balance between a liberal Protestant ethic and demonstrable middle-class concerns. The country was going to pot, it averred – but censorship strove ‘in vain’ against most of the evils identified.

The proposed board of censorship for the inspection of printed publications, if it acts discreetly, may well do good work; but at best it can be only a desperate and insufficient remedy. Its very prohibitions may serve as potent advertisements, and it may render stolen fruit the sweeter. The board’s power, moreover, could easily be perverted to the use of the faddist with an unhealthy mind. We have seen in Ireland attacks upon improper literature entrusted to young people who ought not to know that there is such a thing, and often the crusade has done more to taint innocence than the thing against which it was directed. A healthy child can be loosed among the classics without danger; but the little prig who is taught to peep for matter to denounce in every print hardly can fail to be infected... If old-fashioned manliness were revived among our people there would be no need for a censorship other than public opinion. If it be not revived, no Government can save the race.18

One of the final ironies surrounding the Committee’s work was that – despite its generally supine attitude – the publication of the report was greeted by the accusation, from Mr. O’Reilly, that its glancing reference to theories of overpopulation amounted to an effective endorsement of ‘neo-Malthusianism’.17 Professor O’Donovan swiftly put the objector in his box. ‘The majority of the committee’, he wrote, ‘are Catholics, and include a zealous Catholic priest. The statement is naturally offensive to them; and the presence of the clergyman in question might have suggested to Mr. O’Reilly that the Committee were not ignorant of Catholic teaching.’18

The debate in the Oireachtas on the measure that arose from the Committee’s Report and ultimately became the Censorship of Publications Act 1929, was notable for the almost universal acceptance of the edicts against literature dealing with contraception, and the considerably more detailed discussion in relation to the proposed Censorship of Publications Board for books. A brief, but ineffectual, attempt was made in the Dail by Professor Michael Tierney and others to bring literature dealing with contraception under the jurisdiction of the Censorship of Publications Board, rather than making its importation a criminal offence. The Dail succeeded only in removing from the Bill a provision that local associations be set up to monitor evil literature in their areas (a proposal harking back to Fr. Devane’s Vigilance Committees).

The debate was enlivened by a brief but thorny exchange between Mr. Sean Lemass and the Minister for Agriculture, Mr. Patrick Hogan. The former argued that it was dangerous to include the phrase ‘public morality’ in the Bill, given that the Government newspapers had consistently declared opposition to land annuities to be contrary to public morality. Mr. Hogan replied spiritedly that if this were the case, then questions of public morality could readily be extended to other matters – ‘whether commandeering is...
a proper word for robbery or theft, and I suppose the next time we are taking an oath we will call it an empty formula and push the Bible two feet away." Lemass, although he welcomed the Bill, warned that it was easy to go too far, and criticised in particular the vagueness of the phrase which condemned literature 'calculated to excite' sexual passion. 'It is obvious of course to everybody', he said, 'that sexual passion in itself is neither indecent nor immoral.'

It may not have been so obvious. The Minister for Justice, FitzGerald-Kenny, who had succeeded the murdered O'Higgins, set his face in particular against any open discussion of the matter of contraception. 'We will not allow', he told the Dáil, 'as far as it lies with us to prevent it, the free discussion of this question which entails on one side of it advocacy. We have made up our minds that it is wrong. That conclusion is for us unalterable.' It was left to Sir James Craig to register a somewhat muted objection.

I have fairly settled views on this matter which I am not able to express in public... I would have entire sympathy with those who are writing articles from the broad economic or social point of view that would, at all events, insist on some efforts being made to exert control over birth.

He succeeded only in securing the insertion of a provision giving the Minister power to allow suitable persons to import literature dealing with contraception, by giving them permission in writing, 'for reasons which appear to him sufficient'.

A subsequent act, in 1946, created a right of appeal, including a right of appeal by five members of the Oireachtas, against decisions of the Censorship of Publications Board. The question of advertisements for contraceptives, the ban on which had in the meantime been reinforced by the Criminal Law Amendment Act, did not even arise for discussion, as it remained within the ambit of the criminal law, and did not come within the remit of the appeals mechanism being established. Neither was it even mentioned during the discussions on Mr. Brian Lenihan's 1967 Censorship of Publications Act, which ensured that banned books would be automatically unbanned after 12 years on the list of prohibited publications. It is interesting, nonetheless, to note that Mr. Lenihan's Bill to some extent represented a watershed. Less than 10 years earlier, unknown to the general public, the Catholic hierarchy had written to the Taoiseach, Mr de Valera, urging a strengthening of the legislation on censorship, with greater powers for the Garda and an enlarged Censorship Board, working in sub-committees. Mr. de Valera wrote back to the secretary of the hierarchy's Standing Committee, Bishop James Fergus of Achonry, observing that 'any extension of the powers of the Garda would require legislation' and that 'there would be serious difficulties in framing such legislation which would both be effective and secure majority acceptance.' In relation to the workings of the Censorship Board, he pointed out to their lordships that the constitution and functions of the Board had been decided on 'specifically as safeguards against any abuse by the civil authorities'. A considerably larger number of members working in groups as suggested by the bishops, he warned, 'would find it very difficult to maintain uniform standards of judgement and... in consequence of this, there might be a serious growth in adverse criticism of the censorship arrangements.'

The ban on public information about contraception, together with the related ban on the importation, advertising and sale of contraceptives, was finally abolished in Mr. Charles Haughey's Health (Family Planning) Act half a century after it had first been imposed. Much had changed in the interim - but not everything. Sections 12 and 13 of that act, which repealed the provisions banning information about contraception in legislation dating back as far as the Indecent Advertisements Act 1889, retained the power which the Censorship of Publications Board had been given by the 1929 legislation to ban any periodical publication which has 'devoted an unduly large proportion of space to the publication of matter relating to crime.' That provision still stands.
Geraldine O’Brien is Director of the Cork Environmental Alliance.

Freedom of access to information on the environment – the reality in Ireland

Geraldine O’Brien

Introduction


Political angle

The Labour Party had been extensively lobbied by environmentalists on the implementation of the Directive. Its election literature for the November 1992 election campaign contained promises of openness and transparency and had extensive commitments on environmental issues. When the Labour Party decided to join in a new coalition government with Fianna Fáil under Albert Reynolds, most environmentalists felt confident that a definitive Labour imprint would appear in the new freedom of information regulations, reflecting their earlier promises. While Labour did not obtain the Environment portfolio or indeed the junior ministry at Environmental Protection, decisions on the contents of regulations allowed for consultations with all Ministers.

Pharmachemical industry and environmental conflict in Cork

The chemical companies have been steadily arriving in Cork for the past two decades and their presence was impossible to overlook. They usually located in highly visible sites, while their environmental pollution was indeed quite noticeable. The fears and concerns of ordinary residents were increased when faced with what was perceived as a potential health threat. Proficient as individuals and community groups had become, over time, by 1 January 1993 they were still unable to obtain the basic information needed to protect their health and environment.

The companies themselves were required under various pollution acts to supply specified monitoring data to the local authorities on a regular basis. The local authorities also stated that they were required to monitor the companies and the effects of their environmental emissions. Since the public could not examine or verify the actual position as to what exactly was contained in the data, they were at a great disadvantage. The lack of information contributed more than any other factor to the growth of opposition to ‘dirty’ industry in Cork and to the discourse on the Irish state’s industrial policy.

Open conflict between citizens and the state ensued in many cases. Raybestos Manhattan, Schering Plough, Merrel Dow and Sandoz were notable examples. The state wished to retain a monopoly on the available environmental information and was aided by what can only be described as the ‘cult of secrecy’ practised by the chemical/pharmaceutical multinationals. This alliance claimed its information demonstrated that there were no pollution problems, yet the community knew from personal experience that this was not the case.
Some EU citizens were permitted access by their governments to these type of facts. EU legislation, with all its lowest-common-denominator characteristics can be viewed as a great leveller. With regard to Directive 90/313, environmentalists in Ireland had looked forward to being provided with a great deal of information. However the free flow of environmental information within this State was vitally dependant on how the Directive, which establishes the principle of access to information, was transposed into Irish law. Observers knew that the Directive, if implemented in a broad, open, user-friendly manner, would go a long way towards eliminating the mistrust, controversy and conflict that had become the hallmark of many projects and infrastructural plans in Ireland. Conversely, a minimalist and begrudging approach would increase the potential for community conflict, antagonism and public cynicism towards the state. The fair implementation of the EC Freedom of Access to Information on the Environment Directive 90/313 would have been reciprocated in turn by a mature and positive response from the environmental movement in Ireland.

Irish implementation of Directive 90/313

Despite the fact that the Irish Government had had almost two and a half years to draft the implementing regulations, Statutory Instrument 133 did not appear until 20 May 1993 and was a grave disappointment. The regulations, by and large, adopt a minimalist interpretation of the Directive, replicating its weaknesses and ambiguities and availing of virtually all the possibilities for exempting classes of information. They are quite short, being of similar length to the substantive provisions of the Directive itself and in most respects adhere quite closely to the text of the Directive. Indeed the regulations are as notable for what they do not contain as for what they do. The failure to define the practical arrangements for accessing information has proved to be a major stumbling block and essentially makes information available now only to the rich, and the persistent. The expected stamp of the Labour Party was disappointingly absent.

The regulations are vague, for example, the government appeared unable and unwilling to clearly define what constitutes a Public Body – the authority from which the information was to be made available. It suggests instead that ‘in cases of dispute it will be for the courts ultimately to decide’. This seems to be another instance of the legislature abrogating its legislative responsibility to the judiciary. At that very time, the often bitter Mullaghmore dispute was at its height, so it did not seem too much to expect that lessons might have been learned by the government and that the potential for such divisive controversy would be averted in all upcoming legislation.

Problems

Although environmentalists knew that they were now moving into uncharted terrain, governed by what seemed to be a totally inadequate law, they were unprepared for the force of bureaucracy which greeted them in their initial attempts to access information. It was immediately clear that public servants needed more than the circulation of Guidance Notes and a vague set of regulations to make the necessary leap out of a traditional mind set of secrecy. In fact it appears from the outset there was no change of practice, no training, no extra staffing provisions. During that first year public bodies were largely allowed a great deal of lee-way in handling requests because of the failure of the Government to define practical arrangements to facilitate information flow.

Costs

Charges are left to the discretion of the individual public authority although they may not exceed a ‘reasonable cost’. It is clear that providing a legal right of access to information will not of itself lead to a regime of openness so long as it is possible for public authorities to erect financial barriers. Costs represent a fundamental problem with access in the sense that information is unavailable if one cannot afford it. At
present the applicant is at the discretion or mercy of the public authorities. However, the Directive, does not provide for concessions for information sought for non-commercial purposes, and in this respect compares poorly with the US Freedom of Information Act which requires that the first 100 pages of photocopying and two hours search time are free.

At the implementation stage of the regulations the Cork Environmental Alliance (CEA) met with Cork County Council, a local public authority holding substantial environmental information. It was agreed that data supplied to community groups such as ours would be photocopied free of charge. This agreement has since been revoked by the Council – initially 5p per sheet photocopied was charged. We were subsequently notified that 10p would be a more reasonable cost in view of the time taken to collate the data thus bringing our bill to £110 on that occasion. (We had applied for the monitoring returns made by the pharmaceutical companies in Cork for 1993.) The resultant round of written argument led to further delay and antagonism between two firmly entrenched sides of the information divide.

In this instance the public authority has interpreted the cost of ‘supplying’ information to take into account searching, retrieving, compiling and copying information. If charges for such items are to be levied at all, they should only be levied on the basis of the presumption of a well-ordered transparent filing system.

In an effort to extract the information ourselves, we visited County Hall. It was exactly the approach of Cork County Council, whose publicly available information system seemed out-of-date and disordered when we inspected it, that prompted CEA to clearly define in writing the precise and detailed information which we required. That application resulted in the £110 bill.

At that time we sought a relatively large volume of information for a particular purpose but I am aware that Kildare County Council quoted a charge of £30 for a single sheet of collated data. The Waste Action Group, deterred by the high price did not proceed with the request at that time. On re-application six months later, the fee was reduced to £5. In two other cases, Offaly County Council and Clare County Council each imposed charges of £30 for two pages and eleven pages respectively. These examples demonstrate the need for a standardized charging policy for public authorities.

**Form of Access**

The operations of the recently established Environmental Protection Agency (EPA), a body given to repeated statements on its commitment to transparency, is becoming an area of major concern with regard to access to information. The Agency has established a new and elaborate system of pollution licensing which in practice has required ‘activities likely to have a substantial environmental impact’ to undergo application of an Integrated Pollution Control Licence (IPC).

The licence applications are substantial documents typically consisting of seven to eight volumes running to a couple of thousand pages. In the first round of licence applications which began on 1 September 1994, six of the major chemical companies in Cork made the required application. At the end of August 1994, CEA confidently wrote to the EPA asking for a copy of the licence applications. Heretofore, although applications were much shorter, they were available for public inspection only at the offices of the Local Authority. They were considered to be the property of the company and could not be photocopied. This situation necessitated the transposition of documents in long-hand by anyone concerned about a potentially polluting development in their community.

