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Dear Alan,

TERRORISM: ROLE OF THE US MEDIA

1. Since I wrote to you on 9 July, there has been a good deal of coverage in the US press of the Prime Minister's remarks to the American Bar Association about the role of the media in covering hostage crises and terrorism generally. Predictably, US editorial opinion so far either does not favour or does not think it practicable to introduce a voluntary code of conduct for press coverage of hostage situations in the future, whilst recognizing that there definitely were some excesses in the US media's treatment of the TWA hijacking. I enclose a selection of press cuttings to give you the flavour.
2. There continues to be considerable interest here in both how the Administration and the press should deal with terrorism in the future. There may well be some questions to the Prime Minister on this when she visits Washington later this week and gives US breakfast TV interviews and at her informal session with the British press.

Yours an,
Charles

C V Anson

cc: Ms Jean Caines, Deputy Press Secretary, ✓
Number 10

Alan Huckle Esq, BIS New York

W. Post

20. 7. 85.

Covering the Next Hijacking

THE NEWS COVERAGE last month of the TWA hijacking keeps raising questions—sometimes questions with sharp edges—about limits. Nobody thinks the episode at Beirut airport is going to be the last of that kind, and governments regard access to the press and, especially, television to be a powerful weapon in the hijackers' hands. Addressing the American Bar Association's meeting in London last week, Prime Minister Margaret Thatcher called for a voluntary code to "starve the terrorists and the hijackers of the oxygen of publicity on which they depend." The American attorney general, Edwin Meese, was attending the meeting, and he was later asked at a press conference about Mrs. Thatcher's proposal. He cautiously replied that the administration is considering talks with the media on subjects such as delaying publication of information that might delay solutions.

Everyone has agreed, over and over, that the coverage of the hijacking last month was overdone and often tasteless. But the central question is whether it delayed the release of the hostages and increased the danger to them. Our own view continues to be that the television exposure was more likely to have diminished that danger. When the Amal militiamen went on television with their captives, they increased the potential cost to Amal of any subsequent injury to the prisoners. If television is a weapon, it cuts both ways.

And it is not always true, by the way, that terrorism requires the oxygen of publicity to flourish. Seven other Americans have been kidnapped in Beirut by forces so secretive that they have never been precisely identified; nor is it clear that all of their victims are still alive. In those cases, a little more publicity would be welcome.

Talks between press and government people, as Mr. Meese suggests, can be useful. A certain amount of that sort of thing already goes on, most of it informally, which is the only way it should go on. But in the next hijacking most reporters will again consider it their job to tell the public as much as they can find out, save only those details that might increase the hostages' jeopardy.

The unavoidable collision—the one that governments dread—is between the immediate interest in freeing hostages and the broader political and diplomatic purposes that lie less visibly behind the immediate crisis. Press and television inevitably focus on the individuals at the center of the siege, generating waves of public concern for those unfortunate people. That in turn distracts governments and forces them to sacrifice other priorities to get the hostages back. True, that may be damaging to the country. But it is not nearly so damaging, we believe, as the fog of rumor and innuendo that would arise if the public began to suspect that the press were cooperating in suppressing important parts of the story.

REVIEW & OUTLOOK

Taking the Cameras Hostage

Ed Meese and Maggie Thatcher got an empathetic response at the American Bar Association annual meeting in London last week when they suggested that the print and broadcast press should be more restrained in handling terrorism stories.

Shucks yes, folks, we'll take your case, the lawyers replied. William W. Falsgraf, the ABA's incoming president, said he would put two committees on the job right away, seeing what could be done about a "voluntary code" of self-restraint. He said the National Conference of Lawyers and Representatives of the Media and the Special Committee on Cooperation with the American Newspaper Publishers Association will study the issue and report back when the ABA House of Delegates meets again next February. Judging from the initial annoyed reaction of the TV networks, the first problem for the lawyers will be to get in the front door at CBS, NBC and ABC.

