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## **ETHICS, SELF-REGULATION AND SOCIAL CONTROL IN LATIN AMERICAN JOURNALISM**

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As in the rest of the world, in Latin America the behavior of communication professionals – journalists in particular – has for long formally been ruled by obligatory **State regulation**. Later it came to be voluntarily normed also by institutional and individual **self-regulation**. And very recently is becoming as well the object of **social control**, a mechanism apparently intermediate between regulation and self-regulation.

Violations to regulation's prescriptions are regarded delinquent and can be penalized by fines and/or imprisonment. Transgressions to self-regulation's prescriptions are regarded failures to ethics and punished through moral sanctions as admonition, suspension or expulsion of a journalists' association or by job cancellation. Other than the public's repudiation that can generate social control, instead, is not known to have punitive faculties.

This paper concentrates on providing a brief overview of the origin and evolution of self-regulation and of social control of mass communication behavior in Latin America.

## **VOLUNTARY SELF-REGULATION**

Self-regulation in communication can essentially be understood as the mechanism through which media owners, managers and operators freely agree on a set of ethical norms and voluntarily commit themselves to rule by them their professional behavior assisted by self-criticism and, in some instances, by the criticisms of others through the systematic listening of the people's voice.

*“Self-regulation thus means – notes Spanish specialist in communication ethics Hugo Aznar (s.d., pp. 11,16,19) – an important displacement of the normative adjustment of media operation from the State – and its juridical and administrative regulation – and/or the*

*market – and its economic regulation – to civil society and its ethical regulation.*<sup>\*</sup> And he stipulates these functions as characteristic of self-regulation: (1) to formulate publicly the ethical norms that must guide the media activities and to secure their effective application to the professional practice; (2) to contribute to create the working, professional and social conditions that make possible the normal fulfillment of the ethical demands on communication; and (3) to examine critically the cases in which said fulfillment did not occur and to make public opinion aware of it, denouncing transgressions and correcting errors with the hope to avoid as much as possible their repetition. *“In this way – remarks Aznar – self-regulation constitutes an intermediate route between those advocating for total dis-regulation and those who advocate for an increment of State regulation ...”*<sup>\*\*</sup> And he adds: *“... In fact, to the extent that it becomes truly effective and involves a sincere commitment (and not a simple image operation), self-regulation contributes more than anything else to dignify communication and those who implement it. Improvement of public’s appreciation of the activity of journalists passes necessarily through self-regulation because this is the clearest manifestation of their commitment to serving society.”*<sup>\*\*\*</sup>

Javier Darío Restrepo, an outstanding Colombian specialist in journalism’s ethics and a pioneering practitioner and advocate of self-regulation, relates this latter with the rather recent emergence in the world of the notion of “right of information” as different from the traditional principle of “freedom of the press” which sought to protect only the rights of those emitting information. This notion recalls the “Red Lion” verdict of a magistrate of the Supreme Court of Justice of the U.S.A., Byron White, which expressed the conviction that what matters is the right of those who see television and listen to it and not the right of the

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Translation from Spanish by the author of the present paper.

\*\* Translation from Spanish by the author of the present paper.

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media owners. In harmony with this way of thinking, Restrepo remarks that self-regulation does not result only from the will of the newspapermen to be critical of their performance so as to improve the ethics of it; it also means, he claims, that they grant their audience – the receivers of their messages – effective recognition of its right to participate in the conduct of mass communication by engaging in critical dialogues with it. And he notes that self-regulation avoids any form of coercion by incorporating to the creed of the press institutions ethical values to the point that they end up forming a sort of atmosphere. (Restrepo, 2005).

Journalists, publishers and parliamentarian o several countries who met in The Hague in 1998 arrived to the conclusion that self-regulation is the only formula appropriate to obtain a more ethical and responsible communication. And in the same year in Recife, Brazil, a World Congress of Newspapermen made a strong advocacy for self-regulation because they saw it as constituting *“the most efficacious and less dangerous to supervise the ethics of behavior in the journalistic environment.”* (Cited by Restrepo, 2005, p. 3). Indeed, notes German Rey (2003, p. 5), *“... self-regulation would seem to be the most coherent road to conjugate, without stumbling blocks or intromissions, freedom of information and social responsibility.”\**

## THE ETHICS OF JOURNALISM

Indeed the formulation and publication of ethical norms for the practice of journalism is the fundamental platform for the construction of the self-regulation mechanism.