The EPA initially responded to CEA’s request by directing us to the offices of Cork County Council where copies of the relevant 40+ volumes of highly technical information were available for inspection. The Agency also offered to assist in obtaining copies of ‘selected portions’ of applications but stated that because of the sheer volume of
documentation contained in a licence application, "it is not possible to accede to your request to have copies forwarded to you". However this suggestion was rejected by CEA as impractical on the grounds that even if only five minutes were devoted to each page it could take two weeks at the local authority office to read just one application. The local authority declined to photocopy the data. The EPA's solution was to make each application available at a cost of £250, or a total of £1500 for the six. In the round of applications scheduled for January 1995, up to ten further Cork chemical companies may be involved. CEA does not have available to it those kinds of financial resources and we suspect that the financial status of other community groups and individuals is similar.

Jeremy Wales of Earthwatch noted in his paper delivered to a European Environmental Bureau workshop

that this is an interesting case because it shows that costs are still a barrier to effective access to information even where they are reasonable in relation to the costs of making the information available. Unless that figure of £250 proves to be excessive when assessed in terms of costs per page, the EPA would appear to be in compliance with the Directive and the regulations. It suggests that changes to legislation and practice may be required to avoid problems of this kind.

This situation demonstrates the need to explore practical ways of ensuring effective public access to large volumes of information without entailing excessive costs. Mr Wales discusses a number of options:

1. It could be made a legislative requirement that IPC licence application and similar documents be provided on computer discs as well as in hard copy form. As a natural extension to this option the information could also be made available via modem on a database.

2. Legislation could provide for a right to lease a copy of the application or other large document similar to the library system. A person could be required to indemnify the public authority against possible damage and that this deposit should be in accordance with that person's means.

3. The conditions in which documents are available for inspection could be greatly improved. The current situation where lengthy technical documents must sometimes be inspected in corridors or standing at a counter is unacceptable. Proper seating arrangements in quiet rooms with photocopying facilities on hand is essential and could in some circumstances reduce the need to obtain copies of information. Special facilties open for extended hours would overcome the problem presented by the fact that documents may only be inspected during normal office hours when most people are, by definition, at work.

Voluminous information

It is worth pausing at this stage to consider what constitutes 'voluminous information'. Much has been made of this term by government and public bodies to the extent that this undefined phrase appears to have taken on a life of its own. Once uttered, this phrase offers good cause for the refusal of information to applicants who are immediately made to appear as putting forward an unreasonable request which in itself is grounds for refusal (Section 6.2 S.I.133). As stated earlier, in Cork Harbour, there are sixteen chemical companies licensed to add daily pollutants to our environment. These companies report to the local authority, that is Cork County Council, on a monthly basis, providing sheets of data in varying quantities to be examined by the Council staff for compliance or otherwise with pollution licences. As members of the community, we are frequently reassured that the Council is well equipped to satisfactorily police the industry. Indeed high rates and monitoring fees are paid to the Council to ensure just such a situation. Thus they can make the
presumption that the Local Authority is staffed in proportion to the volume of work pertaining to its statutory duty. Because of this, it is surely not unreasonable on the part of the community to seek data on the activity occurring in that community.

In reality, in the practical application of these regulations, Cork County Council has been allotted no more nor no less staff than, for example, given to Leitrim County Council, which has no chemical industry. Therefore Cork County Council is liable to be subjected to a greater volume of requests than other local authorities yet has not been granted the additional necessary staff which would perhaps allow it deal adequately with information applications. Cork County Council has been unavoidably targeted by CEA and other environmentalists as a result of the large volume of environmental information it holds. As a result of this close scrutiny of one local authority, further weaknesses of the legislation have been highlighted. The response from the Council staff charged with supplying the detailed information on the monitoring data of the chemical industries has led to the ‘coining’ of the term ‘voluminous information’. This data, on the occasion that a request was made, in reality amounted to between 600 and 800 pages of information specifically required by CEA to complete its report on a pollution overview of the pharmachemical industry in Cork Harbour entitled We’re Tired of Being Guinea Pigs which was published in April 1994.

Further to the publication of the report which demonstrated frequent and substantial breaches of the licences, there was a predictable controversy in the media as the Council moved to defend its position. It was interesting to note that the press statements by the Council had multiplied the amount of monitoring results to between one million and two million pieces of data. This may have sowed a seed of doubt amongst the attentive public as to the impossibility and impracticability of first of all expecting complete compliance to the licences and secondly of supplying the public with what had generally become known as ‘voluminous information’.

**Time frame for response**

Both the Directive and the regulations state that the public authority should ‘respond’ within two months (S. 8(1) S.I. 133), however neither piece of legislation defines how the word ‘respond’ should be interpreted. Is it simply to be an acknowledgement of the application or a comment on the request? It is not stipulated that the information should be actually supplied within the two month period. It has been the experience of many applicants that public authorities appear to wait until the two months have almost expired before denying the information or referring the applicant to a different authority. First and foremost it must be stated that that time period is too long. In Denmark and the US there is a ten day time frame for responses and in the case of a refusal, the appeal must be dealt with within twenty-one days in the US. It should be noted that CEA has written for and received information from the US EPA within the stated ten day response period. The US offices are on average 4,500 miles away. County Hall, the offices of Cork County Council, one of the main public authorities with whom the CEA have dealt is two miles away.

**Planning Acts**

Information delayed is also information denied as the reason for the request can be negated by the passage of time. That the Irish Planning Act of 1992 does not dovetail with the time frames in the environmental Freedom of Information regulations is a further example of the lack of enthusiasm shown by Irish legislators for the operation of access to information. The Irish planning system which was governed by the 1963 Planning Acts, was relatively open and allowed greater public participation than many of our European counterparts, until the Merrel Dow and Sandoz planning controversies. Then, informed, cohesive and well prepared community and environmental organizations became locked in planning battles with multinationals, the planning authorities, the IDA and the political establishment. The effect of this was the
disillusionment of the Merrel Dow management as to the company’s welcome in Cork which in part influenced its ‘restructuring’ decision that led to the abrupt abandonment of its plans.

The protracted planning and licensing battle with Sandoz to ensure that strict environmental controls were put in place also seemed to worry the authorities. The tenacity and persistence of the community groups, which had grasped the intricacies of the planning system, convinced their ‘opponents’ that changes were required to prevent a repeat performance and led directly to the introduction of the 1992 Planning Act. This Act effectively limited and curtailed participation in the planning process. It marked the reversal of the democratic process with regard to public access and accountability. Planning appeals must now be determined within a four month period by An Bord Pleanálá, access to the courts has been restricted and the entire grounds for a planning appeal must be submitted to the Board within one month. In the case of complex developments, this results in undue pressure on a citizen or community group attempting to prepare a case. Even in this, the information regulations are unsynchronised with the planning acts in that public authorities have been allowed two months to respond to a request for information thus ensuring that it is impossible to meet the one month deadline for the submission of a planning appeal. Instead of being in tandem and workable, the laws, which followed each other by only one year are totally disjointed and prevent the practical use of Freedom of Information by citizens to assist in the preparation of a planning appeal.

CEA has a large file of our attempts of our requests for information from Cork County Council. In the event of the time limit expiring and not receiving the information, we have repeated requests by registered post. A particular report on dioxin contamination in our community took fourteen months to acquire and required extraordinary dogged determination on our part.

Public Authorities

Because the regulations have failed to define what constitutes a public body, many authorities asked to supply information have engaged applicants in correspondence in a bid to refuse requests.

Probably the single largest public body to hold important environmental information is An Bord Pleanálá. The Directive allowed Member States discretion to exclude information held by a judicial body. Inexplicably, the Irish Government elevated the Board to the level of judiciary, calling its hitherto regarded administrative function ‘quasi-judicial’, and effectively closed off its deliberations and reports. By seeking judicial review, a copy of an An Bord Pleanálá’s Inspectors’ reports can usually be attained (at an approximate cost of £3000). For many who have been left with little option but to take this course of action, the information has often proved invaluable.

The most recent case involved the Waste Action Group, which was opposing plans for proposed a landfill dump at Kill Co Kildare. The group discovered, on perusal of the Inspectors’ report further to judicial review, that the Inspectors, who had presided at the Oral Hearing on the planning appeal, advised the Board, on the basis of the evidence presented to them, that the planned landfill should not go ahead. The Inspectors recommendation was overruled by the Board. Notwithstanding the existence of freedom of information laws, Waste Action Group still had to resort to costly court action in order to unearth this highly significant piece of information.

In the Rainbow Coalition’s programme for the government 1994, it is stated that laws excluding An Bord Pleanálá’s Inspectors’ Reports from the net of the environmental information regulations will be amended. This happened earlier this year – a testimony to those who have lobbied for this change and lends hope to concerned Irish citizens that this law is not carved in stone and can still be improved.
This would be in line with the US experience. The US 'Right To Know Act' had been equally restrictive in its early days of application. However, the Americans eroded this tightness by successive court cases, notably a Court action in 1974 which coincided with Watergate – a time of crisis in America with huge concern over secrecy.

The Health and Safety Authority (HSA) also considers its function, which pertains to the adequacy or otherwise of the health and safety of a workplace, to be outside the remit of the regulations. In fact a large section of the HSA Act 1989 (Section 45) is given over to ensuring that the operations of the Authority are protected by confidentiality. This begs the philosophical examination as to where the workplace ends and the environment begins. Are people not part of the environment? Surely the reason for protection of the environment extends beyond the preservation of species of insects, birds and fish? Is it not ultimately to protect the air, water and soil on which humans rely for sustenance?

CEA wrote to the HSA requesting its reports on two accidents that occurred in local chemical factories over recent years. The Authority has ruled so far, that the accidents, one an explosion in a chemical tank at Gaeleo Ltd in June 1990 that necessitated hospitalization of the workers involved, the other an explosion and fire in December 1988 at Irish Fertilizer Industries (IFI), had ‘no environmental import’. This approach is unacceptable and has been successfully challenged by Cork Environmental Alliance.

Appeals
Because of the CEA’s initial enthusiastic use of the long-awaited information directive, it is doubly disconcerting to discover the uselessness of the appeals system. The Directive is not specific, allowing in Article 4 that a complainant may seek ‘judicial or administrative review of the Decision in accordance with the relevant national system’. In contrast to the equivalent provision in the US legislation, it places no time limit on the appeals process. In Ireland, appeals can be made through the administrative system i.e. the Ombudsman or by judicial review. Judicial review is prohibitive to most ordinary citizens because of the costs involved and it has been CEA’s experience that going through the Ombudsman’s office is a very slow process. CEA made a complaint to the Ombudsman in April 1994 regarding information we had sought and urgently required in December 1993 but had failed to receive within the two month time limit. Other than an acknowledgement there was no communication with the Ombudsman until September 1994 to which it replied the following month. A reply came in June 1995. The Ombudsman’s office was not designed for this purpose and was given no additional resources to meet the number of complaints it has received in this area. Furthermore, the Environmental Protection Agency, which can now perhaps be regarded as the prime public body holding information on the environment, does not come under the brief of the Ombudsman.

Complaints to the EU Commission have also been recently restricted unless they deal with a precedent setting area of non-compliance with the legislation. Nor will the Commission deal with complaints that have not already been through the national appeals system. In short, no proper appeals system accompanies this legislation. Once again, the Programme for Government of the coalition government, in December 1994, has promised to rectify this situation.

Conclusions
For those with only a cursory interest in environmental affairs and for those who are casting an eye forward to the planned Freedom of Information Act, the Freedom of Access to Information on the Environment regulations in Ireland must stand as a timely warning and as a salutary lesson. It has been the experience of the environmentalists and community groups that have attempted to use these new laws that the organs of this state are not overly keen on public access to information, the structures do not
cater for it and can be quite obstructive at every turn beginning at the legislation drafting stage.

My observations of the preparations for the Freedom of Information Act is that the Government and the legislative drafters have admirably studied the Acts of other countries, in particular those of Australia and New Zealand and appear to be intent in taking the best from them. However, despite the good intentions, they appear not to realize that it is even more important to pay attention to the fine print of the transposition of another country's system to the turgidity of the Irish system. It is my fear that once again an impression of openness will be created. Lip service to good intent has been and will be paid but without the detail, the hard work that accompanies the nitty-gritty and the acceptance of the uniqueness of every individual situation, freedom of information in Ireland will remain an illusion rather than a reality.

Freedom of information is indeed a citizen's right. The forthcoming legislation should be clear and unambiguous and should swing the pendulum towards the ordinary person in facilitating their requirements. An informed citizen is the prerequisite for a civilized and democratic society. However many politicians, public servants and vested interest groups remain as intent on preserving the culture and practice of secrecy as ever. The Freedom of Access to Information on the Environment laws bear witness to their ongoing intent.
After the Green Paper: what next for broadcasting in Ireland?

Editorial note

On 27 April 1995, the long-awaited Green Paper on Broadcasting, drafted by the Minister for Arts, Culture and the Gaeltacht, Michael D. Higgins, and entitled Active or Passive? Broadcasting in the future tense was published. Its publication came one week after the publication of the Interim Report of the Competition Authority on the newspaper industry in Ireland, and preceded the publication of an examination of the skills requirements of the independent film and television production sector in Ireland, entitled, Training Needs to 2000 (June 1995). It is remarkable that within a very short space of time, three very substantial studies of the media industry were published by the government.

A public discussion on the Green Paper was held in the Dublin Institute of Technology, Aungier Street, 18 May 1995, and sponsored by Irish Communication Review. It brought together a wide-ranging group of broadcasting practitioners and commentators to discuss and exchange ideas on the future of broadcasting in Ireland. Over one hundred people attended. This is the edited proceedings of that discussion. I have sought to preserve, as much as possible, the actual words spoken by our guests, though some trimming has been necessary because of length. Any unevenness is a result of the inevitable differences between the spoken and the written word.

