

## **Chapter 5**

### **Censorship, Not ‘Self-Censorship’**

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The debate about Section 31 has never been purely theoretical. There are murderous people who mouth democratic and libertarian sentiments while plotting to do whatever may be necessary to get their own way. They have hatred in their hearts and blood on their hands, and they are prepared to manipulate the media in order to achieve their objectives. It is the responsibility of self-respecting journalists to disclose that reality to the public, as much as it is also their responsibility to interrogate the powerful organs of state.

Journalists ought to be activists for the truth, regardless of their own opinions about the political options facing society. However, not everyone who has a view on Section 31 is able to see far beyond the prism of their particular prejudice or political inclination. Journalists who let personal agendas distort or supersede their responsibility to tell the truth are betraying their profession. There is a difference between opposing Section 31 because its existence might hinder the advancement of a particular party or cause, and opposing Section 31 because it inhibits an understanding of the truth.

In my opinion, any journalist worth her or his salt will support the freedom to choose whom to interview or to quote when reporting known facts. I will say more later about ‘truth’, ‘professionalism’ and ‘facts’ as concepts. But, first, I wish to consider how, in practice, Section 31 impinged for years on the freedom of choice of journalists working in Irish broadcasting.

#### **The chilling effect of Section 31**

When I joined RTÉ in 1977 there was no choice in respect of recording or transmitting certain kinds of interview. Under Section 31, journalists and producers at the station were

forbidden to interview members of Sinn Féin or of certain other organisations, even if it was believed that the inclusion of such interviews in a report was necessary to tell the full story, and even if what the members of those organisations had to say did not constitute an incitement to violence. During the following years, as I worked as a reporter / presenter on various radio and television programmes, there were times when the ban on such interviews seemed particularly ludicrous.

For example, I recall one particular occasion in east Belfast, when I sat in a working men's club with a group of tough dockers who were Protestants. I had gone to interview them about the operation of the Prevention of Terrorism Act, under which Irish people travelling between Britain and Ireland were liable to be detained without charge and questioned at length. These particular dockers had fallen foul of the legislation, having been detained at a port in England, and were recounting their experiences to me.

But when is there smoke without fire? Were these men perhaps involved in activities other than the loading and unloading of ships? Having heard their stories of arrest and alleged intimidation, I explained patiently to them the significance of those provisions of the law in the Republic of Ireland, known as 'Section 31', and asked each of them if he were a member of one of the proscribed organisations. As I included not only loyalist groups but also the IRA and Sinn Féin in my list, at least I got them to laugh. They denied being members or spokespersons of any of the listed bodies. Never! So that was alright then? No, of course it was not. They might have been lying. But I was covering my back to an extent as I intended to include some of the interviews in the programme that I was making. RTÉ might still unwittingly break the law when it transmitted my interviews if it turned out that any of the people included was in fact associated with one of the organisations against which the current Section 31 Statutory Order was aimed. I had no way of being certain that someone whom I interviewed had not previously been convicted of certain charges, or been otherwise openly associated in the past with particular organisations. Such a fact might have been reported in some Belfast newspaper, at some time, or be widely known in a local community. This could easily be the case, and the risk of missing something was even greater for a reporter based in

Dublin, such as myself, than it was for one based in Northern Ireland. You could be sure that there were listeners or viewers out there, with their own political agendas and contacts, who would know or find out and who would not be slow to complain about my ignorance and about RTÉ's breach of Section 31. Then, some RTÉ editor would turn to me as the RTÉ reporter involved and I could plead that at least I had asked the particular interviewees about their possible membership of the proscribed organisations. Even exhaustive research in the form of lengthy background check could never be exhaustive enough to preclude the possibility of error.

Considerations such as those just outlined had a chilling effect on the inclination of individual broadcasters to make programmes or reports dealing with controversies in Northern Ireland, or dealing with cross-border issues that might otherwise have included the participation of a member of one of the banned organisations. Moreover, what professional wants to do less than what he or she believes is required? No good journalist is happy to exclude material that ought to be in a story. Avoiding trouble by excluding actual or possible members of proscribed organisations was deeply unsatisfactory in circumstances where one felt that their contribution would add to the quality of any particular story. In any event, who wants to have to explain to dockers the niceties of Irish censorship law and to leave oneself open to chargers as a reporter that 'you should have known' that a certain interviewee was a notorious member of a certain organisation?

