

**ECONOMIC  
AND  
SOCIAL COUNCIL****CONSEIL  
ECONOMIQUE  
ET SOCIAL**E/CN.4/Sub.1/54  
26 January 1948

ORIGINAL: ENGLISH

## COMMISSION ON HUMAN RIGHTS

## SUB-COMMISSION ON FREEDOM OF INFORMATION AND OF THE PRESS

## SECOND SESSION

STATEMENT AND PROPOSALS PRESENTED TO THE SUB-COMMISSION  
BY MR. J. M. LOMAKIN (UNION OF SOVIET SOCIALIST REPUBLICS)  
AT THE SEVENTH MEETING OF THE SECOND SESSION

Eight months separate us from the time when the first session began its work. That is why before I begin to discuss the concepts of freedom of information and of the press I would like to dwell on the decisions of the first session of this Sub-Commission, on the effect produced by those decisions, and on some new circumstances that arose in the period between the two sessions of this Sub-Commission.

It seems to me that at the first session the Sub-Commission the latter did not adopt a correct decision not having determined the basic tasks of the press. The Sub-Commission concentrated its major attention on secondary technical questions rather than political ones and thereby, I think, placed itself in a very difficult position.

As you undoubtedly remember at one of the meetings of the Sub-Commission, on May 26, 1947, I introduced a proposal concerning the definition of the basic tasks of the press, to be inserted into the agenda of the World Conference. This task was formulated as follows: struggle for the principles of democracy, for exposing the remnants of fascism and the eradication of fascist ideology, for the decisive and daily exposure of the inciters of war and the working out of effective measures against those organs of information and the press, which engage in inciting towards aggression; the development of friendly relations among nations; aid to the solution of problems of economic, social and humanitarian character and also the development of respect toward rights of man and toward basic freedoms for all, without distinction of race, sex, language and religion.

Such a definition of the basic task of the press and its inclusion as one of the points of the agenda of the World Conference would undoubtedly have had an enormous significance, and every person respecting progress and democracy would have supported such a course for the press with great  
/satisfaction.

satisfaction. This proposal of mine had a most immediate bearing on the purpose for which the second session was to assemble: that is, it related directly to the concepts of freedom of information and of the press, to the rights and duties, which must be included in the concept of freedom of information.

A number of representatives came out against such a definition of the tasks of the press. After some hesitation and confusion voices began to be heard at the Sub-Commission, voices encouraged and supported by some one, to the effect, that it does not make sense to struggle with the remnants of fascism, that "fascism is an indefinite and out dated concept, that fascism is an abstract concept," etc... Neither Mr. Mackenzie, nor Professor Chafee wanted to have the press expose the remnants of fascism and the fascist bandits still dreaming of revenge, did not want the press to expose the inciters of war. There burst out a flood of demagogy in which all those proposals were drowned, to the detriment of common sense, to the detriment of muzzling of the inciters of war and the exposure of the remnants of the fascist cut-throats.

Events of the past months have confirmed, that our opponents were wrong. The facts of life have confirmed that having refused to fight against the remnants of fascism and undertake the exposure of the inciters to war the Sub-Commission first of all displayed weakness and objectively encouraged the inciters to war, who hang out in the press, to even greater activity, and placed itself in a most awkward position, because a few months hence the General Assembly adopted resolutions, directed against the inciters to war and untruthful communications.

Even more than that, in the course of the work of the first session of the Sub-Commission and the session of the Economic Council various utterances appeared in the American and English press presenting the matter in a fashion that the American and English representatives in the United Nations allegedly are inspired by noble motives (having refused to expose the inciters to war and the remnants of fascism) in defining true freedom of the press and information, while the representatives of other countries were portrayed by the American press, as people, who encroach on the freedom of the press and guide the press towards an incorrect course.

That press tried to show that only it, the Anglo-American press is ideally free, while the press of other countries was portrayed and still is portrayed as not free, as controlled, etc...

All this is not only surprising, but it is truly monstrous. The facts of life have demonstrated, in the course of a relatively short period of time, who was right and who was wrong.

/Since when

Since when has the exposure of the inciters to war become an unjust course? Since when and according to whose concepts has the exposure of the remnants of fascism to be portrayed as an unnecessary and incorrect task and fascism itself as an abstract concept?