All of which raises doubts about whether American lawyers should be turned loose in a place like London, with its fusty inns of court and an "Official Secrets Act" that allows Mrs. Thatcher to slap the wrists of reporters who get too nosy. Just to be sure that American traditions of unfettered public expression don't come under too much influence from the barristers, avocats, avocattos and abogados of old mother Europe, how about a voluntary code restricting future ABA meetings to native soil? But we're digressing.

The point is that there is a debatable premise underlying complaints about terrorism coverage. Mrs. Thatcher believes that terrorists "thrive" on the publicity she would have the news media withhold. Mr. Falsgraf added that, "It is pretty clear that one of the short-run objectives of the terrorists is to obtain publicity for their cause, whatever it might be, to sow the seeds of discord and fear, and to foster disruption in the country that is subject to the taking."

Now there obviously is some truth

to these observations. TV news cameras and political agitators have had a much-discussed symbiotic relationship from the very beginnings of TV. TV producers like action and the agitators like attention. But political atrocities did not begin with the television age, any careful reading of the exploits of Joe Stalin, Adolf Hitler or Genghis Khan will attest. Today's political extremists may enjoy the camera's attention, but they do not necessarily "thrive" on it.

It can be plausibly argued that the main thing the TWA Flight 847 hijackers accomplished was to wake up the American Congress to the danger terrorism represents. It was no accident that just afterward the administration got a burst of congressional support for aiding anti-communist insurgencies. We have so far heard little complaint about the blunt warning the administration sent to Nicaragua's Sandinistas last Thursday, threatening U.S. retaliation if there is any further Sandinista-supported terrorism against U.S. citizens in Central America. Washington's romantic admirers of left-wing revolution have been remarkably subdued since TV gave Americans a firsthand look at how well-trained terrorists do their work.

Mercifully, Mr. Meese and Mr. Falsgraf could see no way to apply legal restrictions to press coverage. Both merely hoped that the press could exercise self-restraint. Let us add on their behalf that some of the TV commentary invited hostile reactions with maundering, faintly sympathetic treatment of the young Arabs having their way with the TWA 847 hostages. Some commentators just can't resist a nice warm guilt bath.

But we can think of no voluntary code that would turn TV anchors or any of the rest of us in the information business into gods of wisdom. Such a code would merely create a legitimate suspicion among viewers and readers that they were being denied information, a suspicion not uncommon, by the way, among jurors when they listen to lawyers conducting court trials. The ABA only wants to help, we're sure, but first it should make a better case that help is needed.

Critic's Notebook

Terrorism on Television: Networks Have Journalistic Responsibilities

By JOHN CORRY

TERRORISM is unlikely to go away; neither is the argument over how it is reported. Prime Minister Margaret Thatcher said last week that news organizations should be urged to restrain their coverage of terrorism. Then Attorney General Edwin Meese 3d took her proposal a step further. He said the White House might ask news organizations to adopt a voluntary code of restraint. This is a terrible idea.

It is terrible for several reasons, one of which is that it wouldn't work. Mr. Meese said that news organizations might be asked to accept "some principles reduced to writing." One principle, for example, could be the withholding of "interviews that might endanger the captives or endanger the successful conclusion of the incident."

Think about this for a moment. How does one determine which interviews do the endangering? Is it more perilous, for instance, to interview a captive who apologizes for his captors, or a former Secretary of State who calls for a retaliatory strike?

And, for that matter, who makes the determination? It is not realistic to expect competing news organizations to do it; it is chilling to think of the Government doing it for them. Either way, I think, Mr. Meese is onto a bad thing.

Meanwhile, note that although Mr. Meese and Mrs. Thatcher spoke of "media," "press" and "news organizations," they were not worried about newspapers or magazines; they were worried about television. Mrs. Thatcher, who had the advantage of a prepared speech (Mr. Meese was responding to questions at a news conference) was more explicit. Democracies, she said, must "find ways to starve the terrorist and the hijacker of the oxygen of publicity on which they depend."