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Journalistic ethics can be understood as the newspaperman's moral manner of being and behaving, which is governed by his deep identification with principles and norms adhering to truth, to equity, to respect for the dignity and the intimacy of persons, to the practice of social responsibility and to the searching for the common good.

As perceived in the U.S. by Melvin DeFleur and Everette Dennis (1998, p. 541) typically *“media ethics have centered on three major issues: (1) accuracy and fairness in reporting and other activities; (2) the behavior of reporters, especially in relation to their sources; and (3) avoidance of conflicts of interest.”* And in Latin America a Colombian specialist in self-regulation, German Rey (2004, p. 1,3,6) makes this point: *“If there is a concern that runs across the present debate about communications, that is ethics ... In contrast with an ethics of principles an ethics of responsibility is coming forth ... Communication ethics promotes the affirmation and development of democracy, not only as a system organizing coexistence but above all as an ‘ethos’, an internalized custom.”\**

### The Codes of Ethics

The enunciation of journalism's ethics has most frequently been done all over the world through codes of conduct and or declarations of principles, both produced by journalists themselves on their own will, which implied the realization by them of ill-behaviors which were to be discouraged.

The oldest known of those normative instruments was formulated in 1690 – according to Aznar (1999, pp.18-19) – by Benjamin Harris, a radical London printer who migrated to New England for political reasons. There he founded ***Public Occurrences both Foreign and Domestic***, a newspaper that was to be regarded as the first one in what became the

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United States of America. He opened the first issue of it with a declaration of the commitments that were to guide his journalistic performance; in essence: veracity, accuracy, avoiding diffusion of rumors and correcting his mistakes. There was no second issue at all because the Government of Massachusetts closed the paper. Next came in 1905 the **Journalist Creed** written and published in 1905 by Walter Williams, the first dean of the first School of Journalism of the United States of America, that of Missouri. And then in 1910 the first effective code was contributed also in the U.S.A. by the Association of Kansas Editors: **The Practice of the Kansas Code of Ethics for Newspapers**.

Europe started producing codes of journalistic ethics as of 1918 and in a 1996 review of them it counted on thirty.

Latin America, instead, has apparently been a very late comer to that process. Historians of the discipline indicate Chile in 1963, and Brazil, in 1969, as the first countries of the region beginning to have such instruments. From the 70s to the 90s apparently several other countries of it had joined the endeavour. And in 1979 the Latin American Federation of Journalists (FELAP) formulated the first code agreed at the level of the region. However, although Latin America is now well known to have thousands of dailies, magazines, radio stations and television channels, most of the ethics codes available in Latin America seem to have been established by the professional associations of newspapermen to rule the behavior of their members regardless of the media for which they worked, not by media institutions.

### **The “Honor Tribunals”**

That circumstance determined that the first format of self-regulation established in this part of the world was that of “Honor Tribunals” elected by the professional

newspapermen associations to monitor the behavior of their members and to process people's claims against them. Based on their respective codes of ethics, those "in-house courts" investigated the complaints and if they found them substantiated they punished the accused journalists with admonition in writing or with suspension of membership for given periods or, in the worst cases, with expulsion from the organization. Clearly journalists who are not members of said organizations and act non-ethically fall outside of the jurisdiction of the tribunals of them and this can be the case, some times, of a considerable number of those professionals.

How effective seems to have been this mechanism to discourage non-ethical behavior among the associated journalists? The answers may vary somewhat from one country to the next and within each of them. In general, however, the prevailing impression seems to be that this mechanism has not proved very effective especially nowadays. Mercantilisation of the press, which accounts in part for the boom of sensationalism and banality, and the exacerbation of competition among media institutions for capturing audience and securing advertising, along with abuses by some journalists of the very much increased influence of their trade in society and with low salaries and long work schedules, seem to account for that moderate effectiveness of this non-coercive mechanism to inhibit the undesired behaviors.