Joe Mulholland

My discourse will be a defence of the national broadcasting service, being both a programme maker for twenty-five years and currently a manager in that organization. The Green Paper is very welcome and indeed not before time. The Minister for Arts, Culture and the Gaeltacht is to be congratulated for taking this initiative and for publishing such a fine treatise on the dilemmas facing Irish policy makers on broadcasting in the context of the global multimedia village or world. For too long, the debate has revolved around RTÉ, its so-called monopoly position, and the need or not for another commercial television or radio channel. The sterility of this debate, with its lack of ideas, has been well illustrated by plenty of knocking stories in some sections of our press media, which hardly bothers to concede at this stage their own self-interest.

With the publication of this Green Paper, we now have a chance to have a real debate. It is difficult for the national broadcaster to have a debate because it always seems it has a motive and self-interest. It is better, therefore, for the discussion to take place outside of RTÉ, outside of broadcasting, and throughout the country.

The minister is obviously motivated, as one might expect from Michael D. Higgins, by the highest values; he has asked the basic and fundamental questions about how to promote pluralism, creativity, diversity and dynamism in the audio-visual sector in this small country whilst withstanding the forces of media imperialism. How does our identity, as part of the Anglo-world, survive the worst aspects of globalization, deregulation and the unimpeded play of market forces? These are key questions, and for the sake of future generations of Irish men and women, we had better come up with the right answers, because it is clear that we are only at the beginning of this communications revolution and that within a few years all will change utterly. It is difficult to predict the final scenario but already technology is in the hands of the powerful and globalization is serving the economic interests of a few rather than the public good. Consumerism is taking priority over educational culture, and communications is more and more at the service of a global class system.
It is neither popular nor profitable these days to be critical of deregulation. We are supposed to say it is wonderful that market forces reign and that it will lead to a better world. It would be naïve to say that all the results are negative, as we see in some member states of the European Broadcasting Union (EBU). Public broadcasting had become complacent, its development slowed by unnecessary restrictive practices, and in some cases, by bureaucratic and un-innovative management. Many of the commercial channels which have emerged in countries such as Norway and Denmark (e.g. TV2) — countries with a long tradition of public service broadcasting — have created a more vigorous and robust broadcasting environment. RTE has met some of these people through the EBU. However, other more malignant consequences are also in evidence, affecting, for example, indigenous production in many countries. Even wealthy economies are facing an economic and cultural crisis; globalization has created a large market with more and more programmes produced in the USA. They are available world-wide at relatively low rates. Poorer countries and smaller economies, such as Ireland, with little and few resources, have little option but to acquire material from external sources.

The implications for national identities, and for cultural uniqueness and diversity are obvious. The European Commission and countries such as France are right to be concerned about these developments, although it [the imposed quota of European programmes — eds.] has turned out to be a dilemma for ourselves because we require a high level of imported material. As far as I am aware, the Green Paper is the first expression of concern at government level in this country about our national identity and cultural values. It is to Minister Higgin's credit that the debate has been raised to this level, however he has set himself a most difficult task. There are no easy answers such as privatizing RTE or part of it, or creating more commercial channels.

Let us look at a few economic realities. We do not live in an oil rich Arab state nor can we put channels up on satellite as they can to spread their culture more widely. We inhabit a small island on the periphery of Europe, English speaking in the main, with a huge number of dependants in the population. There is a high tax rate and many demands on the public purse. Our national broadcasting service operates alongside the best broadcasting organization in the world; the BBC's charter has just been renewed much to the pleasure of public broadcasters everywhere because it has been a beacon to which we, particularly in this country, have looked. In spite of these disadvantages, RTE is one of the best broadcasting services of our size in the world. You need only journey to the European continent to compare our standards of excellence; whether you agree or disagree with the Eurovision song contest, these standards of excellence were on show at the Point last Saturday and before this at Mill Street.3

All this has happened despite the fact that RTE has never in its history been provided with adequate resources to enable it to play the role for which it was set up in the first place: to foster and promote our national culture and identity. National television was set up in this country on the basis that it could only exist with funding coming particularly from commercial activity. Because of our population size and economy, the BBC model based on the licence fee only was out of the question. Today, the larger part of our funding comes from commercial activity, e.g. advertising, which is not a healthy situation, while the licence fee is now the lowest in Europe. Without the increase in revenue from advertising over the last few years, RTE would not have been able to increase the home produced elements of our schedule. This was far too low, and RTE was too dependent on imported material. Nor would we have the level of technology which was in full view across Europe during the Eurovision Song Contest.

Inevitably, there are tensions between broadcasting and politicians everywhere, e.g. in the UK, France and Germany, but there was nobody here watching to say we have a national broadcasting service, we must support it, we must make it strong enough to resist the pressures which are there. Instead, far too long and too frequently, we have been listening to simplistic arguments about RTE's monopoly, its power, its arrogance and what is perceived to be its political biases. There have been too few

3. The 1994 Eurovision Song Contest was held in Millstreet, Cork, and the 1995 Eurovision Song Contest was held at the Point Depot, Dublin.
occasions, and in fact I don’t remember any, when RTÉ’s role in Irish society in defence of pluralism and minorities, in forming public opinion in a fair, balanced, objective and editorially independent way, in promoting our national language and games, in fostering Irish music and culture, or in providing a radio and television signal to every home in the country, has been recognised and acknowledged publicly and generously.

RTÉ is a public service broadcasting organization that is not a charge on the exchequer and that at the end of the day belongs to the community. It employs over 1900 Irish men and women from all parts of this island and with all kind of ideas and philosophies. It provides the Irish public with five channels of programming, two orchestras, and broadcasting outlets and a complex transmitter network throughout the country. Its output and staffing levels compare favourably, and indeed more than favourably, with any other broadcasting organization of the EBU. It is governed by an autonomous authority, acting as custodians of the public trust, appointed by the government of the day. Its management is paid a fraction of what colleagues elsewhere are paid, and if we are to believe the figures we hear nowadays, a fraction of what management in the Irish private sector is paid. This is because RTÉ operates not from profit-making motives but from a desire to provide the Irish public with the most comprehensive, relevant and interesting service possible within the resources at its disposal.

RTÉ is also contributing to the growth of an industrial sector of production from which RTÉ commissions a wide range of programming. Unfortunately this independent sector relies too heavily, almost exclusively, on RTÉ for its funding. Not surprisingly, it finds itself often frustrated and discouraged. I agree that this problem needs to be addressed, but at the end of the day, it comes down to the amount of resources available to broadcasting and what the public is prepared to pay for this service.

What then of the future? Should we dismantle or fragment what we have in favour of a free market? The Minister obviously sees the danger in such an approach and rightly is opposed to it. Do we get competition, diversity and a better service for the Irish public by setting up national radio and television channels? There is no doubt that competition can be healthy and invigorating. Nobody in RTÉ is opposed to competition but where are the resources to provide two services? Even with a licence fee increase, RTÉ needs commercial revenue to enable it to survive and compete with the myriad of well-funded channels now available from abroad throughout the country and which are multiplying. To divide up and fragment the scarce resources currently available to broadcasting might provide choice but what kind of choice? And at what price to broadcasting standards? RTÉ could buy programmes in the international market at one tenth of the cost of marketing our own but that is not the kind of broadcasting service we want or need. In any case, that kind of service is readily available on our external markets.

To turn for a moment to another aspect of the Green Paper: the desirability of an alternative news and current affairs service to that provided by RTÉ. As a former Head of RTÉ Current Affairs and currently Director of News, I believe our information programming to be of the highest standard and, in general, to be beyond reproach. I can understand members of the public and particularly politicians wishing for another voice, another approach to news stories. If there is to be competition, so be it; it holds no threat for us because, I believe, RTÉ’s news service is as good as anywhere in the democratic world. Polls and surveys, including one conducted by RTÉ, have consistently shown that eighty per cent of the Irish public believe RTÉ news is fair, accurate and interesting, while only five and one per cent disagree and strongly disagree, respectively. Our news service costs in the region of IR£14m.

However, this is not the area where we need competition, duplicating a news service and running the risk of having that service driven downward for ratings. We have examples of this elsewhere in Europe, and of course we are witnessing what is happening in the newspaper world. The Sun is the fastest growing newspaper in Ireland; in a country of 3.5m people, we know what the consequences are. It is not through fear
and from distaste for competition but rather from apprehension that the national broadcasting service might be weakened with disastrous consequences for the ideas presented so eloquently and intelligently by Minister Higgin’s Green Paper.

Multiplicity does not necessarily mean choice or quality. There is enough evidence in Europe to suggest it more often means worse, particularly in the context of administering resources for broadcasting. Increasing competition from outside keeps RTÉ aware of the need to serve its audience and its needs, but the national broadcasting service must also be nurtured and supported morally and financially. It is accountable already to its public and to those who make policy. It must be given every means to enable it to survive and prosper so that it can play its full part in providing a vast range of programmes to the entire island. At the end of the day, RTÉ is the most powerful, influential and important cultural institution of the nation. This fact should be recognized and welcomed by all who believe in this debate. I feel that the Irish public has already recognized this fact.

Muiris MacConghail

The response of the RTÉ Authority and of RTÉ to the Green Paper has been nothing short of a disgrace. The Authority has to a considerable degree muzzled, through their statement on the Green Paper, the response that might have come from the producers and programme makers in the national broadcasting organization which might have been critical of the Authority and management. This is a great pity as RTÉ and its programme makers are the only hope for the survival of public service broadcasting as we know it on this island.

In the face of a threat the door to real change was bolted. The RTÉ statement was in fact a ‘joint’ statement issued by the RTÉ Authority and staff: it is basically opposed to change and defensive of the Authority’s record. One of the basic runners in the Green Paper is that of separating out production activity – a core one – from that of transmission. The engineering interests within RTÉ maintained its hold on the organization and is opposed to change which would dislodge transmission and engineering from its hierarchy of position. The statement is no more or no less than a classic semi-state body reaction to change. The Authority must have been well aware of the likely contents of the Green Paper for some considerable time. Even the shaggy dog in the street was barking it. To have allowed the opportunity pass without making an important substantive contribution to the debate about the future of broadcasting was irresponsible. Within the RTÉ programme making group is to be found a survival of the tradition of broadcasting which goes back to those who first broadcast in Ireland from the roof of the General Post Office in Easter 1916. On that Easter Monday a short wave signal was transmitted from the GPO declaring Ireland to be a republic. The signal was picked up off the coast of Newfoundland and eventually carried in the Boston newspapers. In a sense broadcasting in Ireland was created in sin by that illegal transmission. It was the first ‘national’ transmission. Given that history and the subsequent history of Irish broadcasting, RTÉ staff, who are at the core of broadcasting activity in this country, should not have been frustrated from responding to the Minister’s Green Paper, by an ill-judged and badly drafted statement issued by the outgoing Authority.

If you take Jürgen Habermas seriously, as the Green Paper does, then it is necessary for the debate on the future of broadcasting in Ireland, to be conducted in a public place, in the public sphere. The manner by which we hold public discourse in Ireland leaves a lot to be desired. We need to be part of a ’civil society’. This term which goes back to Hegel and Ferguson, regained its significance during the final years of the communist regimes in Eastern Europe in which, for instance, Civic Forum in Czechoslovakia sought the re-establishment of a ‘public sphere’ which would allow the formulation of public policy to be constructed on the needs of contemporary society. The views of the permanent core of the people who have supported and supplied the
broadcasting service in this country should have been incorporated into the RTÉ statement. RTÉ has failed to provide the kind of service that we in Ireland need, and indeed which many of the broadcasting core within RTÉ want: hence the Green Paper.

The Green Paper is very important but it is subject to a considerable difficulty: the next general election must occur not later than December 1997. The Minister has virtually opened up the bowels of the broadcasting institutions in this country to such a degree that were he to leave office before delivering a new structure by statute or ministerial order, then the surgeon's patient might die by misadventure. This is why there is urgency to the debate.

Fundamental to the debate is the need to cultivate a redefinition of Irish broadcasting within the European context. Michael D. Higgins has described, in a provocative phrase, his image of Europe in the broadcasting context as a vexed continent 'flooded with virtually instantaneous information, circulated by ever more sophisticated technologies.' Colum McCaffery has summarized this debate recently:

McCaffery sees that questions concerning a re-evaluation of public service broadcasting, necessary because of competition and extraterritorial broadcasting, are political not in one but in two senses:

It is apparent that they are political in the sense that governments will decide.
It is not quite so apparent that the questions bear on political fundamentals like citizenship, participation and nationality. These are issues which concern small peripheral nations like Ireland more than most.

One of the most interesting and intriguing comments on the crisis facing that vexed continent of European broadcasting is in chapter three 'Media and the Public Sphere'. Is the Habermas crisis of the public sphere?

3.7...deepening, with the global streamlining of cultural production by giant transnational entertainment conglomerates which control vast segments of the communications industries? Is the role of public debate on the formation of public opinion and policy being eroded by the consolidation of one-way vertical communication patterns directed at alienated citizens of the late 20th century? Can any media space be regarded as a public sphere if there is a problem of literacy or if the tabloid press is able to exert extreme commercial pressure on the quality press?

3.8 It is clear that the primary functions of constituting the public sphere are now played by both the quality press and by public service broadcasting...