There were a number of options for any journalist coping with the restrictions imposed under Section 31. As already indicated, you could avoid stories about Northern Ireland altogether. This happened frequently in the case of journalists who were not actually assigned to work there. Or you could make stories about only certain aspects of society and politics in Northern Ireland, where you did not see a need to include people who might be considered spokespeople for particular organisations. This happened too, and it meant that whatever was going on inside poor and working-class communities, was even more inadequately reported than otherwise. Perhaps 'The Troubles' would never have become as bad as they did eventually had certain frustrations and injustices been openly reported and faced sooner. In such circumstances, an unhappy reporter might also

convince her or himself that certain interviews were ‘not really necessary’. This is a formula of words of which young journalists should beware. When an editor asks, ‘Is that really necessary?’ it too often means, ‘for God’s sake go and find some other way to tell the story that does not make trouble for me’. One can internalise that attitude and begin to steer clear of circumstances that mitigate against an easy life for oneself. At the end of the day, what is ever ‘really necessary’? The appropriate response to the question is another question, ‘What will really make the best report?’

### **Compliance versus resistance**

Given that Section 31 could be frustrating and awkward for journalists, it is fair to ask why there was not more opposition to it by working journalists and producers within RTÉ. Why did individuals such as myself not break it deliberately by including banned interviews in transmitted reports? I think that the answer is substantially threefold. Firstly, there was massive political support across the spectrum for Section 31. Secondly, there were many workers in RTÉ who saw no great harm in the provision, as well as some who even actively approved of it in practice. Thirdly, if you did break it then RTÉ, your employer, would have no choice in practice but to sack you for having broken the law. Few people relish the prospect of losing their job.

Each of the three reasons that I have given for the failure of workers within RTÉ to oppose Section 31 more vigorously is worth further consideration. In relation to the level of political support for Section 31 outside RTÉ, it ought to be remembered that a statutory instrument had to be laid before the Oireachtas annually renewing the list of prescribed organisations. At that point, each year, politicians had an opportunity to speak out against the provision. Few did so, and even those who did wasted little time on it because they recognised the broad level of support that it enjoyed. People who blame Section 31 on Conor Cruise O’Brien have a very simple view of its history. He had the intellectual courage to defend it, when others before or after him who were responsible for the broadcasting brief in Cabinet and who maintained Section 31 were less assertive of its merits. O’Brien did not introduce the section and, in fact, amended it as the relevant Minister by insisting that the proscribing Order must be specific and must be brought

back to the Dáil every year to face possible rejection by the whole House.<sup>1</sup> The earlier row about the imprisonment of RTÉ's Kevin O'Kelly, and the sacking of an RTÉ Authority, had exposed at that time the undesirability of letting ministers have vague powers in relation to matters of freedom of expression, although it must be said that opposition to the continuation of such powers had never been sustained and widespread in Dáil Éireann.

It is hardly surprising to find that the sentiments of people working within RTÉ mirrored those of the politicians in Dáil Éireann when it came to paramilitary organisations and their political fronts. While the station and the trade unions objected occasionally to Section 31, many individuals were not particularly exercised about it. And some of those who were exercised about it appeared to be exercised in its favour. During my years at RTÉ, I became for a period what is known as 'The Father', or chairman, of the Programmes Chapel of the National Union of Journalists. I found no great appetite among its members, or indeed among the membership of another union representing many producers, for industrial action aimed at drawing public attention to the existence of the gagging Order known as Section 31. Occasionally, there was a flutter of pickets, especially when journalists in Britain were objecting to the efforts there to impose a less restrictive but somewhat similar measure on United Kingdom broadcasters. Periodically, too, RTÉ newsreaders or reporters would announce on air that particular reports had been compiled under Section 31 restrictions. Some RTÉ programme-makers made minor protests by letting politicians know that they were not including them in a report because a spokesperson from some relevant but proscribed organisation could not also be included. But such measures were not consistently applied or maintained and never made much of an impact on the politicians or on the public.

As someone who always opposed Section 31, I found it quite frustrating that a number of journalists appeared to fear that by campaigning to repeal the provision they would be facilitating the work of men and women of violence. Certainly, any responsible journalist cannot but worry when providing a platform for the views of those who might subtly or not so subtly incite others to acts of violence. But I believe that the truth ultimately sets

us free from error and delusion, and that it is better to hear all sides in a debate. At the same time, journalists ought not to lose sight of the need for robust questioning from a democratic perspective when interviewing the kinds of people against whom Section 31 was ostensibly intended to be aimed, namely those who will resort to violence as a matter of policy when persuasion fails and who readily ignore the democratically expressed wishes of the majority.