Clearly, Mrs. Thatcher was talking about television: instant communication, universal message, global village. The networks decline to recognize there is a problem here. News executives, anchormen, commentators and correspondents skirt the issue.

They answer criticism of the way they covered the recent hijacking of a Trans World Airlines jet by saying either that they made no mistakes, or that everyone, including, presumably, terrorists, can manipulate television.

This is disingenuous. Television asserts journalism's prerogatives without meeting its responsibilities. The thoroughly undesirable consequence is that a Prime Minister and an Attorney General now talk about finding ways to meet the responsibilities for it. None of this is necessary. Valid criticisms of television would disappear if it practiced responsible journalism in the first place.

There is nothing arcane about this. Mr. Meese is wrong when he speaks of "principles reduced to writing"; there are no Ten Commandments. On the other hand, there are rules of journalism. For television, the unbreakable rule when it covers terrorism ought to be that once is enough. The mindless repetition it now practices serves no purpose.

Few critics quarrel with the way television covers breaking news; it does this very well. When T.W.A. Flight 847 landed in Beirut, it was right that cameras and correspondents were there. It was also right that they were around when the hostages were freed. These were news stories. The problem was what television did in between. It did not cover news stories.

It gave us, for example, Nabih Berri, not once but many times, and usually at length. Mr. Berri, the leader of the Shiite Amal militia, was a legitimate news story, but he ought to have appeared only once on each network. Television gave him a platform when he did not have that much to say.

This led anchormen and correspondents to look for nuance. The United States Ambassador to Lebanon, Reginald Bartholomew, who negotiated with Mr. Berri, was looking for nuance, too. The anchormen and correspondents usurped his role. The proper way to cover Mr. Berri would have been to have correspondents interview him. That's what correspondents are for. Assuming Mr. Berri said something newsworthy, the correspondents would then have reported

it. That way, an editorial process would have been at work.

Television, however, ignored the editorial process. It surrendered journalistic sovereignty by showing whatever it could whenever it could. It may be permissible to show one news conference held by people who hold hostages; it is irresponsible to show them again and again.

Certainly television correspondents have the right to attend any news conference they choose, but their attendance alone does not legitimize the news conference. News is not just something that happens; it is something that must be weighed, balanced and put into context. If a news conference produces news, correspondents, exercising their own good judgment, are supposed to report it. When there is no news, they are supposed to remain silent.

The news conferences in Beirut did not produce news; they produced film. Invariably, however, the film was shown by the networks. Where was editorial judgment? There was none. The Amal, surrogates for the hijackers, produced its own programs.

Meanwhile, the networks have defended this by saying that in showing us the hostages at the news conferences, they kept us abreast of their well-being. It is a pallid defense. The correspondents could have interviewed the hostages, and then told Dan Rather, Peter Jennings or Roger Mudd. Then they could have told us. As it was, television gave us not journalism but pietism. It pretended to be doing something it was not.

There is no reason for any of this. There is no insurmountable problem. Television must only practice journalism, rather than allowing coverage to run pointlessly and dizzily on. Journalism means making intelligent choices. CBS interrupted its regular programs one day to report that the co-pilot of the hijacked jet had an infected spider bite. Meanwhile, whenever the Amal beckoned, all the networks responded. There was no restraint, and little judgment. Now Mrs. Thatcher and Mr. Meese propose correctives. Perhaps this is inevitable, but it is something that ought never to have happened.

Thatcher Urges the Press To Help 'Starve' Terrorists

N.Y.T.

16.7.85

PREM
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By R. W. APPLE Jr.
Special to The New York Times

LONDON, July 15 — Prime Minister Margaret Thatcher, discussing the Trans World Airlines hijacking, told more than 6,000 American lawyers today that news organizations should be urged to voluntarily suppress information that might assist terrorists.

Democratic nations "must try to find ways to starve the terrorist and the hijacker of the oxygen of publicity on which they depend," she said.

Speaking at the opening assembly of the American Bar Association's annual meeting, the largest convention ever held in Britain, the Prime Minister said in her speech at Albert Hall that Britain, the United States and their allies abhorred censorship.