The references to Habermas, the German philosopher, and his notions of the public sphere are fundamental to the Minister's concerns. As I understand it, the public sphere describes a process in which groups and ideas compete freely in the formation of public opinion autonomously from the state but where competition for access to public opinion is crucially under the protection of the state. To accept this state protection but to separate the process out from the government of the day is a major task of legislators and broadcasters.

Twenty years ago, the Broadcasting Authority (Amendment) Act, 1976, introduced by Conor Cruise O'Brien in 1975 to Seanad Éireann was confronted, in legislative and broadcasting terms, by considerable difficulty as to how to provide for the public sphere on the one hand and to deal with the activities of subversives who had ambitions to dominate the public sphere on the other hand. The subversives saw themselves as the public sphere. In the matter of promotion or incitement to crime or disorder the then Minister said that
Normally the Authority will be left to apply this new provision (3:1A) independently in accordance with its own judgement. However because the Government responsible to parliament must retain the final say in the particularly difficult and sensitive area of the security of the State, I propose to retain... the power to issue directions.

There were other matters in that Cruise O’Brien legislation dealing in particular with the notion of national culture. Cruise O’Brien saw the original 1960 broadcasting legislation, in so far as the general duties of the Authority were defined in relation to Irish culture, as being ambiguous in a particular way. The statute required of the RTÉ Authority to 'bear constantly in mind the national aims of restoring the Irish language and preserving and developing the national culture...'. These two concepts, Dr O’Brien saw as assuming 'certain concepts which are not in fact clear and which, if understood in a narrow sense, are not acceptable to many people in Ireland.' His legislation he argued was intended
to reflect a considerably wider consensus, based on the growing recognition of the diverse interests and concerns of the people of Ireland, the paramount need for peace and understanding and the variety and richness of our culture.
The Authority are required to have regard to this broad spectrum in their programming...

I give these as examples of legislative attempts to define public policy in the broadcasting arena in the public interest by someone who was and is no stranger to culture and broadcasting. While the Section 31 orders were repressive they were also a public expression that those who demanded liberal rights should accept liberal responsibility.

Of equal importance to us here is the question of the cultural ‘directions’ contained in Dr Cruise O’Brien’s legislation. The RTÉ Authority has gradually withdrawn from any major cultural realization in its programming schedules. One wonders whether ministerial directions under this heading might not be in order! As O’Brien has written ‘legislation is static; broadcasting fluid and volatile.’

Broadcasting in Ireland has hardly been ingenious in either dealing with the terrorist issue or with cultural pluralism or even culture itself. Little if anything has emerged by way of innovative thinking about structures from within RTÉ. The Minister for Arts Culture and the Gaeltacht decided out of his own head to establish Teilifis na Gaeltse probably ignoring the public sphere in this case, but certainly not the electorate of Galway West. The late George Colley decided to establish Raidió na Gaeltachta after the strength of the performance of the Gaeltacht civil rights candidate in Galway West in the General Election of 1969.

The Green Paper is a question of cultural directions. Michael D. Higgins is perhaps the only minister to have ever asked why we cannot have better programming from RTÉ. I think this is one of the most fundamental questions about broadcasting policy which we are likely to ask of ourselves as we enter the twenty-first century. I do not worry about new technology. It is a means of delivery and reception, the grammar of production remains the same. I am talking about increasing quality programming within the national service. I wish for my culture, whether in Irish or English, to be reflected on the screen. Whether Michael D Higgins’ paper and legislation will heighten broadcasting standards and re-establish RTÉ as an expression of Irish culture will be the test and the problem to be addressed.
Martha O’Neill

I am concerned with feature film production primarily, therefore, I decided to begin my contribution by showing that much of our nightly television schedule is not made in this country. From 6:00 pm this evening, the time most people come home from work and have their tea, the news is followed by Murphy Brown, a gardening show (which is low cost programming), Dr Quinn’s Medicine Woman, the news, current affairs, a focus on the centenary of cinema, and finally, The Movie Show. That is all very low cost programming. There is no point in looking at Network 2 because it is mostly American programming. Some American programming is very good, but I think it should be balanced with our own productions, our own stories and our own faces being reflected.

I realize RTE is bored with claims about its monopoly status but just because it is boring does not mean it is not true. How can potential abuse by RTE of its dominant position in broadcasting be guarded against? Diversity is the only answer. Since its inception, RTE has occupied a unique and privileged position in Irish society. It has also enjoyed a deep loyalty from its audience. In homes and cars, up and down the country, televisions and radios are traditionally almost dedicated to the national channels. Many of us have been brought up almost exclusively on the sounds and pictures of RTE: The Riordains, The Late Late Show, Tolka Row, Glenroe, Seven Days, the Angelus, the Sixty Minute Quiz, Wanderly Wagon, Today Tonight, Bracken, An Nuacht, The Nine O’Clock News, Music for Middlebrows, the Eurovision Song Contest and many more programmes which have shaped broadcasting. They have provided a shared memory and a common reference point in which to tell stories and events.

This is not to say all this programming was without fault. RTE has been the only provider of programming in Ireland. The answer to the question of whether RTE’s monopoly is a good or a bad thing misses the boat in the context of the advent of multi-channel broadcasting. The audience has an ever increasing range of leisure activities from which to choose; not only RTE but all film and television producers must take account of this in their projects. The problem with a monopoly is that it necessarily narrows the vision to protect and defend against outside influences or from change within and without; it presents a narrow view of the world. It is marked by the absence of diversity. Given the present speed of changes, RTE cannot hope to maintain its position.

A small number of people have been making decisions for the nation. It cannot be right that the fate of a film or programme lies in the hands of so few and that the possibility of production relies on the likes or dislikes of individual people. This may not be the fault of the individuals concerned but rather the system that maintains this practice.

To turn to drama production: in its day, RTE had an admirable record albeit within financial limits: Tom Murphy, Eugene McCabe, films like A Day in the Life of Martin Cluett. All these were great, but that is going back a long way. This is simply not good enough from our public broadcasting service. I understand there are many pressures that bear on the production of drama, one of the most obvious being cost. This, of course, is a reality but not a simple reality; there is, however, a danger of knowing the cost of everything but the value of nothing. It is not enough to say that drama costs too much and do nothing about it. There are ways in which the public service ethos can be preserved within commercial pressures. Look at the film production sector: recent initiatives have helped production without lowering standards, although it has increased the possibility of stories being told in many ways, both documentaries and drama.

The openness of our broadcasting system, within the wide spectrum of choice, is crucial to this cultural debate. There are now generations who do not have a history or even a sentimental attachment to single channel viewing. With the multiplicity of choice for viewers, the standards of production have risen considerably. This is a challenge to production personnel both within and outside broadcasting, but a welcome challenge – one that should be seen as an opportunity. For Irish production to compete on an equal footing in the international arena, RTE will need to preserve its public service role while operating within a more pluralist and diverse environment. This means change.
This change brings into focus the role of the independent film and television production sector. I believe that there is both the desire and the need for a public broadcasting service in Ireland, a service that reflects the lives and aspirations of the whole island of Ireland. If broadcasting is the mantle of culture then that mantle must cover and explain our differences as well as our similarities. On the technical side we must work to ensure transmission of our own national service throughout the whole island of Ireland; Northern Ireland’s services should be fully available in the Republic. RTE is the appropriate vehicle for a public broadcasting service. In the past, it has been responsible for bringing crucial social matters to the public. It has effected discussion and change in the radio sphere also; 2FM probably did a great service to youth by bringing pop music out of Dublin.

The Green Paper asks if RTE is guilty of Dublin-centrism in its programming. I see Dublin as the melting pot of the many counties of Ireland. RTE is more appropriately guilty of local-centrism, broadcasting to itself much of the time. On the issue of whether Dublin should be considered a region, some recent reports claim that Dublin has developed an infrastructure for film and television production. It may be more developed than the rest of the country, with the limited resources being centred here, but it has a long way to go. There is also much talk of Ireland’s diaspora but this is not reflected in television programming.

RTE could strengthen its position by acting more favourably to independent producers. Recent initiatives in the film production sector have served to stimulate production activity and opportunity. It is the experience of most independent producers that RTE involvement in their production is often too little, too late or too tough to be helpful. RTE could put itself in a stronger position by involving itself earlier and with greater investment. It would then have some real creative participation in projects rather than riding on the co-production coat-tails of other broadcasters.

In almost every chapter, the Green Paper raises the question of a super authority. It would be a change for the better if programming capacity were and commissioning was performed by the people best suited to the job rather than by an individual organization claiming all rights. RTE should direct some of its annual revenue to the independent sector. This creativity and diversity of opinion can contribute to a more exciting schedule that can compete in the market place as well as fulfil its role to the public. For those of us involved in the production of feature films in Ireland, the active participation of RTE would further stimulate production and address the heartfelt need of keeping our cultural heads above water. RTE’s involvement at an early stage would also help attract money from outside the national borders. This relationship does not need to be an antagonistic one, but one based on need and ability to deliver.

It is my contention that the production of drama and its subsequent transmission across our airwaves would engage our own citizens in story-telling. These stories would have the ability to travel outside our borders as a profile of our cultural identity. RTE has the potential to be a first class ally to the independent film production sector but it is currently restricted by its own structures. The establishment of an independent authority could provide RTE with the space in which to develop with their partners and the independents, a range of diverse possibilities that would protect the public service ethos and maintain responsibility within commercial parameters.

Jack Byrne

I want to present the perspective of community radio people on the current media scene and outline our aspirations for the future. Community radio’s interest in electronic media is not from a narrow professional or profit viewpoint but from the media’s impact on life and culture. I welcome the Green Paper’s strong emphasis on the links between sound and culture. In fact, community radio came into existence because of this dynamic. Community radio communications policy must be both micro and
macro; to protect local culture against the impact of global media, we need an overall strategy. Community radio people are involved, as volunteers, in this testing and time consuming field because of our unease about present media trends: a shrinking number of producers and media conglomerates have an unprecedented degree of control over the direction of cultural development.

We stand at a complex cross-roads of choices. Cultural conditioning determines which road we take; it impacts on political, economic and social decisions, and as culture is increasingly coloured by information media, we need to ask who really decides this road and in whose interest. In selecting material for broadcasting, decisions obviously have to be made and commercial persons are little interested in non-commercial issues. If we permit these media concentrations to continue unchallenged, what the entire species thinks and decides will be in the hands of the most successful marketers. Just one way of looking at the world is a dangerous position: it does not foster alternative cultures; it offers one vision of the future. The current media power struggle is potentially of more importance than the privatization of transport, water power and other natural resources. Control of the media agenda-setting process will do much more over time to shape the direction of global human society. The growth of privatized media and a growing culture of rampant consumerism will eventually decimate the planet.

The Green Paper asks which policies promote citizenship rather than passive consumerism. I welcome these issues being raised and take the view that commercial media and its accompanying advertising is an ideology. People are encouraged to think of themselves as consumers rather than as citizens. Such media activity on a large scale strongly works against any kind of participative democracy. It supports individual consumerism as an answer to social problems. It says if you are concerned about an issue, buy something. Market activity has played a significant part in puncturing a hole in the ozone layer. Does the market cease these activities? No, rather UVA and UVB clothing are now a fashion item. Commercial media does not encourage citizens to organise, to discuss serious issues; it suggests further consumption as a solution. This approach creates a fundamental tension between the economic rationale of the consumer system and the ideas of a participative democracy based on collective solutions to public problems.

In a democracy every citizen should be involved in public debates, therefore I welcome the minister’s emphasis on the wider issues involved. However, I deplore the media response so far. RTE correctly began the debate last night but I hope there will be further discussions perhaps with a different format. The national broadcaster allows us to debate these issues in contrast to the print media which has done a disservice to the people of this state by ignoring the long term strategic implications of new legislation and concentrated on the popular but superficial idea of taxes on Walkmans, etc.

The National Association for Community Broadcasting (NACB) is regrouping after five difficult years under the previous Independent Radio and Television Commission (IRTC) regime. I am co-ordinator for the NACB in Dublin and around the country which is preparing a considered response to the Green Paper; it will put forward ideas for a non-commercial democratic media agenda. Indeed, a fundamental feature of the Green Paper is the recognition that the continued existence of programming relevant to Irish people is the main justification for the maintenance of an indigenous broadcasting service. The ordinary decentralization of this service, not the breaking up of RTE, but other developments such as the encouragement of urban neighbourhood and rural town community radio, will make the electronic media even more relevant to local communities. Legislative recognition of the difference between public service, commercial and community radio, and the nature of each medium, is important.

Community radio, as an accessible local cultural resource, will have significant impact on the general locality and the local world-view. It tends to have a different perspective on all aspects of programming; for example, Liz Howell of Sky News recently
said, presumably about England, that people love their news because it is tremendously marketable. Contrast this with a story from a community radio station in the Dominican Republic after the coup and overthrow of President Aristide of Haiti. The radio station began broadcasting into Haiti to inform people of what was happening and help them in their struggle. After about six months, the Haitian military government put pressure on the Dominican government to have this stopped. The community radio people in the Dominican Republic were told that the National Broadcasting Act did not permit them to broadcast news into Haiti. That night they read the legislation and discovered a loophole. The following morning, they brought guitars into the studio and sang the news. This went on until President Aristide was returned to power. This is an indication of different attitudes to the news, one which highlights the cross-roads facing us into the twenty-first century.