## **THE DETERIORATION OF ETHICS IN LATIN AMERICA**

In fact, since about fifteen years ago the region has experienced a grave and increasing deterioration of the ethical standards of its journalism. Already in a 1994 study about the future of the press in the Americas Andrés Oppenheimer (1994) came to the conclusion that one of the main threats to freedom of the press and to the defense of



human rights was poised by censorship and self-censorship, which he saw as the product of corruption in the journalistic media themselves.

At the middle of the 90s the Florida International University conducted an evaluation of the behavior of journalists in the Andean countries: Venezuela, Colombia, Ecuador and Bolivia. One of the questions made to them was if they knew of any colleague that had accepted a bribe; 60% responded affirmatively.

The International Center for Journalists (ICFJ), headquartered in Washington D.C., did in 1997 a survey among editors and reporters of eleven of the Latin American countries from Mexico to Brazil. Forty per cent of them said their dailies had codes of ethics, but 20% of them indicated that they did not consider them adequate. They were asked to express agreement or disagreement with a set of statements corresponding to frequent behaviors contrary to ethics. One of the statements was: *"It is a widely accepted practice for a reporter to work in addition, on his own, as a writer of speeches for a politician, as an adviser or as a provider of other services directly or indirectly related to his work as a journalist."*<sup>†</sup> (ICFJ, 1998, p. 36). The answer was affirmative in 64% of the cases. Another of those statements was: *"It is a widely accepted practice for a reporter to use ideas or words of other persons without indicating their origin."*<sup>\*\*</sup> (ICFJ, 1998, p. 36). In 55 percent of the cases the reply was also affirmative. All the journalists interviewed proposed to give priority among the behaviors that should be changed to the following: lack of objectivity; bribing; pressures from governments and from political and economic groups; low salaries; and lack of research.

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The assistant director of the Press Center of Florida International University, John Virtue, a scholar specialized in journalism ethics, conducted a hundred case studies in meetings with a thousand students of journalism and with practicing journalists from thirteen countries of the region. As a product of it he identified in 1998 three major areas of journalistic behavior contrary to ethics:

**“One category is corruption in the News Room.** Invariably it is a matter of illicit payments to journalists, gifts, conflicts of interests or improper use of influence.

**The second has to do with Management.** That is to say there is little or no independence at all in the News Room. Articles are eliminated or fitted to satisfy given advertisers, authorities, politicians, businessmen or the interests of the owner or editor of the communication media.

**The third deals with non-ethical behavior in the research, the preparation and the writing of the news.** I refer to invasion of privacy, ill handling of sources, plagiarism, use of subterfuges and hoaxes, distorted editing and picture manipulation.”\* (Virtue, 1998, p. 14).

The Canadian researcher and newspaperman came to the conclusion that the main threat that mass media in Latin America are faced with are not the attempts, governmental or of another nature, to restrict press freedom, but internal corruption.

That perception received some support, for instance, from the results of a survey involving 250 journalists of Bolivia conducted by Raul Peñaranda (2002), editor of a weekly. Asked if they knew in a direct manner of a colleague that had accepted a bribe, 59.5% responded affirmatively. On the other hand, 53.7% admitted having received some time a bribing proposition to manipulate information; these had come from politicians in 74%, from businessmen in 15% and from labor leaders in 4.7%. Likewise, 65% of the subjects said they knew a colleague that had received from a politician or a businessman a gift in circumstances affecting ethics. And 45.4% of the subjects said they knew of a

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colleague who was unduly perceiving a salary parallel to the one he was making in the press organs for which he worked. Around 70% of the subjects, moreover, admitted having done self-censorship and having been the object of censorship by his supervisors under pressures from politicians and advertisers.

At least since the early 90s sensationalism, along with banality and “infotainment”, has grown much in most of Latin America. On the one hand, this is especially true in the case of the numerous small price tabloids that exploit sex and violence in a scandalous and morbose fashion. But it also involves, at least in part and to some extent, the so called “serious newspapers” that tend to incur in exaggerations and other distortions and handle headlines and pictures in manners competitive with television, the most sensationalist, unscrupulous and superficial of the media.