But, she said, "ought we not to ask the media to agree among themselves a voluntary code of conduct, under which they would not say or show anything which could assist the terrorists' morale or their cause while the hijack lasted?"

In Britain, as in the United States, there has been widespread controversy over how the American television networks covered the hijacking last month of the Trans World Airlines jet in Beirut.

Some High-Level Welcomes

The appearance by Mrs. Thatcher at Albert Hall and that of the country's senior legal officer, Lord Hailsham of St. Marylebone, the Lord Chancellor, at another ceremony in Westminster Hall showed how seriously the British are taking this gathering — the largest influx of Americans to this country since World War II.

Before the week is out, the four Inns of Court, the centers of British legal education, will have held lavish receptions for the American visitors, flourishing antique silver and other hoary traditions.

This is a chance for the British to impress and perhaps to influence people who carry considerable weight back home. Equally important, it is a chance for the British tourist industry to make a killing in what is already shaping up as a record year.

Mix of Serious and Fun

Nearly 10,000 lawyers, and a roughly equal number of spouses, friends and children, have checked into 188 London hotels. There is hardly an empty room in London this week. London tourist officials expect the visitors to spend \$40 million in the capital and elsewhere in Britain before the meeting ends Saturday.

Most of that amount will be tax deductible, since the convention is categorized as "an educational experi-

ence." Indeed, for the serious minded, there are plenty of thought-provoking sessions — more than 300 at latest count.

But the schedule also lists an organized pub crawl, which must seem to most Britons a contradiction in terms, as well as a fashion show at a flashy restaurant and a day trip to Boulogne, across the channel in France.

The British newspapers have been running long stories about the convention for several weeks. Many of the articles have reported, with more than a little awe, that the average bar association member earns \$57,000 a year and that the partners in big firms often make \$200,000.

Michael Davie, a columnist for The Observer, a liberal Sunday newspaper, expressed wonderment at the names of some of the firms. Mentioning Haight, Gardener, Poor & Havens of Washington, Mr. Davie said it was "the only time the word 'poor' crops up in the program for the convention."

Perhaps inevitably, people have sought comment from John Mortimer, the barrister and writer, whose "Rumpole of the Bailey" television series has made him Britain's best-known lawyer. His verdict: "It has always been my aim to avoid the company of lawyers whenever possible."

Fourth Session in London

The bar association has met in London three times before, in 1924, 1957 and 1971. The organization likes to come here, said its president, John Shepherd, because "it's a nice place to bring the family" and because of the American bar's links to common law.

Those links came up this morning when Lord Hailsham, bewigged and attired in ceremonial robes, greeted the American visitors in Westminster Hall, a cavernous building in the same complex as the House of Commons that was built by William Rufus, son of William the Conqueror, in 1097.

He reminded the Americans that the law had its frailties and that lawyers made mistakes, recalling that Sir Thomas More, another Lord Chancellor, had in the same hall been "falsely convicted of treason under an unjust statute passed by a homicidal prince on the perjured evidence of his solicitor general."

But the dominant note of the day was the need to combat terrorism, which Mrs. Thatcher described as "a savage threat" to free people.

Seeks Close Cooperation

She said "civilized societies" must learn to work more closely against terrorists, but she made no direct comment on President Reagan's appeal to European countries to halt flights to Beirut. Mrs. Thatcher has said that Britain would do so only if all Common Market countries agreed. The prospects are slim for such agreement.

"We have behind us many declarations and communiqués of good intent," she said in her speech today. "We need action, action to which all countries are committed until the terrorist knows he has no haven, no escape."

At a morning session on terrorism, Home Secretary Leon Brittan appealed to the lawyers for help in stemming American financial contributions to the Irish Republican Army, which has taken responsibility for many atrocities in Ulster and Britain.

He also called on the Senate to ratify a supplementary extradition treaty to encourage the United States to return Irish terrorists to Britain.

W. Post

16.7.85.