Information will either be seen as a commodity or as a means of communications. Both public service and commercial media allow people a variety of channels from which to receive information. Community radio does something different; it makes available the opportunity for each person to communicate themselves. Legislation must recognize and foster these ideas; community radio is not banished to the outer fringes of the media landscape; rather it chooses to be there. That is its role; it does not strive for the highest possible ratings but to be a medium of communication for local citizens. Neither is community radio public service broadcasting in a different guise; rather it strives to be a small, accessible, social and cultural tool used by the community. A dynamic network of small-scale media will only emerge and survive in the present market environment with legal recognition of its role and with legal and organizational strategies that will protect it from the commercial media battlefield.

It would not be appropriate to subsidize private commercial radio where market forces have failed to deliver profit. Such stations should be freed from the cost requirements of providing twenty per cent news and current affairs if that is what they wish. Furthermore, it would be logical to allow market forces facilitate mergers and rationalizations of the independent commercial stations. Some people may make the case that public funding could be made available, although I am not. However, some public funding could be made available to local commercial stations which voluntarily provide a public service element in their programming. Such rationalization would make it easier for rural and urban neighbourhood community radio. The public interest can best be served by the protection of public service broadcasting but perhaps in new forms. The values of this medium need to restated not dumped.

RTE should not be obliged to adapt their policy and programmes to suit unfettered commercial criteria. The national service needs to be supported as part of a long term strategic plan sharing the licence fee or other public funding with the non-profit community stations that are due to emerge shortly. This will largely remove their need for commercial activity. Public sector funding and modest ongoing subventions from central and local agencies should be sufficient for these low cost community services to survive. In this way, I believe a great deal of energetic and novel broadcasting could be created at very little cost to the state. Community radio, a relatively weak sector being small and autonomous, should be protected from commercial predators. Legislation should ensure that community radio remains in democratic ownership and control.

If there is to be a new national radio service, it should not be Century Radio Mark Two. Rather, it should offer a range of public service programming as an option for the various community radio and community of interest stations. Special interest groups could share the frequency offering specific programming under contract to those stations willing and able to pay for them. News and current affairs could be offered to both community and commercial stations across the state on a fee-paying basis. The service might require state subvention but it would offer an alternative range of programming to RTE. Through links with community radio and community of interest stations, this new national service could act as a channel for emerging local talents introducing them to the national stage.
Community radio could also become involved with satellite broadcasting although RTE may be horrified at this prospect. RTE should be required to become a common carrier of programming from a variety of sources, some at least from specific community radio productions. This would allow Irish people to become global citizens as part of an overall strategy. It would allow Irish people to reach other citizens with a variety of messages. This state should ask first for an EU policy to encourage this through legislative and financial inducements: the larger commercial satellites should also become common carriers creating a broader, more diverse cultural impact. We should take this opportunity to develop in the state and through international agreements a common communications policy designed to create greater media democracy at local, national and international levels.

In view of the acceleration of global media developments, the publication of this Green Paper is indeed timely. We must do more than squabble over short term personal ambitions; we must use this opportunity to develop a broad based long term strategic communications policy, which takes into account more than programming and profit. Our communications policy needs an underlying, philosophical and conceptual framework on which to build information exchange networks. The public service ethos should be developed for the twenty-first century, making it the nerve centre which extends beyond the confines of the media itself and becomes intertwined with the vibrant life of each person and each community.

Andrew Hanlon

This is an important debate on Irish broadcasting. The Green Paper poses many fundamental questions about the future of the industry, its foundation and direction, how it will grow and flourish – all of which we have lacked since 1988. Since its launch, many questions have been raised, some of which I would like to touch on.

The first issue is the proposed diversion of licence fee funding to the independent radio sector. Should public money be poured into private enterprise? Those who obtained sound broadcasting licences in 1988 knew they had an obligation to provide twenty per cent news and current affairs, and to have regard to Irish culture and language without financial assistance. All sound broadcasters were keenly aware when they applied for the licences that there was no subvention for any type of programming whether of a public service nature or otherwise. They knew that they and their shareholders would have to fund all their output by way of cash injection, sponsorship or advertising. I find it rather amusing that some radio operators in the independent radio sector are now awaiting a handout from Minister Higgins, believing that this will give them a lifeline to perhaps bail them out of trading difficulties or cash flow problems.

The larger radio stations in Dublin or Cork are predominantly music based broadcasters, playing pop music most of the day, with minimalist speech content except for the mandatory news and current affairs quota. These stations do not pretend to be something they are not. They are in the business of winning audience and market share, making a profit and paying a dividend to their shareholders – they would not deny this. I listened with interest to Niall Stokes, Chairperson of the IRTC on RTE television yesterday, when he said that ‘broadcasting is about communication. It is not primarily a business.’ Whatever you might think, I do not believe for one moment that the larger commercial radio operators in this country are in business primarily to communicate. They would say they are in the business primarily to make money.

So who should get subvention from the licence fee, if anyone at all?

I believe that anyone producing in excess of the news and current affairs quota should receive some grant aid. This should not be cheaply produced, talking heads programming common to both the independent sector and RTE; all that takes is a producer and a presenter. The most expensive programmes to produce are documentaries and dramas. There should be a subvention for quality programmes, radio
documentaries, local drama and, very importantly, educational programmes which are expensive to produce. These programmes would merit financial assistance. This element of public service output should be monitored by the relevant broadcasting authority station chief executives who would submit their proposals for financial approval to the relevant authority in advance of production. This could be done once a year for budgetary and planning purposes; it would be easy to administer.

There is much talk as to how to manage funding from the licence fee. How should it be administered? Should money be given to independent broadcasters? How much money should be set aside for independent radio broadcasters? How can we ensure that RTE programming does not suffer as a result? Let’s use the 1995 RTE budget of £6.5m for independent productions as a benchmark. Twenty per cent of that budget, equivalent to £1.3m, would suffice as an initial funding pool for local radio. This is a small sum in the overall context and would not damage RTE in any shape or form. It would be a wise use of public funding and the public would not begrudge it. However, this type of expenditure should be transparent so that listeners can see and hear for themselves how the money has been used. In other words, do not let radio operators con the public once they get the licence fee money; the public should be told how the money is spent. A standard announcement could be played before each publicly funded programme is broadcast, stating that what you are about to hear is being funded by the licence fee or whatever source. Similar to road building around the country which carries a notice that percentage has come from the EU. Such a pilot programme, no matter how successful, should be reviewed again in subsequent years.

Classic Hits 98FM would not benefit from this proposal, neither would it avail of it because it is primarily a music radio station. That is its remit. Nevertheless, I believe that this kind of funding should be made available to benefit local stations and improve the overall public service output of broadcasters around the country. Indeed, a Dublin broadcaster may wish to provide this service.

The Green Paper also raised the issue of a centralized source of news and current affairs for independent radio and television broadcasters. I would urge the minister not to follow the British precedent which established a news house to produce news for both radio and television. This system will not work; these are entirely different media with different modus operandi. In the UK, ITN has recently taken over Independent Radio News (IRN), which supplies news bulletins to over 120 independent local radio stations. IRN operates from a basement bunker in the Grays End Road headquarters of ITN. IRN depends on reports from ITN television correspondents whose primary function is to file first and foremost to the viewing rather than the listening audience.

What the radio industry here needs is an independent, dedicated news house, producing material for radio only. It is reasonably simple and inexpensive, but how should it be funded? Many radio people are anticipating a big handout from the minister. Indeed, there is much talk about this, although it is unlikely to happen as easily as people think. Where should the money come from for a centralized news house? It should not come from the licence fee or any other kind of government subvention but from the radio operators themselves. They took out contracts in 1988: they knew the rules of the games at the time. There was no subvention available then and there should not be any available now.

News and current affairs is a basic product which all broadcasters are obliged to provide. Since the collapse of Century Radio, local radio stations get their news for little or nothing. News is very expensive to produce, it involves experienced and well-trained manual labour which is not cheap and easy to come by. A news house along the lines I am proposing - complete with correspondents, editors, sub-editors, proper methods of distribution and transmission - would cost approximately £1m a year to produce and that is cheap. If broadcasters are serious about providing a news service, then they must pay for it. This can be done but there must be a willingness to accept this. I believe this will eventually happen and that Michael D. Higgins believes likewise.
Another issue is RTE’s position in the market. RTE should be either a commercial service or a public service but it cannot be both. RTE currently acts as a commercial monopolistic operation, with two television channels, three national radio channels, one local radio channel in Cork, a share of Ireland’s long wave frequency on which it unashamedly broadcasts to the UK using the only long wave frequency allocation, a share in the largest cable operation in the country, and the RTE Guide. While Bob Collins, RTE Assistant Director General, claims that RTE is not a monopoly, that type of domination is a monopoly in anybody’s language. If RTE wishes to compete on commercial grounds it should play fairly; there should be no cross subsidization of its businesses or cross promotion of its radio or television services. For example, RTE Radio will advertise free of charge on RTE television. If 98FM or Cork’s 96FM or Clare FM wish to advertise on RTE television they will pay substantially. 2FM gets its advertising free. That is unfair and that should be stopped. There should also be transparency in the accounting systems for RTE and particularly for 2FM. For example, independent broadcasters do not know how much 2FM costs to run each year; does it cost £5m, £6m, £7m or whatever a year? That figure could then be used as a bench mark by independent broadcasters. We do not know how much it costs because RTE and 2FM have so many areas in common; 2FM should be a stand alone operation competing on a commercial basis.

I also do not believe that Network 2 should remain part of RTE. Simply by moving it out of Donnybrook and relocating it in Cork or Galway is not going to make much difference. The existing Network 2 transmission system should be sold to a competitor who would be guaranteed instant national coverage for a fair price. This would bring about a plurality of news and current affairs, drama and various other types of programmes on both private and public service television. I am not trying to be unfair to RTE; it serves this country very well and will hopefully continue to do so. But in a society exposed to hundreds of television channels from every corner of the globe – dominated by, for example, Rupert Murdoch who has recently bought a stg£2b stake in one of the world’s largest fibre cable networks – shouldn’t we let our own business and media people have a chance to provide something new and fresh that will augment RTE’s fine service?

The proposed new super authority will take an overview and balance the needs and demands of RTE and the independent sector, combining the functions of the RTE Authority and IRTC. This would be detrimental to independent broadcasters because the requirements for commercial radio stations or TV3 cannot be aligned or compared to RTE. This would create a situation where RTE’s dominance as the major broadcaster with its many TV and radio outlets would be compared to the fledgling independent sector which is only five or six years old. If everything was run by one authority, it is likely that RTE would be the centre of attention. It cannot be forgotten that the independents are trying to carve out a niche. The competitive edge and the fight for audience between RTE and the independents would become blurred.

The Green Paper asks how a replacement for Century Radio should be programmed. In particular, the minister looks to the UK experience where several new radio stations have come on the air specializing in news and current affairs, non-stop 24 hour talk. It is great if you want to dip in and out of it; I would love to see such a station here. Also, there are stations specializing in jazz and classical music; listeners benefit by a greater choice, e.g. BBC 4 and BBC 5. However, to suggest that this country could support a national station offering one or other of those minority programme formats would be naive without a big chunk of licence fee money to support it. That is public money. From a commercial perspective, that kind of operation would not survive because there is not sufficient money, audience or advertising.

Optimistically, a national audience of only eight or ten per cent could be hoped for, hardly enough to sustain even a tightly run operation. Even the IRTC’s own internal market research shows that these markets are not commercially viable. It did, however, identify a gap in the 15-24 year old and 25-44 year old market; the Dublin market, in
particular, has a massive gap in the teenage radio sector. 98FM, 104FM and Atlantic 252 are all providing a similar service, while 2FM is a mixture. This is why we have a re-emergence of the pirate radio stations in Dublin; currently, there are about fifteen of them.

The Green Paper refers to research showing that two thirds of people in this country believe that without Irish language programming, Ireland would lose its identity as a separate culture. Chapter ten, 'Irish language and culture in broadcasting,' proposes investigating how public issues through the Irish language might be further promoted. To do this, the precise service offered by each station should be carefully measured against an individual station's format. The station best equipped to provide the level of service referred to is Raidió na Gaeltachta, which broadcasts eighty hours nationwide each week under the auspices of the RTE Authority. It does a fine job but what market and audience share does it have? Combine this with the forthcoming Teilifis na Gaeilge and Irish language programming provided by the independent radio stations, including Dublin's Raidió na Life, which gets its news from 98FM: do we not have sufficient Irish language programming?

I welcome and encourage support for the Irish language from the EU, especially through the BABEL and SCALE programmes which hopefully will divert funding into the latest technology for television dubbing and subtitling. This is both a practical and attractive way of promoting the Irish language which in turn will lead to job creation in the audio-visual sector. Perhaps people in the Gaeltacht may like to watch Glenroe or Eastenders or any of the big BBC or RTE dramas with subtitles. There are jobs to be created in this area, and European funding can ensure that these programmes can be subtitled for the Irish language.

I welcome the Green Paper's questioning of the continuation of the twenty per cent news and current affairs quota. While the quota ensures I have a job, 2FM does not operate this quota. It could be argued that it is filled by Gerry Ryan's three hour morning talk show, but 2FM does not have to produce news and current affairs at the top of the hour which independent broadcasters are required to do. 2FM is not subject to the same statutory requirements. The quota system, as the Green Paper points out, is a blunt and inflexible instrument which means quantity rather than quality. There has also been much debate on music quotas, the amount of Irish music played on radio. The Jobs in Music campaign (JIM) have lobbied all broadcasters, independents and RTE, to increase the airplay for Irish musicians and bands. I support the promotion of Irish music but not at the expense of the audience's tastes. At 98FM, one in every ten records played before 10:00pm is either recorded, produced or performed by an Irish artist; from 11:00pm to 1:00am every record played is Irish. In total 98FM devotes fourteen per cent of air time to Irish music, yet there is talk of forcing us to do more. Are we not doing enough?