What took place after the close of the work of the first session of the Sub-Commission? Has the situation changed for the better? It seems that it has not! The inciters of a new war have noticeably become more active. The still existing fascist nests have noticeably gained vitality. They place great hopes in the disagreements among the great powers. They are activizing their work, they are building new plans.

In the big press of the United States there increased the number of utterances inciting to a new war. A more active inciting of mistrust among peoples has begun. The inciters to war in the sphere of the press, radio and cinema have begun to appeal, without reluctance, for preparation for war, for the dispatch of troops to other countries, for the use of threats.

They appeal to carry out the policy, they find necessary by the force of arms, by way of threats of interference in the affairs of other countries. All this is sufficiently well known to us.

The head of the Soviet delegation at the last session of the General Assembly of the United Nations, A. Y. Vyshinsky, in his speech of September 18, 1947 unveiled and showed to the entire world the inciters of a new war, their methods, their desires and the dangers which they bring to the world. The heads of other delegations also spoke of this at length and convincingly.

The General Assembly adopted a special resolution, condemning the inciters of a new war, condemning untruthful communications (see documents A/C.1/428 and A/C.3/180).

But the inciters of war have as yet not desisted. As before they utilize the press towards their ends, knowing that the press is a mighty weapon of propaganda, a mighty weapon for influencing the mass.

They continue sowing mistrust among peoples, spreading lies and misinformation, appealing for armament, for war. The Hearst newspapers have long ago chosen the incitement of mistrust and appeals to war as their principle specialty. After Hearst, there follow the others. To please their owners, newspaper syndicates and individual so-called journalists daily spread lies and appeal for war.

You can find such examples nearly in any large newspaper, published in the United States of America.

Such are the facts. They do not favour the decision of the first session of the Sub-Commission that worked on the problem of an agenda for the World Conference on freedom of information and press. Gentlemen and  
/experts; lies

experts; lies, misinformation and the propaganda of war do not facilitate collaboration. In spite of the different systems, the great powers can successfully collaborate.

#### The Concept of the Freedom of Information

Mr. President, I listened attentively to the statements of experts concerning the concept of freedom of information and the press and with due attention read all the documents issued relating to this question, written by various members of the Sub-Commission.

First of all the views presented contain one general line and hence, from my point of view, a common shortcoming.

What is this shortcoming?

The detachment of the views expressed concerning the concept of freedom of information from reality, from the facts of life, from contemporary conditions, from what goes on in the world, their abstractness.

According to the conception of some representatives freedom of information presents itself as a goal in itself. Freedom for freedom's sake and for nothing else, such an idea of freedom is an empty phrase.

In reality this is freedom for a few monopolists of the press and means of communication, who have at their disposal printing presses, paper, broadcasting stations, moving picture studios, and press agencies, to pervert the news in their interests, to trade in news, as one trades in tobacco products, and derive from this a profit.

What is represented by the concept of the freedom of information of Mr. Cruikshank, presented in his document, which Mr. Mackenzie offers to accept as a basis for discussion?

This is not a bad example of how one can detach oneself from reality. The document of Mr. Cruikshank is floating in the clouds, it is a classical example of abstraction.

In division 1 under points 1 and 2 of general definitions he states:

- "1. Every person is free to publish and express his ideas by word of mouth, in writing, through forms of art or any other means.
2. Every person is free to receive and spread any kind of information, including facts, as well as critical comments on books, newspaper articles and statements by word of mouth, and make use of all lawful means of communication."

Through these two points Mr. Cruikshank grants citizens the "freedom" to publish, receive and spread, mind you, any kind of information. Please note - any kind of information.

This is exceptionally generous. But after such generosity can a man, who has no means, no material base and sometimes no education, publish and /express his



express his ideas? Can after this anyone who so would desire, receive and spread information? Can that be done by millions of workers and intellectuals, who only earn their means of subsistence?

Of course, they can not.

What does the freedom of Mr. Cruikshank mean for them, the freedom "to publish, receive and communicate ideas?" It does not mean a thing, gentlemen. An empty sound, a play on words. The freedom of Mr. Cruikshank will be utilized and is made use of by single individuals, who have at their disposal telegraph agencies, newspapers, radio stations, printing presses and money. They will make use of it and doing so in their own interests and no one can tell them otherwise. What is new in the concept of Mr. Cruikshank? Absolutely nothing. It is old demagoguery.