Peru is now most notorious for its aggressive and vulgar “yellow press” called there “chicha”, which is written in the humorous and piquant jargon of the lower strata of the population. Needless to say that open and gross disrespect for ethics is a clear and constant characteristic of this type of press. In spite of its very large circulation the “chicha” press – also called at times “garbage press” – has been found to have minimal impact. *“This characteristic of little or null influence – notes Peruvian researcher and journalist Juan Gargurevich (2002, p. 18) – allows it to commit excesses in topics and adjectives which do not normally provoke reactions on the part of the affected people. By contrast, the serious press must confront legal and ethical responsibilities which the chicha press does not have.”\** Thus, impunity makes possible the commercial success and the consolidation of this filthy communication business. Beyond sex and bloodshed, the “chicha” dailies got into politics for pay. Eight of them were financed by the authoritarian regime of Alberto Fujimori

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in the late 90s to propagandize it and to strongly attack the opposition. Furthermore, the very powerful and corrupt presidential security adviser, Vladimiro Montesinos, controlled with money as well some television channels in order to manipulate information.

And, to give just one other example, Costa Rica's most influential daily newspaper declared man of the year 1994 a white collar person in jail for having led the oldest Bank in the nation to a bankruptcy of 200 million dollars. Furthermore it devoted six pages to an anonymous laudatory interview with him that made no mention of his delinquent behavior (Morales, 1996).

## THE BIRTH OF THE "OMBUDSMEN"

The deterioration so far reviewed here took place, unfortunately, in spite of the existence of codes of ethics and of tribunals of honor to apply them to members of journalists' associations. Perhaps in part because of it another format of self-regulation was to come into the scene in Latin America in the late 80' inspired in a very remote antecedent of a general nature and in more recent and pioneering experiences specific of the journalism field.

In the former case, the precedent was the establishment in 1713 by the monarchy of Sweden of the position of an independent officer appointed by the legislature to hear and investigate complaints of citizens against government employees; he was called in Swedish "ombudsmann", which meant commissioner or representative (of the people) and was later translated to English as "ombudsman".\*

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Self regulation of journalism was practiced in Sweden since 1916 through a Press Council which dealt with complaints against all newspapers. Not having apparently managed to operate optimally, it was substituted by an individual ombudsman as of 1967, coinciding with the Herchenroeder debut in the U.S.A.

In the latter case, the reference is to three early experiences in record. The very first one was that of the creation in 1913 by Ralph Pulitzer in the *New York World* of a Bureau of Accuracy and Fair Play to listen to people's complaints and to make sure that appropriate actions were taken thereafter in the newspaper. The second one was the appointment in 1967 of John Herchenroeder as the ombudsman for the Kentucky newspaper *Louisville Courier-Journal*, who listened to external complaints but also made internal criticisms of his own. And the third case was that of Richard Harwood undertaking in 1970 the ombudsman's responsibility at *The Washington Post* not only in an in-house fashion but by making criticism public in an outspoken and severe manner.

An **Organization of News Ombudsmen (ONO)** was established in 1980 in Sacramento, and ten years later held in Williamsburg another gathering attended by 40 of its 49 members coming from the U.S.A., Canada, Great Britain, Sweden, Spain, Italy, Israel, South Africa, Japan, and Brazil, the only Latin American country in attendance. At this second meeting, the ONO defined the objectives of the press ombudsman as follows: (1) To perfect equity, accuracy and responsibility in the newspaper; (2) to increase the credibility of it; (3) to investigate all complaints and to recommend corrective action where appropriate; (4) to alert the assistant editor about all complaints; (5) to lecture or to write for the public about the guidelines, the positions and the activities of the journal; and (6) to defend the journal, publicly or in private, if so required.

In its 1995 meeting at Fort Worth, Texas, ONO affirmed that the most important qualities of the ombudsmen were ability to listen, personal and professional integrity, familiarity with the history and mechanisms of the newspaper and even patience and good humor.

## Latin America: The Reader's Defender

Brazil was the first country of this region that established, in September of 1989, the position of a press ombudsman practically retaining the original denomination. It was performed with excellence by a young but experienced journalist, Caio Túlio Costa, a staff writer of the daily *Folha de Sao Paulo*, who paid special attention to the experiences already gained by *El Pais* in Spain, and the *Washington Post* in the U.S.A.

