

**ECONOMIC
AND
SOCIAL COUNCIL****CONSEIL
ECONOMIQUE
ET SOCIAL**E/CN.4/Sub.1/42
19 January 1948

ORIGINAL: ENGLISH

COMMISSION ON HUMAN RIGHTS

SUB-COMMISSION ON FREEDOM OF INFORMATION AND OF THE PRESS

SECOND SESSION

STATEMENT ON FREEDOM OF INFORMATION

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By adopting and recommending a draft agenda for the World Conference on Freedom of Information, and by placing on this agenda the items that we did, we of this Sub-Commission have made amply evident the importance which we attach to "freedom of information" and the things which we would like to see done to promote this freedom. We have all assumed, and I think rightly, that this freedom which we seek to promote is in essence, or perhaps in somewhat more old-fashioned terminology, the freedom of speech. "Freedom of speech", the first of the Four Freedoms for which the United Nations fought in the war, is one of those inalienable human rights which have been written into many a historic charter and are safeguarded by appropriate provisions of the constitution of every modern state. It belongs unquestionably in an International Bill of Rights, even though as we are at present organized in this world such a provision would probably have more of a moral or -- in Professor Chafee's words -- an emotional compulsion, rather than a legal one.

But the complexities of the modern world are such that the primitive "freedom of speech" has developed its written counterpart in "freedom of the press". And now "freedom of the press" has, in turn, advanced to "freedom of information", which, by our own definition, embraces "the following means of bringing current situations, events and opinions thereon to the knowledge of the public: newspapers, news periodicals, radio broadcasts and newsreels". The original human right, and necessity, of uttering one's thoughts for the benefit of one's fellows can and often do become in present-day society a matter of invoking all of the so-called media of mass communication. Where, by word of mouth, a man imparts knowledge and expresses opinion to only his immediate neighbours, today any human word, whether uttered or printed, is capable of instantaneous transmission to any number of people on the face of the globe. It is no wonder, then, that what is essentially a discussion of the right of free speech has readily connoted to us the problem of free information, including its various media of transmission and all the human and technological paraphernalia necessary for its transmission.

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The question is, is the difference merely one of degree, or has the change from free individual speech to free mass information been such that in its process much has also happened so as to necessitate a change or modification of the original concept. A man is free to express himself -- in the real meaning of this freedom, whether he speaks the truth or not. Because if he happens not to speak the truth there exists a natural and immediate corrective in that the nearest person within earshot has an equal right and freedom to speak up in challenge or debate, to express his version of the truth, or at the least to decline listening. It is through such exchanges that truth, or the nearest approach thereof, may be presumed to emerge in human society and the listeners as a group may come in time to form a public opinion that is not far from right.

What will be the situation when a word is multiplied a million-fold and a voice is magnified for all the world to hear, as it is done through the modern printing presses, telecommunication lines, radio, and films? The one on the receiving end does not have a chance to talk back. If he thinks he has in his possession a more accurate version of the truth, a larger collection of facts, or a sounder opinion than that which has just been disseminated, he has no way of getting it across to the same audience. As a matter of fact, the all-pervading influence of high-powered information is such that he can hardly escape listening! In other words, there have grown up two distinct groups within this concept of information: the majority of the people, on the one hand -- passive, listening, inarticulate and influenced; and, on the other, owners of the media of mass information together with their functionaries -- reporting, interpreting, broadcasting, and influencing.

The point, of course, is not one of abridging or restricting freedom of mass information. Mankind does not stand in the way of scientific progress. Besides, this cannot be done to the most powerful and impersonal information machine without touching upon the basic human right of free speech. So, first of all, the concept of free information should be enlarged to insure at all times what we phrased in our Draft Report as "the right of all persons and peoples to receive accurate, objective, comprehensive and representative information" and the corollary obligations of the workers of the press, radio, and films in this connection. It should be established that, in proportion as the speed and quantity of information are multiplied, its quality must also be raised. Freedom to inform on a mass scale, in truth, must not be allowed to become the freedom to misinform -- even if there exists very effective modern scientific means to do so.

The second point, it seems to me, has to do with the purpose for which we wish to promote freedom of information. It has been ably stated by our chairman Mr. Goedhart, at the last session that every definition of the aims of freedom

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of information is in itself a restriction of that freedom (E/CN.4/Sub.1/32 page 15). It is, however, admitted that our work operates under the Charter aims of the United Nations - or, in general, to promote international understanding which will lead to world peace. I believe that the premise of our proposition, which need hardly be stated, is that if we could only let the people have the objective and unbiased facts, we would to that extent help promote peace. It follows that the purpose for which we want freedom of information may be defined as simply to inform - no more, no less. In other words, information for information's sake. Information - which is, influencing large sections of the public this way or that - must not be for the sake of making money. (I agree with Mr. Goedhart that freedom of information should not mean freedom of enterprise in the field of information.) Also, information must not be for the sake of promoting a certain definite view of life. For in either case information will not be an end in itself but a means - consistently selected and shaped - to some other end.