But one should not forget one other generosity of Mr. Cruikshank. He awards with the right to publish and communicate any information, and this means the right to incite to war, to incite race hatred, to spread the ideas of fascism. Note, that he has no limitations. Is that bad for the remnants of fascism? Is that bad for the inciters of a new war, who want to enrich themselves from furnishing armaments, who want to complicate the relationships among peoples?

Who will make use of this right? First of all those who have the printing presses and paper, broadcasting stations and news agencies, those that have the money.

Does not Mr. Cruikshank know, how difficult it is to start a newspaper without money? How hard it is to start even a tiny paper, not even for a single worker or teacher, but for a workers organization with several thousand members. It is simply impossible. In the United States some people who had even up to several millions dollars tried to do so and went bankrupt. They were squeezed out. One can cite many such examples.

We give Mr. Cruikshank the freedom to start in London or Boston such an agency, as the Associated Press. Try to do so.

In the third point Mr. Cruikshank already limits the freedom of speech and information. In that point he worries over the interests of national security, over a change through force and violence of the system of government, he worries over the fact that there should not be any pressure on the courts, that no other persons should be libeled and defamed. But here as well he forgot to limit the spreading of race hatred, of incitement to war, untruthful communications concerning other peoples and states.

In division C "Private side of the question" he also makes strange conclusion particularly in the paragraph, where it is said:

/"....the utilization

"... the utilization and availability of various mass means of communication, but not their ownership, are therefore the basic problem in connection with the protection of freedom of information."

You are mistaken, Mr. Cruikshank!

Try to make use of the broadcasting station of any company, if that happens to be unprofitable for such a company, and you will abandon such a conclusion. The argumentations of Mr. Cruikshank are just solid fog, which covers up the surreptitious introduction of favourable conditions for the activities of the kings of the press, the impunity of any type of propaganda, including the incitement of mistrust among peoples and the propaganda in favour of war, a fog which is in turn shielded by the high sounding statement on the freedom of information.

Now a few remarks relative to the conception of freedom of speech of the expert from the United States Professor Chafee, which is given in document E/CN.4/Sub.1/32:

It is very pleasant to converse with the professor and to read his books; he can clearly formulate thoughts, has a sense of humor and frequently uses historical examples, but his argumentations contained in the document concerned with freedom of information, are very tangled up and contradictory. Were one to accept his conception, the press will then serve only those to whom it belongs, true freedom of the press will be made use of by only the large monopolists of industry and means of information and inciters of a new war will conduct their activities with impunity.

Here is an example. To support his thought that one should not fear the misuse of freedom of speech Professor Chafee brings forth quotations from Justice Brandeis. Is this quotation proper? Has not much changed from the days when it was written? Why did he need this quotation? Why was it necessary to bring in this good name when it doesn't fit? Whether objectively or subjectively, but the professor has taken the wrong path and that is exactly water under the mill of fascist and new inciters of war. Thus professor, according to you it appears that the propaganda of a new war is only a misuse of freedom of speech a manifestation of evil and that it will be drowned out in the chorus of sensible voices. For you, professor a big specialist in the law and the press, such naivete is unforgivable. You know who owns the press in the United States of America, what its monopolist owners want. They can and already have brought war propaganda to a level of hysteria, suppressing sober voices. In their actions the large monopolists of industry and the press guide themselves least of all by moral considerations.

Defending freedom of speech abstractly, you place yourself, whether  
/you want to

you want to or not, on the side of defending freedom of speech for the inciters of hatred, and of enmity among peoples, you enter the path of defending freedom of speech for the inciters of a new war. You know what strength and what material base is possessed in the United States by the sober heads, which you refer to, you know, how many newspapers, news agencies, and broadcasting stations belong to workers and their organizations.

You undoubtedly would be indignant if some one in the press were to appeal for the murder of a concrete individual and you undoubtedly were indignant, because such cases did take place in the press of the United States. But when reactionaries propagandize through the press in favour of a new war, appealing for mass murder, you do not object, but on the contrary defend their freedom of action in the press. This, professor, is sugar water liberalism that has long ago outlived its day.

A few words about freedom in general.