Another dean of the trade in the region was, in 1990, the Colombian journalist Juan José García Posada who worked for a university newspaper called *Entrevista*, which means interview. Two of the main dailies of the country, Bogota's *El Tiempo* and Medellin's *El Colombiano*, did the same later by recouring to the services of two distinguished newspapermen, Javier Darío Restrepo and Germán Rey, the former being now the most prestigious specialist of Latin America in journalistic ethics and a top authority in matters of self-regulation of the press.

Other countries in which a few media institutions have engaged in self-regulation of this type by voluntary agreement of media owners, executives and writers are Mexico, Guatemala, Panama, Puerto Rico, Venezuela, Ecuador and, most recently, Bolivia. And this is so in the case of barely a handful of thousands of mass media the region has. As in Colombia, in those other countries the word ombudsman has been translated to Spanish as "Defensor del Lector": the reader's defender, which is an apt denomination for someone who is an intermediary between readers and writers. One of his central duties is indeed to have the "people's voice" heard in the newsroom through facilitation and stimulation of external criticism. But being the defender of the reader does not make him an adversary of the press writers and, nevertheless, he is not easily understood or accepted by some of these latter. His other major duty is to stimulate the newspapermen to get into the habit of

criticizing themselves, not for technical deficiencies but for failures to ethics and to social responsibility. He serves as a consciousness stimulator often at the price of being regarded a “pain in the neck”, as an informal teacher of norms and an analyst of behaviors in the newsroom and as an alerter against indulgency or indifference. But he also has to advocate for ethical performances through public criticism in the very journal for which he works, usually by writing a column in it. To be able to do so he must be granted full and effective autonomy by his employers and fulfill his mission without being supervised by anyone or being the supervisor of others. Indeed, a solitary job of navigator, not pilot, sustained only by the respect that his high moral standing should command.

Most reader’s defenders work for the daily printed press; only a few of them do self-regulation in television and even less do it in radio. Also most of them work for only one journal, a sheer minority serves newspaper networks or multimedia corporations in a “package” fashion. In any case, all struggle to refine and consolidate the innovation moved by the conviction that unless they help make it effective, anomy may lead to further loss of credibility or authoritarian regulation could take over.

How effective is self-regulation through readers’ defenders? The very few experiences accumulated in the region along only the last fifteen years do not allow to provide <sup>fully</sup> ~~well~~ documented and conclusive answers.\* But very recently somewhat negative impressions seem to be coming to the forefront. For instance, a Bolivian communication

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\* A valuable first attempt at conducting region-wide research on the situation of reader’s defender institution in Latin America was made in Peru in 2004 by Susana Herrera and Rosa Zeta, communication professors of the University of Piura, through a survey that included 14 of those professionals in 7 countries of the region. -The pioneering 1989 experience of Brazil was thoroughly recounted by its protagonist Caio Túlio Costa (1991). -Two of the Colombian precursors have also recapitulated their experiences: German Rey and Javier Darío Restrepo (1995), Germán Rey (2002) and Javier Darío Restrepo (2004). - And the first Latin American meeting of reader’s defenders was held in Guadalajara, Mexico, in November of 2002 by the Foundation for the New Ibero-American Journalism, which is presided by Gabriel García Marques, Colombian journalist and novelist rewarded with the Nobel Prize.

researcher and journalist, José Luis Exeni (1995, p. 5), has this view of the matter: *“To regulate journalism is risky; not to regulate it is dangerous. Afraid of risk, legislators and journalists opt for danger. And decide to abstain. The result is the absence of norms or the lack of compliance with them. Thus, journalism sticks only to its principles. The best law, that which is most attractive, is the one that does not exist. The ‘safe’ bet – it is said and proclaimed – is self-regulation. But when it manages to open a space for itself, it results insufficient.”* *“In any case – proposes Mexican journalist Gerardo Albarrán de Alba (2002, p. 1 ) – the future of the reader’s defender format in Latin America depends upon the generalization of the ethical consciousness of the newspapermen and upon a good deontological education of them, to which many contributions can be made by the universities ...”*\*\*

## **SOCIAL CONTROL THROUGH MEDIA WATCH**

This overview has sought to provide a summary description of self-regulation of the press in Latin America through two mechanisms based on codes of ethics journalists gave to themselves and centered in voluntary self-criticism. The first, started in the early 60s, was that of the **Honor Tribunals** of newspapermen associations. And the second, started in the late 80s, was that of the **Reader’s Defenders** appointed by mass media institutions usually by agreement between the owners and the operators of them. The latter did not replace the former. Probably with more shortcomings than success, they coexist to this day. They are confined to relatively few associations and to very few media.