### **The ‘Stickie’ factor in RTE**

I could at least understand the concerns of those colleagues in RTÉ who were worried, should journalists succeed in having the ban lifted, that their interviewing of members of the IRA and other organisations might somehow be turned by their interviewees into a means of inciting violence and mayhem. Indeed, given some of the weak interviewing of members of formerly proscribed organisations when Section 31 was later actually lifted, those worriers may have been right to be worried. However, what I found especially unpalatable was the manner in which a small number of RTÉ journalists and producers seemed quite content, in practice, to have Section 31 remain in force because it impacted most directly on ‘The Provos’. These particular RTÉ employees were sympathetic to ‘Official’ Sinn Féin. The ‘Provos’, or ‘Provisionals’, were those sections of Sinn Féin and the IRA, which in December 1969, had split from the ‘Officials’ in an ideological dispute about tactics. The ‘Officials’ espoused an openly Marxist analysis of Irish society, north and south, and abandoned the long-standing Sinn Féin policy of electoral abstentionism. The ‘Provisionals’ believed that their former colleagues’ interest in parliamentary politics had led to the movement’s neglect of military matters and that this neglect had been vividly exposed during the disturbances of August 1969, when the IRA was not adequately prepared to defend Catholic areas of Northern Ireland against sectarian attacks. Those who remained in ‘Official Sinn Féin’, subsequently the Workers Party, were known as ‘Stickies’ because the particular token distributed annually in return for a donation to one of their collectors on the street, was self-adhesive and did not require a pin like that of the old-fashioned and reactionary Provos. The ‘Stickies’ were active in RTÉ, and in other state-owned organisations, during the period in the late 1970s and early 1980s when I was employed by the station.

Members of the ‘Stickies’ in RTÉ were generally unhelpful to those who wished to see effective industrial action against Section 31, although some of them (and the party that they supported) occasionally expressed verbal opposition to Section 31 and admitted that its existence might falsify political debate. Those who were unhelpful in practice were neither the first nor the last to let their politics interfere with their professionalism. Notwithstanding a certain amount of socialist rhetoric, their views were not noticeably radical, and this was so particularly on issues such as Northern Ireland, industrialisation and the environment. Their views often seemed quite indistinguishable from mainstream political opinion. For a while, they helped to create a broadcasting climate that was unfavourable to the calm consideration of strong nationalist sentiments. In this respect, they may have been well intentioned in that they wanted greater attention paid to the opinions of those on the island of Ireland who hold unionist opinions and who define themselves as British. They also played a useful role in focussing critical attention on any tendency on the part of media personnel in the Republic of Ireland to treat unionists as fundamentally unreasonable or wrong. However, the best antidote to such a tendency is fairness and balance, not some kind of remedial bias. In my opinion, one result of the ignoring of unpalatable nationalist sentiments was that RTÉ seemed ill-prepared to contextualise and interpret the level of support for the H-Block hunger strikes when Bobby Sands and his colleagues died in 1981.

A number of the supporters of the ‘Stickies’ in RTÉ benefited personally from the fact that they did not rock management’s boat on Northern Ireland or on certain other issues. To put it another way, as I did some years ago, ‘the ban has created a conservative climate which has impeded the progress of some journalists or producers with moderate nationalist views’.<sup>2</sup> The progress of people with moderate nationalist views would have been even more impeded had they taken it upon themselves individually to break the law and to transmit interviews prohibited under Section 31. This did not happen, with one somewhat ambiguous exception. In 1988, a reporter who contravened RTÉ management’s interpretation of Section 31 did not have her contract renewed. The particular circumstances of Jenny McGeever’s case as it unfolded muddled matters of

principle with editorial, legal and industrial relations issues and never became a satisfactory cause around which the opponents of Section 31 might ultimately rally.<sup>3</sup>

### **Calling the shots**

McGeever was not the first broadcaster to fall foul of the provision, and an earlier case also illustrates the fact that governments would broach no ambiguity about their wishes in the matter. In 1982, a producer and presenter called Gavin Duffy had arranged for Gerry Adams and Danny Morrison of Sinn Féin to come to Dublin to take part in a discussion that was to involve also a live link-up with Ken Livingston of the Greater London Council. Duffy's programme was being made for Radio Leinster, an unlicensed or 'pirate' broadcaster that employed him. This was six years before the Oireachtas finally passed legislation to licence a range of radio and television stations other than the state-owned RTÉ, Ireland being one of the last states in western Europe to permit competition in broadcasting. At the time, regular transmissions by a number of 'pirates' were being tolerated by the state, partly to please younger voters by providing more popular music on the airwaves and partly to serve local communities with local news. When the Radio and Television Act of 1988 was later passed it extended the provisions of Section 31 to all new licensed stations, but at the time of Gavin Duffy's programme the section only applied to RTÉ.