Thatcher Tells Media: Starve The Terrorists of Publicity

ABA Hears Her Vow to Thwart Hijackers

By Karen DeYoung
Washington Post Foreign Service

LONDON, July 15—Prime Minister Margaret Thatcher pledged today that Britain would never give in to terrorist demands and called on the news media to adopt a "voluntary code of conduct" that would "starve the terrorists and the hijackers of the oxygen of publicity on which they depend."

In a sharply worded address to thousands of American lawyers gathered here for the American Bar Association's annual meeting, Thatcher said that no hijacked aircraft landing in Britain would be allowed to take off, no prisoners

would be released, and "statements in support of the terrorists' cause will not be made."

Thatcher's remarks concerning the media reflected widespread concern here and in the United States that the extensive coverage of last month's TWA hijacking and seizure of passengers by Moslem extremists in Beirut provided an international platform that encouraged the hijackers.

While she noted that free societies were limited in the controls they could or should place on the press, Thatcher called for a media agreement "under which they would not say or show anything which

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could assist the terrorists morale or their cause."

In an earlier ABA panel discussion today, State Department legal adviser Abraham D. Sofaer voiced the most direct criticism of the media coming from the Reagan administration since the hostages were released. "The hijackers sought publicity," Sofaer said, "and they got it. The world was treated to a media extravaganza that gave irresponsibility and tastelessness a new meaning."

References to the media in both Sofaer's panel statement and Thatcher's speech brought loud applause from the audiences.

More than 10,000 American lawyers are participating in the six-day ABA meeting, the fourth held in London since 1924. The overall theme of the session is "Justice for a Generation." Many of the scheduled panels and discussions are focused on mutual U.S. and British legal concerns, such as trade, investment and tax issues.

But the central issue in the opening sessions was the need to implement existing legal means to prevent and punish international terrorists, and to adopt new methods of dealing with a growing threat.

In a panel discussion on terrorism

led by former vice president Walter F. Mondale, Sofaer said that the United States has filed a "formal demand" that Lebanon take action against those responsible for the TWA hijacking, the holding of the 39 American hostages, and the murder of a U.S. citizen aboard the plane.

Sofaer said that U.S. Attorney General Edwin Meese, who was attending the sessions, "will determine when to file a formal demand for extradition" of the hijackers.

U.S. officials have indicated that, based on intelligence information, media reports during the crisis and interviews with the released hostages, at least some of those who participated in the hijacking have been identified.

Reports from Beirut last week that several suspects had been detained there subsequently were denied by the Lebanese government.

Asked whether U.S. authorities had moved to secure an indictment prior to an extradition request for persons believed responsible for the hijacking, another panel participant, FBI Director William H. Webster said that such action would require "a grand-jury process."

Webster said such a procedure would be secret, and he could not say whether one was under way.

[Justice Department officials in Washington confirmed that inves-

tigation of the hijacking is being conducted by the Washington field office of the FBI and that evidence will be turned over to the U.S. attorney's office for presentation to a grand jury.]

Webster said "these are sensitive times right now," and he could not comment on whether the United States had provided Lebanon with any information, based on its own investigation, to assist in locating the hijackers. "I think the less we say publicly . . . the greater probability exists that [the Lebanese] will take their own action," he said.

While acknowledging skepticism, Sofaer said "we cannot know in advance that an effort to arrest the hijackers is bound to fail. Lebanon is a complex place . . . a good result could come about through circumstances we cannot now entirely anticipate."

In the absence of such result, he said, the United States would be "faced with the option of seeking action" under a resolution adopted by western industrialized nations in 1978 summit in Bonn. That resolution, he said, calls on the seven governments to "take immediate action to cease all flights" connected with any country that refuses to prosecute or extradite hijackers or to return a hijacked aircraft.

Thus far, Western Europe has resisted administration appeals to

join in sanctions against Beirut Airport and the Lebanese national airlines. "However persistently we pursue this course," Sofaer acknowledged, it is a difficult one, depending on seven nations, "each with independent interests and views."