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## Observatories Enter the Stage

By about the middle of the 90s a new mechanism came rather rapidly into existence in some countries of the region:<sup>\*</sup> media observatories. Referring to them, Germán Rey (2004, p. 4), former defender and presently adviser on social responsibility to Colombia's *El Tiempo*, expressed this perception: *"In Latin America, in the middle between legal regulations and self-regulations a process of citizens' participation is being produced, which in the past was prohibited."*<sup>\*\*</sup> This specialist himself regards said observatories new social spaces encouraged by a tradition that has advocated for joining democracy with communication under an emancipatory and critical perspective.. *"Places for citizens to see and observe which, in their operation of political control of power, allow in turn to generate social participation, active presence in public life."*<sup>\*\*\*</sup> (Rey, 2003, p. 8). The members of a Brazilian observatory see it as a social organization *"non-governmental, non-cooperative and non-partisan which seeks to accompany, along with other organization of society, the performance of Brazilian media."*<sup>\*\*\*\*</sup> (Observatorio de Imprensa, 2004, p. 1). And members of an Argentinian observatory have as their main purposes to foster a critical discourse about communication media, to articulate the connection between information and citizenship, and to promote citizens' strategies for demanding public information.

The word observatory evidently refers in the case in point to the act of seeing, watching or noticing the behavior of communication media. And indeed that is something all of them do in the way of citizens' vigilance of the performance of press, radio and

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Again the U.S.A. is the pioneer in this endeavor but within a partisan approach. Born already in the decade of 1970, **Accuracy in Media (AIM)** shares conservative identification with the **Media Research Center** and the **Center for Media and Public Affairs** whereas, founded in 1986, **Fairness & Accuracy in Reporting (FAIR)** has democratic leanings. (Brouillon Pasteriza et al, 2005). ↗

television in reference to the state of society in terms of its goals, problems, resources, advancements and constraints. This is a monitoring function especially concerned with media ethics and social responsibility and, in some cases, also with their roles in reference to freedom, peace, justice, equity and democracy. This latter set is of much importance vis-a-vis the greatly enhanced influence of media in today's society, which unfortunately is being abused by some media owners, operators and advertisers. Beyond said critical monitoring which observatories seek to achieve promoting people's active involvement, they also aim at generating – through campaigns and alliances with different social institutions – social mobilization in support of actions they deem necessary to generate corrective adjustments in media's behavior. Observation is, therefore, coupled with social pressure towards social control assisted by improved regulation and self-regulation.

Peruvian communication scholar Rosa María Alfaro explains that the observatories exert that pressure by giving visibility to their own proposals for information and entertainment, from a critical perspective, expecting conversion responses: *"It is thus evident – she claims – that in diagnosing the characteristics and the quality of the media's offer, the observatories are betting for change."* (Alfaro, 2005, p. 5). *"The objections made to a hardly responsible use of the media – specifies Susana Herrera Damas (2004, p. 114) - have materialized in numerous attacks against the new processing itself as much as against the final result ensuing from it."*<sup>\*\*</sup> Such social pressure instances have already attained effectiveness in promoting legislation to secure for the citizens access to State information in Mexico, Perú and Bolivia. Likewise, although with different

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degrees of achievement, advocacy for new legislation on radio and television was strongly carried out by the observatories in Mexico, Argentina and Perú.

The media observatories vary in organization, type of membership, kind of activities and size, among other factors, depending on their particular objectives. This is why considerable diversity exists among them. Some opt for a general scope while others specialized in human rights, childhood protection, women's claims, treatment of violent political conflicts, and other topics.

Variety also exists in the methodology used by the observatories to implement their programs. Among the most frequently used procedures are the following: research mostly through content analysis and surveys; reflection through public debates or discussions in private; training by means of workshops and short courses; information campaigns through multiple media, commercial as well as alternative, print publications, electronic bulletins and other less conventional communication techniques.