Finally, Michael D. Higgins has done the right thing by bringing out this Green Paper; he has asked the fundamental questions. This is the time for debate. It is going to be a very interesting time for Irish broadcasting.

**Wolfgang Truetzschler**

The Green Paper is a good means to stimulate cultural debate. It is the first of its kind in Europe, and the minister should be congratulated. However, in another sense, the Green Paper is an epitaph on a system that will probably be gone or be radically different in maybe ten to fifteen years. The Green Paper does not mention the computer industry, the telecommunications industry, the cable operators or the developments that have made these industries the most significant today or in the future. In short, it does not really directly discuss the buzz word, the 'information super highway': developments which are likely to completely change the broadcasting scene as we know it. Let me illustrate this point. I recently bought a computer with a CD ROM and soundcard; it is...
connected to the Internet. I can download files and send them to other places; I can
download articles, magazines, pictures, images, etc. Had I bought a television card, I
would be able to watch television. This is the beginning stage of what is likely to become
extremely prevalent and interactive due to the interconvergence of media technologies, a
point that is not mentioned after the first chapter of the Green Paper.

The crucial elements of convergence bring together television, telephone, computer,
and broadcasting into one machine, which is currently called a multimedia station or
teleputer or some other name. This is not fiction. A company has already started PC
television; this is television aimed at PCs, relayed for want of a better term through the
local cable TV operator. In this way, you receive your movie, etc. via a cable connection.
With what developments is Cablelink involved? What future plans has it? Cablelink is
owned by Telecom Eireann and RTE. At the moment, a broadband cable comes into
every house connected to Cablelink; from this, one can in principle download movies
cheaply, fast and interactively. Ultimately viewers will be able to choose their own
programmes from anywhere in the world; the programmes may be Irish but they may be
from the UK, Asia or South America. Viewers will choose their own programmes,
download them and watch them on their PC or teleputer or whatever it will be called.
One could say this is democracy in action because the viewer decides exactly what he or
she wishes to view. It is not the public service broadcaster deciding what is on offer. It is
democracy in action because you, the viewer, decide the programming schedule.

The traditional divisions between the computing and broadcasting industries are
being fudged. Computers, for example, are being developed with intelligent agents.
These computers can scan through the programmes which you watched last year, and
store your programme preferences. The computer then selects programmes for viewing
based upon previous choices; you are not dependent on determining choices from the
fifty plus channels you will be receiving nor do you have to switch a button other than to
turn it on.

In Germany, the electricity utilities have so much money earned from profits over the
years that they are buying cable TV operators and investing in broadcasting. They are
going to be major players in broadcasting. The US computer giant Microsoft is forming
alliances with news agencies and film companies. It has started an on-line news service,
and this is a computer company. It is co-operating with NBC and has rights to the
National Gallery of London to use images of its paintings in future software. Rupert
Murdoch owns Delphi, one of the largest US on-line service providers; he also owns
Twentieth Century Fox, Fox TV, film titles, and the publishers Harper and Collins. Thus,
the books and the films can be developed into interactive CDs which can then be
transmitted on his satellites. These satellites use encryption technology developed by a
company owned by Murdoch. Newspapers are also going on-line; there is a mad
scramble in the US to produce on-line versions of newspapers. They are considering
whether and how to charge for this service. The imagination knows no bounds.
Unfortunately the Green Paper does not mention any of these developments facing us
over the next few years.

It is a strange phenomenon that there are two separate departments which are
involved with broadcasting: the Department of Arts, Culture and the Gaeltacht looking
at cultural matters, and the Department of Communications regulating cable, cable
operators, licensing, etc. To what extent do they communicate with one another? It is
extremely important that they do.

While new technological developments are changing broadcasting very rapidly,
particularly in the US, none of these issues are even mentioned in the Green Paper. They
are hinted at in the first chapter only. When I first read the Green Paper, I thought it
was a very important contribution, full of cultural debate. However, it actually says
nothing about developments happening at the moment. It is really a debate on issues
relevant to the 1960s and 1970s: the preservation of public service broadcasting. But
this is not the issue today. People will be able to shoot their own films, and download it
from anywhere in the world onto the information super highway. You can by-pass the 
distributor, who is probably American, the local broadcaster and your government who 
may not want you to have access to certain films and/or information.

So what will happen to Irish broadcasting if all these developments that I have 
mentioned take place? I do not have an answer to this question, but neither does the 
Green Paper.
Catherine Curran, Postdoctoral Research Scholar, Department of Communications, Dublin Institute of Technology.

D. Butler *The Trouble With Reporting Northern Ireland*  
Aldershot: Avebury, 1995. 170pp. stg£32.50  
ISBN 1 85628 909 5

In this book, David Butler takes issue with what he sees as some of the prevailing left-liberal orthodoxies concerning British media reporting on Northern Ireland. The stated purpose of the book is to explain how and why British reporting has privileged certain interpretations of the civil unrest in the North. Therefore the research is situated within the body of critical analysis which has sought to interpret the relationship between the state and the media in the context of the ongoing crisis of legitimacy of the state in Northern Ireland. The author is specifically concerned to highlight the inadequacies of an instrumentalist view of the state in Northern Ireland. In particular he rejects the implicit premises of standard texts such as Curtis’s (1984): *Ireland: The Propaganda War*. This is faulted on grounds of its partisanship and its ultimate reliance on a form of conspiracy theory.

In place of such inflexible models, Butler prefers to consider the relationship between the state and the media as mediated by a variety of filters. The state is not a monolithic entity, but is itself a site of contestation. It does not stand above the social formation, but is itself implicated in the contradictions of that formation. In the terms outlined by Held (1989), the state is the site of historic compromise between conflicting interests within the forcefield which comprises the state ensemble. The role of broadcasting is analogous to that of the state: within the cultural sphere, it acts as an ‘organiser of consent’ where the values of ruling groups can be universalised and validated. This analysis paves the way for a concrete and specific analysis of the evolution of British broadcasting in Northern Ireland. It permits us to view the various policy shifts on broadcasting in Northern Ireland in terms of the widening or narrowing of the ‘aperture of consensus’ occasioned by the changing nature of the conflict.

The concept of the ‘aperture of consensus’ is critical in permitting us to understand the changing circumstances surrounding the production of non-fiction texts by British media in the North. Yet it is also critical to the author’s more fundamental thesis, which is that the operationalization by the media of a liberal-democratic model of consensus broadcasting has been implicit in the failure to give adequate expression to the conflict in Northern Ireland.

This fundamental institutional inadequacy is linked to the wider failure to address the question of the political culture of Northern Ireland. Thus we find that as far back as the 1920s, broadcasters ignored both nationalist and unionist sensibilities at a cultural level. This is attributed to ‘a patent inability to understand the bases of local relations (1995:39)’.

In the interwar period as a whole local management’s approach mixed patrician ignorance, bemusement, kowtowing timidity, and — in largest measure — disdain. Preferring to avoid political controversy, so far as they could detect it, balance in these dissentual conditions added up to a policy of disregarding political and cultural divisions (1995:40).

This analysis is developed in terms of the norms of broadcasting institutions and how these serve to exclude views and positions deemed hostile or contrary to the premises of liberal democracy. In the context of this study, the real problem with reporting the troubles is that there exists no recognition within the British broadcasting institutions of societies based on conflict rather than consensus. The practices of the broadcast media in Northern Ireland have tended to filter content through the mesh of a myth of harmony and consensus. This leads to a misrepresentation of the situation on
the ground on the one hand, and an exclusion of those whose opinions fall outside the boundaries of the consensus on the other. Thus for example:

In the run up to October 1968 the local broadcast media persisted with a bizarrely optimistic account of O'Neill's command of a fictive centre ground. This phantasy was only sustainable by ignoring the iniquities of sectarianism, projecting instead a hygienic image of a culture of similarity (1995:47).

Locating the problem of definition and representation of the conflict at the level of institutional practices, has the effect of reducing questions of distortion and misrepresentation to a series of institutional shortcomings. Here, the routinized institutional procedures of orthodox journalistic understanding are at the heart of the failure to make sense of the situation as it unfolds.

In this formulation, there is no intentional bias in the news, merely a failure to comprehend reality in the terms of the society in question. This leads to the argument that a policy of balanced sectarianism, concomitant with the wider phenomenon of 'Ulsterization' was preferable to the policy of consensus to the extent that it included a wider range of opinions (e.g loyalist paramilitaries) and was therefore more representative of the actual situation. It seems that the factors which prevent the emergence of 'alternative' representations of the situation in Northern Ireland are identical to those operating elsewhere within the sphere of bourgeois democracy - the commitment to consensus and moderation within the institutions of the media. The role, and the significance, of the apparatus of the state within the Six Counties is consistently downplayed.

In the opinion of this writer, the thesis that the failure of broadcasting in Northern Ireland is a failure of perception, of comprehension, or of analysis on the part of the broadcasters is seriously flawed. Bias and distortion in media representations of Northern Ireland are rooted in the dysfunctional nature of the state, which finds its reflection in a dysfunctional media.

References

K. Tester Media Culture and Morality

Eoin Devereux, Assistant Lecturer in Sociology, Department of Government and Society, University of Limerick

As a lecturer and researcher, my work on mass communications exists on the cusp of both sociology and cultural studies. I have, to date, found both disciplines to have almost equal amounts of advantages and disadvantages. It was in this context that I approached the latest text by Keith Tester with particular interest. Media, Culture and Morality is a provocative, if uneven, collection of five interrelated essays, which has the expressed intention of being a critique of cultural studies, and an attempt to explain the moral dysfunctions of the media.

In his first essay, Tester launches an attack on the discipline of cultural studies. Using a phrase which is typical of his lively style of writing, he asserts that 'cultural studies is a discipline that is morally cretinous because it is the bastard child of the
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media it claims to expose.' In a tone which has echoes of the short-lived optimism of 1960s sociology, Tester argues that a truly critical analysis of the media is possible only through the use of the sociological imagination. He does not however, explain fully how cultural studies has managed with obvious success, to, in his terms, 'appropriate' the study of the media away from sociology.

Cultural studies has benefited from sociology's theoretical and methodological tools, but has ended up in the cul-de-sac of popular culture. The discipline, has, Tester asserts, become a victim of its subject matter and is incapable of addressing moral questions. Tester is striking a blow for contemporary media sociology, and as such, is attempting to reclaim some of the ground which sociology has lost to cultural studies. It is here that I part, at least some of the way, with Tester, in that, I feel that both disciplines can and should complement each other. Students of the media should understand the dynamics of a media text, be it a Coca Cola advert or a news report from Africa, as well as the institutional and cultural contexts which have shaped that text. Taken in isolation, neither a society centred nor a media centred approach can adequately attempt a comprehensive analysis of the media.

In the book's following two essays, Tester displays some of the wares which sociology has on offer. He discusses the work of Adorno and Horkheimer and asserts that their work provided a refreshing antidote to the sterile and narrow theoretical approach of cultural studies. Drawing upon their work, Tester explores how Adorno and Horkheimer view the media audience. Although he himself admits that the latter discussion is not by any means exhaustive, it does nevertheless set the scene adequately for the book's remaining chapters.

Chapter four is arguably the book's most important chapter. Here, Tester argues that the media, and especially television, is an important source of moral knowledge. The media can alert us to the horrors of famine, wars and poverty, but to what end? He asks whether audience members are simply voyeurs or passive recipients of these images and messages? In the end, Tester concludes that the media is responsible for inculcating passivity into its audience. Although he uses Live Aid as an example, Tester fails to address the continued existence of Telethon television as an example of at least some audience members springing into action on an almost annual basis. While Telethon television is in itself riddled with contradictions, it does nevertheless allow for a degree of audience action rather than passivity.

The book's final chapter continues with Tester's exploration of audience passivity. Ironically, in spite of the author's scathing criticisms of the subject matter of cultural studies in preceding chapters, he himself falls into the same trap in chapter five, leaning heavily as it does on an analysis of a series of paintings of Jackie Onassis by Andy Warhol. Tester's most basic argument therefore has imploded before the conclusion of his own text. This is an interesting book which owes more to moral philosophy than to sociology. In the final analysis, the book failed to convince me that cultural studies should be abandoned in favour of sociology. A complex phenomena like the media needs analysis which is heterogeneous and critical, and is multifaceted in disciplinary terms.
Amanda Dunne

The Independent Television Commission (ITC) tenders for audience research from a variety of sources in order to fulfil requirements placed upon it by the 1990 Broadcasting Act. It must ascertain the state of public opinion concerning programmes included in its licensed services; to determine any effects of such programmes on the attitudes and behaviour of persons who watch them; and to have knowledge of the types of programmes that members of the public would like to be included in licensed services. As part of this function, an annual survey of public opinion is carried out concerning a wide range of broadcasting-related topics. This book is the report of the 1993 survey.