Professor Chafee as well as other representatives who expressed themselves in my opinion make an important mistake speaking of some kind of an unlimited freedom. I do not share such views. All this is done, I think, for show. Who of all people, but certainly not the representatives of the United States should be talking about unlimited freedom of the press. Strictly speaking unlimited, absolute freedom never existed and does not exist in any country. Through the entire course of human history there existed definite restrictions on the freedom of people. In civilized society there are corresponding laws. These laws limit the will of separate individuals, directed to do harm to other people and society as a whole. Disobedience to law, the manifestation of ones will be one or the other person or group of people to the detriment of society - is a crime and for this one used to punish and does punish in any country. Al Capone wanted to rob and kill without restriction and he was locked up in Alcatraz. In the same fashion one should stop criminals of international scope, who incite to war, to mass murders, and that will only benefit humanity. The principle of absolute and unlimited freedom of the will of man has never and nowhere existed. It is an empty phrase.

#### Freedom of Information and International Collaboration

One can not argue about the freedom of information and the press abstractly, not taking into account the interests of millions of people. One can not decide problems about freedom and even unlimited freedom of information, outside of time and space, to decide them in general. Investigating such problems it is imperative to begin with the concrete historical situation, to start out from what is wanted in this period by the overwhelming majority of people. The overwhelming majority of the population  
/of the globe

of the globe now wants peace, friendly relations, good trade, exchange of achievements in the fields of science and culture, general progress, freedom and independence.

The people have shed much blood in the Second World War for freedom and independence and now, as never before, the peoples strive for peace. Only a truly firm and long peace will give humanity an actual possibility to heal the wounds of war fast, to raise the cultural level and to move forward on the road to further progress.

History teaches us that peace can be secured only through friendly collaboration among peoples, in the first place, among the great powers, whose co-ordinated actions in the Second World War brought us to victory over Hitlerite Germany and militarist Japan. Life has demonstrated to us the singular fruitfulness of such collaboration of great powers and every person, even with a minimum of understanding of historical events and current politics, understands what role is played by the press in the cause of strengthening collaboration among peoples, in the cause of exposing the inciters of a new war. It is impossible to over-value the role of the press in this question. The press is the greatest instrument of education for friendly relations, a mighty weapon of exercising influence over millions of people. If the press portrays events truthfully and honestly, without ill-will, without prejudice, it facilitates the strengthening of peace and friendship, if, on the contrary, the press perverts reality in the interests of the enemies of peace, in the interest of the enrichment of a small group of people - it incites hatred among peoples, widens the sphere of the conflict leads to war.

You undoubtedly remember what a singularly negative role was played by the Anglo-American and French press in the pre-war years, in the years of Munich, when it engaged daily in praise of Hitlerite Germany and in baiting the Soviet State. The reactionary newspapers of these countries perverted Soviet reality and the peace-loving policy of the Soviet State. This press concealed all the economic and political achievements of the Soviet Union. The press shaded out the true danger of aggression from the forces of the notorious "axis" and incessantly inflated the myth about "Soviet expansion".

The war that began with Hitlerite Germany closed the mouths of the slanderers. While the war lasted it was hard for them to prevent facts and pour mud at the Soviet Union. The literating role of the Soviet people in this war was too obvious to every man, to millions of people. Millions of people in the entire world admire the bravery of the Soviet fighters, the unity of the Soviet people, their high moral qualities. The bravery shown by Soviet fighters and the advantages demonstrated by the Soviet system

/arrested



arrested the rivers of lies and misinformation, which were diligently generated in the course of twenty-five years. But even in those days, and that we are forced to note, when the Soviet fighters near Stalingrad were deciding the outcome of the Second World War, when they were breaking the stiff back of Hitler's war machine, the haters of the Soviet state and partisans of Hitler, like William Randolph Hearst and his hirelings, like various Karl von Vaigants, strived to throw mud at the Soviet Union, strived to libel our army and sow mistrust among the allies, to injure our common cause, to aid Hitler, by utilizing the difference in our economic systems.

Barely had the last battle for Berlin died down, barely were the last battles of the Second World War over, as once again there began the old campaign of insinuating and lies against the Soviet State, against the Soviet people, the campaign known to all and boring to most, groundless, fruitless and without any justification. Slander against the Soviet Union became the principal specialty of owners of large newspapers, of all kinds of Hearsts and McCormicks, it became the proposition of mercenary journalists, who wanted to make capital out of inciting of hatred among people.