"I'm sure that some if not most of you are thinking at this point: forget about law; let's just go in there and get the killers," Sofaer said, adding that the United States under existing international law is "entitled now to use necessary and proportionate force to end such attacks" and that "force will play its part."

"But the possible use of force should not distract us from the role that law can play in this struggle," Sofaer said. He called for the creation of "meaningful enforcement mechanisms" for existing antihijack agreements; amending the Bonn declaration to provide specific and swiftly imposed sanctions, and action to "overcome the reluctance even of civilized nations to extradite terrorists."

Thatcher praised U.S. efforts to end Irish-American support of the Irish Republican Army, saying, "We are also most appreciative" of a new accord between the two countries that would end U.S. prohibitions against extraditing those whose alleged offenses are classed as "political."

Richard Cohen

Patriotism and the Press

William Westmoreland sued CBS over a question of fact—the alleged falsification of statistics. William Tavoulaareas, the former president of Mobil Oil, sued The Washington Post over a question of fact—whether he “set up” his son in business. But the debate over media coverage of the TWA hostage crisis is not about facts at all. It is about patriotism. It is alleged the media ain't got any.

This is something new under the sun. Until recently, critics of the press have questioned its accuracy, its taste, sometimes its sanity, but almost never its allegiance. If anything, the press has been accused of being jingoistic, of fanning chauvinism just to boost circulation.

Now, though, the press is faulted for being insufficiently nationalistic. Its critics point out that it interviews hostages and their captors with nary the suggestion that there is a moral difference between them and that, worse, it allows itself to be used by terrorists who supposedly want nothing more than publicity.

The latter argument, in fact, was recently made by Margaret Thatcher. The British prime minister told the American Bar Association that the press ought to agree among themselves to a “voluntary code of conduct under which they would not say or show anything which could assist the terrorists' morale or their cause.” These remarks were ap-

plauded by the assembled lawyers, who, apparently, have delegated the chore of thinking to lower-paid associates. She didn't explain how an editor in Washington could judge the “morale” of a freaked-out terrorist in, say, Beirut.

Let us dispose of some matters right off. First, while it is true that terrorists use the press, it is true that everyone uses the press—Thatcher and the ABA included. Second, no one—including the all-knowing Henry Kissinger—knows what he'd do if terrorists produced a blindfolded hostage, put a gun to his head and demanded immediate network coverage. What then, Mrs. Thatcher?

It is a lot harder, however, to dispose of the suggestion that what ails the media is a lack of patriotism. The problem with this accusation is that it touches on values. It suggests that the one the press holds dearest—pursuit of the news—conflicts with other, even more important values: respect for life, the primacy of U.S. interests. But the accusation goes further than that. It suggests that the press does not even recognize this clash of values, that its primary and only allegiance is to something called “the story.”

Of course, as with anything, exceptions abound. During the TWA crisis, for instance, the press withheld the military identification of some hostages, hoping to keep them out of greater danger. And there is no doubt that if the government had made a

compelling case that national security was at stake, the press would have tailored its coverage.

But the government made no such case. Instead, critics afterward faulted the press for doing its job, for complicating things for everyone and, in the end, for allowing the terrorists to have a propaganda field day—although it's not clear that any minds were changed. Starting with Kissinger attempting an imitation of the Incredible Hulk and ending (maybe) with Thatcher's call for self-censorship, a whole lot of people joined an anti-press picket line to echo the words of an old union song: Which side are you on?

But the question is a cheap shot. It presupposes that journalistic and American values are in conflict, that the former are not part of the latter and that there is something un-American about providing information. Worse yet, the criticism shows contempt for your average American sitting in your average easy chair, watching the news on television. It's as if the critics believe forced statements of some hostages will destroy public support for U.S. policy.

A hostage situation may or may not be a national crisis (after all, seven Americans remain captive). Terrorism may or may not be a new kind of warfare. But if the press has to prove its patriotism by either censoring itself or colluding with the government, then any fanatic can wield awesome power. With only a gun a free press can be taken hostage.

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