The survey, which has been carried out since 1970, has traditionally focused mainly on consumer protection requirements while investigating, to some degree, the public's attitude towards more general programme quality and standards. In keeping with changing issues and concerns in broadcasting, questions are added or altered from year to year. The 1993 survey included questions on the teletext services and new satellite stations, for example. A quota sample of the general population—approximately 1,000 adults over sixteen years of age—are interviewed at home. There are quotas set in terms of age, sex and employment status in order to accurately reflect the known population profile of the adult population.

In the current broadcasting environment in Britain where consumerist dogma holds sway and competition has intensified dramatically, this survey and report may be of more crucial importance than ever in guaranteeing that the requirements of the public remain paramount in the minds of broadcasters.

The book is divided into two sections, the first entitled 'The Use of Television'. This section comprises two chapters that examine some fundamental features of viewing behaviour. The survey revealed an increase in the ownership of home entertainment equipment—more television sets per person, more videos and more teletext. The video was identified as a means of greater control over what and when to watch. Interestingly, there was no significant growth of interest in new satellite and cable channels among non-subscribers but there was an accompanying drop in strong objection of paying for additional channels. More people are undecided about subscription services than previously.

In terms of viewing, cable and satellite subscribers allotted a substantial share of their viewing time to non-terrestrial channels. The most popular programme choices are national news, recent film releases and wildlife/nature programmes; however substantial potential minority interest markets were identified for less popular genres of programming. Unsurprisingly, respondents generally watched television for enjoyment. Television is important but not crucial, according to those surveyed.

The second, and more substantial part of the book deals with 'Opinions about Television'. It presents the report concerning public opinion on programme content and regulation of television. The authors recognize the difficulty of defining 'quality' programmes while asserting that the survey provides insights into general public feeling about programme standards. The majority of people are happy that standards have been maintained and subscribers to cable and satellite channels feel that they have improved. The greatest criticism of the terrestrial channels was their increased number of repeats.

As always, news featured strongly in the report. Television news remains the most important source for world news. The great majority of respondents indicated that
television offered the most complete, accurate, fair and quickest national and international news coverage. Working class respondents were more likely to hold this view than their middle class counterparts. Most British people perceive television coverage of issues and society to be fair and unbiased - a small minority remain sceptical. There was some concern expressed that the BBC was in some way government controlled whereas few people raised commercial interests as a reason for political bias on ITV.

Television apparently is less offensive to the public than the Mary Whitehouses of this world would have us believe: the usual offenders of sex, violence and bad language are cited in the report. Satellite and cable viewers are less likely to take offence at programmes featuring violence, etc. and among terrestrial stations ITV and Channel 4 broadcast the most 'dubious' content.

The final chapter of the book deals with regulation. Respondents felt that there was greater regulation of terrestrial channels than satellite and cable channels. Most of those surveyed were aware of the 'watershed', but there is little awareness of parental control devices.

To its credit, I felt that this book was well constructed and clearly laid out. The methodology is excellent and the sampling is rigorous in reflecting accurately the general population. However, the book reads like the gospel according to the Great British Public. While I am aware that it is predominantly a report of the findings of the ITC survey, surely with three authors there could be some attempt to extrapolate major themes and interesting trends uncovered by the research. I was struck by the marked differences in attitudes to and perceptions of broadcasting between viewers of terrestrial stations and those with satellite and cable channels. It was among viewers of terrestrial stations that greater concern regarding quality was voiced - in my view, these concerns are more applicable to channels such as Sky 1 and its ilk.

While this is a very worthy report of the findings of the ITC survey of public opinion, a greater degree of critical analysis of the findings and trends of the research would better serve both the Independent Television Commission and the British viewing public.

R. Winsbury and S. Fazal (eds.) **Vision and Hindsight: The first 25 Years of the International Institute of Communications**

London: John Libbey, 1994. 256pp, stg £35.00, stg £15.00 (pbk.)

Desmond Fisher

Readers of the *Irish Communications Review* are aware of the importance of the communications revolution which is accelerating year by year for the past thirty or so years. The explosive developments in computerology, fibre optics, satellites and the older media of radio and television – and, even more, in the fusion of all these technologies - are rapidly transforming all sections of the communications industry and the regulatory environment in which it operates.

What will be the outcome? Does it all add up to genuine progress? Will the runaway development of communications technologies widen the already existing gap between the information-rich and the information-poor nations? Can public service broadcasting survive in an era when communications developments make it impossible for national controls to be operated? Are the technological marvels of our time helping or hindering...
the achievement of the individual’s right to communicate? Will better communications ensure better communication and better community. These are the sorts of themes with which the International Institute of Communications (IIC) has been concerning itself since it was established some twenty-five years ago. And, given the nature and scope of communications developments, they are among the most important questions facing society today.

Since its foundation, the IIC has developed until it is now probably the most influential forum dedicated to bringing about a better understanding of the issues facing communicators everywhere. It is a reflection on Irish media people – practitioners, academics, communications experts and senior civil servants – that only two Irish organizations (RTE and Telecom Éireann) feature among the IIC’s 100 corporate and institutional members and only seven Irish names are included among the thousand or so in the individual membership list.

As the editors write in the preface (p.3):

The unique qualities of the IIC are that it is global in membership and in outlook; that it spans all forms of mass communications; that it is neither the spokesman nor the lackey of any vested interest or paymasters; and that it operates at the interface between technology, society and politics, at the international level.

It is a fair claim.

The editors were asked to mark the occasion of the 25th anniversary of the organization’s foundation (variously reckoned by contributors as 1967 and 1969) with a suitable publication and Vision and Hindsight is the result. It is a collection of essays by sixteen of the leading personalities of the intervening years in the IIC, formerly the International Broadcasting Institute, and, like all collections of its kind, suffers from the need to claim editorially an overall unity of purpose and coherence of treatment which are simply not there. The editors have, therefore, divided the essays into five parts - the first three dealing with the history of the organization, the fourth describing particular aspects of the IIC’s work, and the fifth being a long essay by Michael Tracey, Director of the Centre for Mass Media Research at the University of Colorado, setting out a view of the future of communications and suggesting ‘performance criteria’ by which the IIC can judge its success in the future.

In the introduction, Rex Winsbury recalls the IIC’s founding fathers were mainly American and at one time the organization was accused (wrongly, according to an article by a former General Manager of Reuters) of being CIA-funded. But American support for it fell drastically when it seemed to be promoting Unesco’s ‘New World Information and Communication Order’, with its perceived emphasis on socialist communications policies and Third World bias. Ironically, at the same time, a former Director-General of the BBC was accusing the IIC of being a Trojan horse for American media imperialism. One of the main casualties of the internal dissension was the IIC’s efforts to have a new ‘right to communicate’ enshrined in the UN’s Universal Declaration of Human Rights. As Winsbury writes: ‘The right to communicate (was)... arguably the grandest and most ambitious cause that the IIC had ever embraced... and its most noble failure (so far, anyway).’

The concept of such a fundamental human right, which would belong to each individual, was the brain-child of Baron Jean D’Arcy, an outstanding French civil servant and thinker, and one of the founders of the IIC. The last article he wrote on the subject is reprinted here as is also one from Sean McBride. Both appeared originally in a book I edited with Professor L.S. Harms of Hawaii: The Right to Communicate: a New Human Right, (Dublin: Boole Press, 1982). The cold war hindered further work on this subject. Now, perhaps, it could find new champions.

The twenty-two essays in the book are as varied in their themes as they are uneven in their writing. The historical accounts and the eulogies on IIC personalities like Arthur Morse, Eddi Ploman, Jean D’Arcy, Sig Mickelson, Asa Briggs, Yoshinori Maeda, Gerald
Long, etc. serve their purpose in this commemorative volume. But readers unaware of the work of the IIC will find more valuable material in the general articles.

Professor James Halloran of the University of Leicester writes about his team’s study of the television news processes in three countries - Sweden, Nigeria and Ireland. This study, published in book form (P. Golding, and P. Elliot, Making the News London: Longman, 1979) is still required reading for journalists. Shehina Fazal recalls how the IIC tackled the question of the future of public service broadcasting, a subject which is likely to become significant in Ireland as the future funding of broadcasting is disputed.

Ireland’s leading figure in the IIC has been Dr. T.P. Hardiman, former Director-General of RTE and now chairman of IBM Ireland. He was President of the IIC from 1984 to 1987 and is currently chairman of its Telecommunications Forum. In an article on the Forum’s work, he writes about the difficulty some strong industries with adequate resources and high skills have in coping with and taking advantage of the opportunities afforded by rapid technological change.

Regulatory processes operated in the public interest have less possibility of staying ahead of rapid technology change and of shaping the social means of its control. The virtually limitless scope of some of the communications technologies now emerging poses questions regarding the need or indeed the advisability of attempting their regulation.

Dr. Hardiman here raises critical issues. His message may not be the one he was preaching when he was fighting RTE’s corner against the legislation of commercial broadcasting in Ireland. But his observation is a measure both of the immense challenges posed by rapid changes in communications technology and of his own ability to recognize those changes for what they are. Which brings us back to the beginning of this review.

R. Silverstone Television and Everyday Life

Richard Fitzsimons

Don’t be misled by the deceptively simple title. Roger Silverstone’s latest book takes the reader on a difficult journey through the complex relationship between television, its audience. It is, particularly, this question of integration which surfaces throughout the book, and though the author acknowledges that the production of an all-embracing theory to explain it lies beyond the scope of this (or any other) text he does, however, attempt to clarify the processes which lie at its core. By so doing, he opens up the cultural debate about the interweaving of television and everyday life.

Central to Silverstone’s thesis is his strongly held belief that the power and influence of television and their subsequent analysis cannot adequately be dealt with in isolation. Rather, he argues they are heavily impacted upon by external cultural trends and social pressures. In this way, television is presented as just one of a multiplicity of discourses which impact on our daily lives. Drawing on a wide range of disciplines from cultural studies to psychoanalysis, he constructs an intricate theoretical lattice through which these complex interrelationships are examined.

Much of the book focuses on those who watch television, the conditions in which this takes place and the impact of the experience on the public sphere. It acknowledges from the outset the extraordinary degree to which television has woven itself into our daily
lives. Television here is accepted as a phenomenological, ontological reality. Its integration is, in Silverstone's view, complete and is the underlying motivation behind the book. As the centrality of television to our everyday life experience becomes more apparent, so must we redouble our efforts to understand the medium and the complex relationships which surround it.

Throughout the book, the breadth of theoretical research which Silverstone draws upon is impressive. A particularly striking example can be seen in his chapter dealing specifically with audiences. Here, he clearly and eruditely takes us on a theoretical journey which uses mediation theory as its starting point. By expertly unwrapping layer upon layer of argument and placing them carefully one upon the other, we are presented with an ever more complex theoretical confection which is topped off with an analysis of the relative merits and demerits of reception theory (not forgetting, of course, the ideological theory which provides the filling for this particular sandwich).

The virtues and limitations of each of these approaches are clearly and sharply presented. This journey takes us to a point where we may perceive audiences as active rather than passive. Thus the problematics of audience analysis are exposed: the fundamental questions which emerge are not one of audience activity or passivity, but rather whether this activity should be perceived as significant in any way. Silverstone himself believes that 'television audiences live in different, overlapping but always undetermining spaces and times'. This is undoubtedly true, but Silverstone's acknowledgement of the fact does nothing to advance our understanding of this particularly complex and contested area of research other than suggesting that what is required is a theory which places at its fulcrum 'the dynamics of the place of television in everyday life'.

This brings me to the fundamental problem with the book. Its methodological framework is rooted firmly in qualitative research which, by its very nature, tends to act as the motor which powers the development of theory. As the author points out in the preface, 'the book can only be a provisional statement of an emerging position, but that should not necessarily invalidate it'. Unfortunately this leaves the reader in a somewhat difficult position; intrigued and challenged by the ambitions of the book and the theoretical overview which it contains, while simultaneously disappointed and dissatisfied with the feeling of incompleteness which permeates its pages. We are presented with more questions than answers, more problems to be solved than solutions found. Perhaps it would have been useful to delay publication until such time as the author's ongoing research had reached a more advanced stage. A strategy of this nature would undoubtedly have imbued the book with a greater sense of equilibrium while also making it more user-friendly to students of the media.

Hopefully a subsequent volume will redress some of these criticisms while also exploring the changing role of television in everyday life, particularly in the light of recent advances in the provision of alternative media experiences in the domestic sphere (Internet, multimedia etc). Television and Everyday Life should be viewed as valuable work in progress. It demonstrates 20/20 vision in its analysis of past research on the subject and occasionally, blurred, exotic mirages of the media landscape of the future may be glimpsed through the teasing tantalizing pages.
Ian Fox critic of the Sunday Tribune, author and broadcaster and Director of the Institute of Advertising Practitioners in Ireland.

REVIEWS

J. Tambling A Night in at the Opera
ISBN 086196 4667

Ian Fox

Dorothy Parker once remarked about a certain book that it should not so much be picked but rather hurled across the room. Much of this pompous, alarmingly ungrammatical and poorly-proofed publication could well take the same route and continue on out the window. It is supposed to be about watching operas on television; the subtitle tells us this: 'media representations of opera' and the Preface reinforces the thesis as looking 'at opera in film, video and television - opera in the electronic media, perhaps its most decisive form today'. In fact, the poor reader pays seventeen pounds fifty for thirteen essays containing some of the most spectacular verbiage imaginable in a series of essays the majority of which are often far from the book's declared brief.