In general, the members of the observatories – voluntary <sup>ies</sup> and/or employees – tend to be journalists and communication researchers teaming up with university professors, lawyers, political analysts and social activists. ✓ (6X)

Some of the observatories, especially the larger and better financed ones, are stable and work at full time dedication. Others work on a part-time basis, some being steady and other just occasional.

There are in Latin America, according to some assessments and preliminary inventories, about 20 observatories distributed in these 12 countries: Argentina, Bolivia, Brazil, Colombia, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Perú, Uruguay and Venezuela. Brazil again is the region's pioneer since it established in 1999, as an ong with some support from UNICEF, ANDI, a news agency devoted to the permanent critical

monitoring of press treatment of children and adolescents. Colombia, instead, although it started in 1999, has now six observatories, most of them established and operated by universities.

From the middle of 2003 to the present time there have been some three meetings in Latin America to exchange experiences among members of those observatories. However, no formal coordinating organization resembling a network has evolved from it in the region until now.

### Perú's "Veeduría": A Success

The Spanish word "veeduría" means in English overseeing or controllership in the sense of looking from above as supervisors and inspectors do but in a collective fashion. Since observatory refers to viewing or watching, "veedurías" are often taken to be observatories. However, some regard them more than observatories because of their strong social involvement and their firm commitment to generating corrective actions through social pressure attained with people's participation.

Perú is the first Latin American country counting one an institution of that type, the **"Veeduría Ciudadana de la Comunicación Social"**, established in Lima in 1999 by Rosa María Alfaro, a prestigious social scientist that had many years before established **"Calandria"**, a very productive non-governmental organization for democratic communication. She sees the "veeduría" as follows: *"We deserve a better country and communication media that accompany our hopes. This is the challenge ... Many admit that media do little to develop the country and for improving the situation of society. It is there where we place the Veeduría into the apparent contradictions between the taste and the aspirations of change of the citizenry, between the longing for being recognized in a visible*

*manner and the knowledge of their right to pluralism, truth and freedom of expression ... We are ... before a stumbling block that is hard to overcome since dependency between media and politics is every time more significant and, faced with it, the citizens feel intimidated by so much power ... Placing ourselves before this thorny process, we bet for a large autonomy between political power and media power, that is to say for a freedom of expression based on independence, but we also aspire to the democratic and ethical transformation of both sectors ... \** (Alfaro, s.d., pp. 1,3,6).

The Veeduría counts on the commitment of 10 social institutions, that constitute its decision-making body, and is assisted by an advisory board to operate across the nation in collaboration with groups of voluntaries in 7 cities. It also has an alliance with the National Association of Advertisers (ANDA), which created with its support an “Ethical Semaphore” for its affiliates. Activities are performed, in many parts of the country, recouring to an array of methods ranging from monitoring and research to debates in key public sites or through the mass media, promotion of ideas by means of communication caravans, lobbying and people’s manifestation via street “voting.”

In 2002 the Veeduría conducted research on television’s programming for children, upon the results of which it carried out analytical conversations with groups of citizens and eventually delivered a set of concrete recommendations for improvement to those handling the channels. In July of 2004, after years of struggling to persuade the National Congress to formulate a new law for radio and television, it saw it approved by it. <sup>The</sup> Veeduría’s winning proposal had been backed up by about 1,000 social institutions and through a statement of support signed nation-wide by about 85,000 persons. And in 2005 an evaluative

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\* Translation from Spanish by the author of the present paper.

investigation of television's entertainment programs from the point of view of gender equity was completed and lead again to a practical set of recommendations for improvement.

The plausible Calandria's Veeduría experience has given inspiration and guidance to groups in other countries of the region willing to engage in a comparable undertaking.