As you see history repeats itself. It repeats itself at the expense of mutual understanding, against logic, to the detriment of millions of people. What is the matter, what is all this for, what causes such actions, which are unintelligent, founded on nothing, based only on gossip of a venal, but powerful press? What is at the bottom of these phenomena? Savage hatred, gentlemen. It blinds the eyes, it dulls the brain. Whether you want to agree with this, whether you want to give it thought or not, that is your business, but it is a fact, a non-controvertible fact.

All these lies hamper the establishment of real and possible collaboration. This comes about because the press belongs to single units, large monopolies. These units because of savage hatred do not want real mutual understanding and collaboration. All this because between theories of "freedom of the press" and the actual situation of the freedom of the press there is a deep abyss. In the United States there does not exist a single daily newspaper, that would belong to trade unions. The trade unions have only inadequate weekly bulletins. There exist here literally only a few progressive newspapers, which lead a precarious existence. Such are the facts.

#### Determining the Tasks of the Press

The determination of the tasks of the press has great significance.

At the present time the press will live up to its high calling, if it will facilitate along all lines the broadening of democracy and carry on the struggle against the remnants of fascist nests, against the inciters of a

/new war,

new war, if it will serve the cause of universal peace and of development of friendly relations.

The Basic Principal of Freedom of Information and the Press

Gentlemen experts:

As the basic principal of the freedom of information and the press it is essential to recognize freedom of information and the press as the right of all citizens, exclusive of persons who come out with propaganda in favour of war and fascism in any form.

But it must be taken into account, that the bare proclamation of the principal of freedom of information and the press does not as yet give the people this freedom, if the broad masses of the people and their organizations do not have at their disposal such material means, without which the actual utilization of the freedom of information and the press is impossible.

A full guarantee of the freedom of the press for the people will exist when the people will have at their disposal, in public hands, modern means of information.

Such a guarantee is fully realized at the present time in the Union of Soviet Socialist Republics.

But we think that in all democratic countries there exist possibilities for a struggle against the use of information and the press for anti-popular and anti-democratic ends for a struggle in favour of honest and truthful information, against lies and libels, against misinformation.

Therefore I put forth the following proposals:

1. To recognize the freedom of the press as the right of all citizens, exclusive of persons who come out with propaganda of fascism in any form, with propaganda of a new war.
2. To recognize that full freedom of the press and information can be secured only under the condition of placing at the disposal of broad masses of people and of their organizations of material means necessary for the publication of organs of the press and for the functioning of other means of information.
3. In localities where the organs of the press find themselves in direct dependence on private owners and on their commercial interests, to recognize the necessity for taking effective measures towards the liquidation and prevention of practices of direct and indirect bribery of organs of the press and information, having the perversion of the truth as their aim.

Rights and Duties of Organs of Information and the Press

1. To consider it essential in the interest of the spread of honest information, to provide telegraph agencies, newspapers and broadcasting companies with a broad access to the sources of information and to the means of communication on the territories of their own countries, as well as in other countries, within bounds that are compatible with the interests of national security.
2. To consider essential the working out of such measures, which would secure the increasing availability of the communication of truly honest and objective information.

Relying to Measures for Combatting the Communication of  
Untruthful and Libelous Statements

In accordance with the thesis, that freedom assumes also a responsibility to recommend the establishment through legislation of effective measures for affecting owners of such organs of the press and information, who communicate untruthful and libelous statements about other peoples and states.

One must take a particularly strict attitude towards such untruthful communication, which mislead public opinions with the aim of worsening relations among countries, provoke conflicts and incite to war.

The Tasks of the Press and Information in the Struggle for  
International Peace, Security and the Development of  
Friendly Relations Among Countries

1. The organization of the struggle for the principles of democracy, for exposing the remnants of fascism and the eradication of fascist ideology in all forms.
2. Exposure of warmongers, individuals and organizations, through effective struggle against organs of press and information which engage in inciting to war and aggression.
3. The development of friendly relations among nations on the basis of respecting the principles of independence, equality and self-determination of peoples.
4. The facilitation of the solution of problems of economic, social and humanitarian character and also the development of respect for the rights of man and for basic freedoms for all, irrespective of race, sex, language and religion.

Such a conception and such tasks relative to the freedom of information and the press will, in my opinion, bring great benefit to the common cause, to the interests of peace and friendship among peoples.