For example there is a lengthy analysis of the 1933 Hollywood film of A Midsummer Night's Dream with reproductions of many stills; it seems to have been included for no better reason than the fact that Erich Korngold, who had been a successful Viennese opera composer before going to Hollywood, arranged Mendelssohn's music for the film. It hasn't the tiniest semi-quaver to do with opera. Another entire chapter is devoted to 'homeoerotic desire', not a major opera-video issue I would have thought anyhow; this piece of nonsense proves to be an analysis of mainly visual aspects of Visconti's film of Death in Venice. Its inclusion is justified by the crazed logic that Benjamin Britten wrote a totally different opera on the same topic which has nothing at all to do with Visconti's movie. Nowhere is the Britten discussed nor are his other relevant operas like Turn of the Screw or Billy Budd even mentioned. The writers seem unaware of Tippett's Knot Garden (1970), the first opera with openly gay characters, Ginastera's Bomarzo or Schnittke's Life with an Idiot. Poor stuff.

So it goes on: we learn much of Lawrence Kramer's concern about penis envy in a Freudian essay on the Marx Brothers' A Night at the Opera (had you noticed it?), interesting stuff for a medical magazine but nothing to do with the film's relevance to the electronic media. Indeed, no contributor deals properly with the problems faced in transferring opera, essentially a large-scale theatrical experience, to the tiny environs of home TV. Even the significant differences between opera in the cinema, on the big screen with hi-fi sound, versus the squeezed-down versions witnessed in the confines of the living room are largely ignored.

Seven of the thirteen essays seem to have little to do with the chosen subject or refer to it only incidentally, and two articles are extremely brief, though composer Judith Weir has more to say about the topic in her four pages than other contributors manage in twenty. The writers are mainly distinguished academics, often from the literary world; the information we gather concerns their hang-ups over Nazism and fascism, their erotic problems, their flabby verbosity and their poor grasp of syntax. We are told little of how we might approach the subject, which films or videos are worth seeing and what the problems are, technically and artistically, for the director when trying to make the leap from the opera house to the TV set.

There are a few good pieces. Jennifer Barnes provides a useful list of operas commissioned for television. There is a commendable, though long-winded study of Beecham's delightful film of The Tales of Hoffman, a beautifully stylized creation by Powell and Pressburger (no first names provided) from 1951. Though the essay never gives the date. The uninitiated might unfortunately be put off the film when confronted by such unattractive and unintelligible phrases in this essay as 'generally scopophilic', 'meta-cinematic references', 'kinetic contrast' and other pomposities. Do not fear, it is a charming, stylized film and well worth seeing, ignore all the superfluous clichés. Some
essays simply do not address the subject but dally in detailed, over-wordy analysis of the filmic qualities of the movies themselves. Lesley Caldwell, a lecturer in Italian sociology, devotes thirty pages to Bertolucci’s use of opera in his films without even mentioning electronic media or *A Night in at the Opera* at all.

It is a pity that the opportunity to provide a worthwhile guide to the topic of opera as video has been so consistently missed in this expensively produced volume. Help is needed: operas often take three hours to play; I have shelves full of taped operatic broadcasts that I never seem to have the time to view. Rather than add to the clutter, I have simply given up recording them. Which ones would be worth dusting down to view and why? This volume is of little assistance. So, if you want to explore the world of opera on video, your seventeen pounds fifty would be better spent renting some tapes and simply enjoying them at home. Unless of course - to paraphrase editor Jeremy Tambling - you want to 'recontextualize the digestive space for your self-referentiality and bricolage in a fetishizing way'. If you can understand that verbiage maybe you should be writing books for the Arts Council of England yourself.

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**S. Moores, *Interpreting Audiences, An Ethnography of Media Consumption***

London: Sage, 1993. 208pp, stg £37.50, stg £11.95 (pbk.)


**S. Livingstone and P. Lunt Talk on Television, Audience Participation and Public Debate***


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Mary Kelly, Lecturer in sociology, University College, Dublin.

Both these books are of considerable interest in their attempt to place research on the television audience within broader theoretical and sociological debates. These debates are different but complementary, one on subjectivity, identity, taste cultures and social constraint, the other on the role of the media in reproducing political and economic power.

*Interpreting Audiences* draws on the first of these theoretical debates. It is to be welcomed for its excellent review of the now considerable body of research within cultural studies, feminist and ethnographic perspectives. It is clear, precise and eminently usable as an undergraduate or postgraduate text. It concentrates mainly on the use and response of audiences to television and to new media technologies, and while not exclusively drawing on British research, is biased in its favour. Dave Morley’s work is central here, and Moores’ review moves, as did Morley, from his early research on the audience decoding of TV texts, to the gendered use of the media within the politics of the family sitting room, and later to the consumption of new media technologies. A wide range of other research is reviewed and critiqued within this framework.

In theoretical terms, Moores is less interested in placing his review of audience research within a Marxist or Gramscian perspective than in analysing the contribution of this research to an ethnography of taste and pleasure. Here he draws on Bourdieu’s and De Certeau’s work on the sociology of taste and consumption, and on the social construction of subjectivity and pleasure. It is thus an attempt to contribute to the development of an ethnography of media consumption - who likes what, why do they like it and how is this consumption socially and culturally valued.
In answering the latter question Moores draws in particular on Bourdieu's concept of cultural capital - how, for example, consumption of particular TV programmes may be part of one's claim to cultural distinction and hence a part of one's symbolic currency in the struggle for status and power. He is also interested in Bourdieu's analysis of the cultural construction of class-based dispositions or subjectivities, or in Bourdieu's language: habitus. Habitus provides basic conceptual categories and action frames through which people think about and respond to the social world. Bourdieu's thesis would suggest that the consumption of television, or indeed any material or cultural goods, will be framed by one's class based habitus or cultural dispositions.

But Moores would not fully accept what he sees as Bourdieu's deterministic interrelating of class, habitus and cultural tastes. Within this perspective class constraint outweighs cultural creativity. To critique Bourdieu he examines, inter alia, research findings on youth subcultures. This research has examined how adolescent groups living in complex and exploitative contemporary society, negotiate their social and cultural identities through creating and adapting symbolic and expressive forms, including for example popular music. These symbolic forms may both resist and comply with various complex and ambiguous aspects of contemporary culture and society. Moores would want to retain the concepts of constraint and creativity, of resistance and compliance in future research. It is the role of research to explore and specify in what particular socio-cultural contexts constraint and compliance rather than resistance and creativity occur, and to explore the symbolic consumption codes and patterns whereby we negotiate and express our identity and life world.

The second book, *Talk on Television* examines audience participation programmes. Its authors are particularly interested in raising the Habermanian question as to their potential role in contributing to greater participation in the public sphere and to the development of citizenship.

The programmes analysed include *Kilroy*, *Donohue* and *The Oprah Winfrey Show*. The research was undertaken between 1989-1992, when most of the shows were transmitted on British television in the morning. While the 'available' TV audience at this time constituted forty per cent of the population, seven per cent actively watched 'talk television' and three per cent as a sole activity. Thus *Kilroy* (at two per cent of viewers) had about one million viewers. Particularly frequent viewers were the unemployed and housewives.

The research included textual analysis as well as audience research. The latter was undertaken by analysing the responses of twelve focus groups subsequent to the showing of an episode of a talks show, sixteen in-depth interviews with viewers and programme participants and a survey questionnaire of some 500 respondents. The authors explore the extent to which audience discussion programmes may contribute to the development of the public sphere by the access given to a range of diverse audience voices not normally heard on television. An opportunity is thus given to 'ordinary people' to offer their own 'authentic' experiences and feelings, their common sense attitudes and advice, and to question the 'experts'. They argue that the programmes may contribute to the public sphere not so much through the social construction of consensus, nor through the elaboration of a debate among expert professionals, nor indeed by offering any form of conclusion or closure, but rather by offering a media space for the display and interrogation of oppositions.

These oppositions include:

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The talk show, while privileging the private and experiential, nonetheless, through its interrogation of the public representative and the expert, moves between both discourses, the ubiquitous host mobilizing a range of performative and rhetorical modes to do so.

Does this giving of access to 'ordinary people' to appear and speak about 'everyday experience' help to orchestrate 'common sense' into critical opinion, contribute to the construction of viewer as citizen with influence on public policy, or allow the expression of a diversity of public voices which may 'challenge established power to recognize the complexities of everyday life' (p.35)?

The audience research findings were not entirely positive on these counts. The viewers certainly found pleasure in listening to what they perceived as 'ordinary people' talking about personal issues which were also of relevance to their own lives. Nonetheless, they did not necessarily judge the programmes as offering a better public forum than, for example, documentary programmes. Those favouring documentaries did so on the basis that they offered order, conclusiveness, expertise and serious argument. Those favouring audience discussion programmes drew on the criteria of access and openness, involvement and spontaneity, ordinary experience and confrontation. When asked to judge the arguments offered on talk shows, the majority of viewers were again negative, noting the omissions, irrelevancies, unequal participation and lack of conclusions. They judged the rationality and truthfulness of the various arguments according to whether the participants' experiences accorded with their own, and the extent to which the participants managed, in both performative and rhetorical terms, to construct on the programme an identity which appeared truthful and the extent to which he/she complied with the rules of participation on the show.

How successful then are talk shows in meeting Habermas' ideal of creating a public space in which the ordinary 'life world' can meet, question and make more accountable the official 'system world' dominated by political and economic power? The authors conclude that they are more successful in offering a public space within which the oppositions between these two worlds may become visible than in offering any resolution. Making visible, however, is in itself in the public interest. Rather more negatively, they also note Habermas' fear of the systematic colonization of the life world by political and economic power. They question whether talk shows may be part of this colonization process, reducing participation to PR.

Both of these books, by placing their central questions within some of the main theoretical debates and interests in mainstream contemporary sociology, have enriched both sociology and media studies. They contribute to clarifying the theoretical debate and raising appropriate research questions for the future.

J. Martin-Barbero Communication, Culture and Hegemony

London: Sage, 1993. 272pp. stg £37.50, stg£13.95 (pbk.)
ISBN 08039 8488·X ISBN 08039 8489-8

Helena Sheehan, Lecturer in Communications
Dublin City University.

On initial impact, this book strikes an engaging note. The author begins with an intimation of a journey:

I came from the field of philosophy, and moved along the paths of linguistic studies until finally I met up with communication. Coming down from the Heideggerian contemplation of being, I now found myself in the slum shacks of man, built of clay and reeds, but nevertheless with a radio and television set...
I diverted my journey through sociolinguistics and semiotics to find tools for an ideological analysis of texts and cultural practices... a conception of the media process which left room for nothing but the strategems of domination, a process defined simply as a few powerful message senders controlling passive receivers without the slightest indication of seduction or resistance.

The thrust of this book is a reconsideration or refutation of this conception of the media process.

Much of the book travels through familiar territory, familiar at least to those involved in European and American communication studies, and the intellectual history in which it is embedded. He traces a trajectory from the enlightenment through the romantic movement through anarchism and marxism to behaviourism, structuralism and critical theory. He focuses this search on the concept of popular culture. It also travels through what is not-so-familiar territory to European and North American readers. That is, the course taken by these theoretical debates in the intellectual life of Latin America. This book is a valuable resource for anyone wanting a map of the terrain of Latin American media studies. It is one of those books which is put forward as sweeping away all the old orthodoxies and putting a new superior paradigm in their place. My problems with it are: (1) that I do not accept his characterization of all the old orthodoxies and (2) that I do not find his paradigm to be either new or superior.

Along the way, Martin-Barbero rehearses some of the standard caricatures of marxism, which seem to be compulsory these days if marxism is to be mentioned at all. He does admit that Zhdanov (the translators have it as Jdanov) is not the same as Lukacs or Gramsci, but nevertheless claims that marxism cannot escape the restrictive logic of class struggle to see the complexity and specificity of cultures. I would argue that it does have the capacity to analyse both relations of production and constitution of meaning. Moreover, I believe it has a capacity to synthesize the two that is superior to any of the alternatives.

The author is particularly reacting against 'the obsession with ideology', ideology being 'the backbone of a mass discourse whose function was to make the poor dream the same dreams as the rich'. I have to declare then that I am one of those who are obsessed with it, although I did not come to it by way of sociolinguistics, semiology or structuralism.

I do agree with the author that it is necessary to emphasize that neither the producers nor the audiences of mass media are homogeneous. It is true that there are internal conflicts and contradictions in the production of these texts. It is also true that there are complex strategies of assimilation and resistance in their reception. On one level, it is a matter of emphasis: how much weight to put on hegemonic texts and how much weight to put on alternative or subversive or even oppositional readings of these texts.

On another level, it seems to be something more: the unravelling of more powerful explanatory concepts, such as the media imperialism thesis in its more sophisticated versions, into pluralistic dissipation of mediations and off-the-top-of-the-head remarks made in focus groups. I do think that ethnography of audience reception and analysis of variable readings have an important role to play in media studies, but it can veer toward the old 'uses and gratifications' studies, masking relations of power. Some empirical studies conducted under this banner come up with results, which may be anecdotally valid, but cannot bear the weight of the claims they make. Meanwhile, they undercut the use of concepts which yield a more penetrating analysis of what is happening in the production and reception of media in our time.

I'll stick with the idea of ideology. It would take more than this book to convince me to do otherwise.
Books Received


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1. *Irish Communications Review* aims to provide a forum in Ireland for research, analysis and discussion of all matters related to media communications and to communications studies. Media Communications encompasses broadcasting, film, journalism, public relations, advertising, media education, etc.

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