### Towards the "Fifth Power"

Born in Spain, Ignacio Ramonet is the editor of the French monthly newspaper **Le Monde Diplomatique** and presently one of the most stern and drastic critics of mass communication media, which he regards as the ideological instruments of globalization to consolidate and expand mercantilism and conservatism for the benefit of mighty minorities. He recalls that for many decades those media were, in democratic settings, rather the tools for the citizens to denounce errors and curtail abuses of the three powers of the political system: the legislative, the executive and the judiciary. In fact, he notes, the press – "the voice of those without voice" – came thus to be regarded the "fourth power", the one in charge of vigilance of the behavior of the other three powers on behalf of society, a sort of "counter-power". In today's globalized world, he contends, that is no longer the case because the hierarchy of power has substantially changed in a direction contrary to democracy: the main power is now the economic one, the second power is the media power and the third in the scale is the political power.

*"Media are behaving in such a manner, Ramonet claims, that they are not any more the corrector of the powers, the moderators of them; today they are operating as a supplementary power. And they are, moreover, functioning as the mortar of the dominant power. Today the dominant power is the economic power and the cement of it is the media*

*power, Political power comes behind...*"<sup>\*</sup> (Ramonet cited by Gonzalez 2004, p. B2). To substantiate this view he points out to the increasing tendency of media to form immense corporations with world reach assisted by the digital revolution which brought about internet that established an entirely new method of communication and eliminated the frontiers among writings, sound and image. These gigantic conglomerates, he adds, acquire media all over the world, press the governments to eliminate anti-monopoly legislation and feel no responsibility at all to contribute to improving democracy or to democratizing communication.

Can the people do anything about this big problem of the neoliberal age?

Ramonet responds as follows: *"It is simply necessary to create a fifth power that enables us to oppose a citizens' force against the new dominant coalition. A fifth power whose function would be to denounce the superpower of communication media, of the huge media groups, accomplices and divulgers of the liberal globalization... In an era of economic globalization and of world-wide re-structuring of communication media up to an unprecedented magnitude, with media property being concentrated in the hands of very few, the critical accompaniment of the media become a central element of democracy... Communication media freedom is only the extension of the collective liberty of expression, the fundament of democracy. As such, it cannot be confiscated by a group of mighty ones. It implies, in addition, a social responsibility and, consequently, its exercise must be, in the last instance, under the responsible control of society."*<sup>\*\*</sup> (Ramonet, 2004, pp. 29, 30)

Aware of the need for some mechanism for society to be able to exert such control over the press, Ramonet proposed at the World Social Forum held in Porto Alegre, Brazil,

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<sup>\*</sup> Translation from Spanish by the author of the present paper.  
<sup>\*\*</sup> Translation from Spanish by the author of the present paper.

in 2002, to establish a **Media Global Watch** international network of observatories because he felt the existing self-regulatory mechanisms are not efficacious only in view of the size of today's challenge. It was approved and a declaration of principles was signed by the initial members of the alliance.

Although Latin America started building such observatories already in 1992, Ramonet's preaching did contribute to increase and accelerate over the last three years the birth and activity of them in the region.

### **Freedom Vis-a-Vis Regulation, Self-Regulation and Social Control**

Regulation of communication by the State is logical and indispensable. However, given that it has often been used often by the governments of Latin America to curtail information freedom, journalists are, for the most, opposite to have the existing regulations changed, not even for up-dating in view of the recent major advancements in communication technology. A considerable proportion of media owners and executives, along with staff writers and union leaders, tend to think that the best regulation is no regulation at all.

Some analysts regard that position an expression of preference for impunity in the name of a freedom that still would only seem to exist for the press but not for the people. Coinciding with Ramonet, the eminent expert in journalism's ethics and self-regulation Javier Darío Restrepo has this to frankly say about the topic: *"The truth is that freedom of the press does not exist, it is a myth. That free journalists exist is a different matter. In those conditions, then, freedom of the press is being used as an excuse to impede that someone exerts control over communication media above all to secure respect for all the*



*rights of those receiving the information.”\* (Restrepo in Herrera Damas, 2005a, p. 92). An another well known specialist in the subject, Germán Rey (2004, p. 4) agrees: “In fact, around freedom of expression a fire screen has been created for all types of lack of responsibility.”\*\**

As for self-regulation, the attitudes of the region’s journalists unfortunately would seem to be, on the average, approximately the following: in reference to honor tribunals of associations, indifference; in reference to the reader’s defender, certain reluctance; and in reference to the more radical observatory, from mild to militant rejection.

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