I do not mean to say that the institution of modern information can and should be operated at a loss, or that it can and should be amoral and dehumanized as to viewpoints. With the machinery for mass communication so complex and expensive, information necessarily assumes the proportion of elaborate undertakings calling for ownership and control which varies under different political, economic and social conditions. More often than not they may be beyond the means of any given individual, group, or even nation, desiring to spread or receive information. What is indicated here, I submit, is an increasing and general recognition that information is on a level with knowledge and health as something which belongs to men. As such, its owners and operators will approach their work with a sense of responsibility akin to those engaged in the fields of education and medicine. Although it is the sad truth that even then abuses will exist I believe that the time has come for this lifting of information to a higher status of human institutions so that we may appraise its conduct by a weightier and more universal standard.

What I have suggested of the problems that have arisen when free speech assumes the proportions of free mass communication is peculiarly present in the international field as contrasted with the purely domestic arena. Within a nation, for instance, the individual's right to express and receive opinion may find itself increasingly submerged under the development of mass organs of information. Nevertheless, as long as the basic freedom is respected, there will always be the checks and balances that can be found in a diversity of channels and of ownership; in the opportunities of direct
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experience and verification; in the advantages of sharing the same background and a common set of values. A man could always, by exercising his own initiative, build up an organ of expression that may contribute to the sum total of public opinion in greater or less degree; in a negative way, he may have his free choice of sources of information and base his opinion thereon. Not infrequently, we find a small publication in a democratic country wielding an influence far out of proportion to its circulation.

In the international realm, in which after all we are still living and working, it is a vastly different matter. Until the day when we can have a world government, provisions in an International Bill of Rights will lack binding force. Even if free speech, as we earnestly hope, should by international consent be held up as the ideal there would remain the myriad practical problems of making available in the international society a body of information that is "accurate, objective, comprehensive and representative" so as to serve a world peace through mutual understanding. Who and what to inform a people about the outside world; who and how to inform the outside world about itself? Should it be left in the hands of private business enterprise, regardless of nationality? In which case there is no assurance that all of the international persons (namely, nations) will be served, no way of knowing whether said information is in fact a "public service" or whether it happens to be the current profitably marketable item in a given line of goods. On the other hand, should information across national borders be owned and operated by governments as instruments of national policy in almost the same fashion as a nation's army? In which case, what about a nation that may choose to use information as an offensive weapon, and what about the nation that is weak and underdeveloped in the technology of mass communications?

Furthermore, the well-meaning individual is faced with much greater handicaps when it comes to freedom of information on an international scale. Barriers of language and geography and differences in cultural heritage all conspire to make him more reliant on existing channels of information through which he learns about the foreign land. His freedom to hear and to form his opinion would be much whittled down if his choice of sources is limited in the way described. On the other hand, if one day he travels abroad he will have the same reason to be impatient with the imperfect picture built up in the minds of other peoples as regards his own country.

The experience of my own people can be cited as a case in point. The Chinese, as an ancient and moral society, have a healthy and time-honoured respect for the sanction of public opinion. What goes into the make-up of this public opinion, however, has largely been the good words and deeds handed down from China's own past, and the channels that traditionally feed this public
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opinion have been family teachings, book learning and current information, in that order of importance. As a modern nation, the Chinese have rapidly developed their press and other media of information to serve a function not dissimilar to that of the information organs in the Western countries. But technological advance has not today reached a stage to enable the Chinese habitually to conceive information as something for instantaneous and mass dissemination. Information, whether transmitted via sound, image, or the printed word, is still the steady diet of the educated few where it is digested for gradual permeation, as it were, among the public at large. Thus, perhaps fortunately, the Chinese conception of news has not as yet been bothered with the problem of uniformity in mass distribution, with the danger of competitive commercialization or of totalitarian control as an instrument of policy.

Whether or not in time China will also be faced domestically with the problem of reconciling free speech with the pitfalls of mass communication, it is a fact that in her international relations she has already been confronted with the problem at its most complex. Foreign-made and operated information has, especially during and since the war, been coming in and going out of the country in larger and larger volume. It is like the high-powered automobile, for which the Chinese have had to acquire the mechanical skill to operate and to devise traffic laws to control its safety as well as to insure its free communication. In the physical sphere, China may not be a manufacturer of cars for export; what it has to offer the international community may lie in other lines. But herein the analogy ends. Information is not a commodity; its nature and content is and should be as diverse as the nations that make up the international community itself. Information, to be really "accurate, objective, comprehensive and representative," in the international community must be made up of many voices regardless of which group or nation happens to command the means of mass communication.

Only this kind of information can merit the label "free", and only this can in the end defeat the various nationalistic barriers to freedom - from petty censorship to artificially fostered misinformation on a monster scale. An examination into all these problems and practices that have to do with freedom of information across national borders, I repeat, need not detract from the basic right of free speech, which is reserved for individuals living in a future nationless world society. They are the realities which must be dealt with by present-day nations in a spirit of co-operation, compromise and mutual respect. This is the very thing to be expected of the world conference we are now preparing.