While it was an offence to broadcast without a licence, there had been no determined and sustained effort to shut down Radio Leinster or other pirates provided they did not interfere with frequencies used by emergency services or did not annoy authorities in the United Kingdom by deliberately attempting to attract audiences in that jurisdiction. However, the Irish authorities were alarmed when it became clear that Gavin Duffy intended to interview Gerry Adams and Danny Morrison. A letter from the Department of Posts and Telegraphs was delivered to the station by a messenger in a black Mercedes. The Department was reported to have warned Radio Leinster not to transmit its planned programme. The station's directors immediately cancelled the programme and sacked Gavin Duffy. Duffy stated publicly that he had seen the letter and that it warned that any such broadcast as that intended would be taken into account in deciding who might



eventually be awarded licences to broadcast under future legislation. He claimed that his bosses wished to convince those whom they had described as ‘the right people’ that they intended to operate within the law as much as possible so that they might eventually get a licence.<sup>4</sup> The action by Radio Leinster served to remind those who supported or worked for unlicensed radio stations that these particular ‘pirates’ yearned for conformity and that their projection of a rebellious image was calculated to garner listeners rather than push out any boats when it came to current affairs. Employees like Gavin Duffy did not enjoy the potential support of large trade unions. However, employees of RTÉ did. So, why then, did RTÉ employees not take a stand on Section 31?

If RTÉ employees had swept aside both the shrinking violets and the ‘Stickies’ and had downed tools in protest, might a government of the day have decided against continuing its Section 31 provisions? Unions do not often decide to strike for matters of principle disconnected from their salaries or terms of employment. The consequences of their doing so in relation to Section 31 must remain an intriguing ‘What if?’ It is probable that any government would have seen such a strike as a direct challenge to its authority and would have been determined not to be seen to give in. Nevertheless, realistically, it might have been prepared to agree an interpretation of the annual statutory instrument that was less restrictive than that which operated within RTÉ. The agonising twists and turns of the policy of the National Union of Journalists towards Section 31 have been set out elsewhere, and that account indicates that a recurrent restraint on action was the fear that, if they silenced the airwaves in protest, its members could be accused of censorship themselves.<sup>5</sup>

The annual Order under Section 31 directed RTÉ to ‘refrain from broadcasting any matter which is an interview, or report of an interview, with a spokesman for any one or more of the following {named} organisations’. The word ‘interview’ was interpreted as meaning any recorded voice, even if it was that of a member of a listed organisation just reading a statement. Yet, the ‘report of an interview’ was not taken to exclude a broadcaster indirectly reporting a statement by a member of a listed organisation made to the general public. Any RTÉ employee who might be tempted to invite a member of one

of the listed organisations to record a statement to the public solely for the sake of then quoting it was skating on thin ice. Nor was it ever considered possible to use the voices of actors in the mouths of proscribed persons being interviewed, as happened in Britain when somewhat similar legislation was introduced. This was because RTÉ considered such a ruse to constitute the reporting of an interview. And actors were out too when it came to reading statements. Why statements could be reported, but not carried when delivered by spokespeople or dubbed by actors, was never entirely clear, for it was only interviews and reports of interviews that were explicitly banned. In later years, the Order was amended to include a specific prohibition on ‘a broadcast by any person or persons representing...Sinn Féin or the organisation styling itself Republican Sinn Féin’. This appeared to seal off the possibility, never utilised, of transmitting a recorded statement by these organisations. That this amendment referred only to two of the listed organisations was distinctly odd but reflected the political reality that the two organisations were thought to pose the greatest threat to the Irish state and the real possibility of their being entitled to airtime for party political broadcasts had arisen.

What might constitute a ‘broadcast’ by Sinn Féin raised some unforeseen issues. On one occasion I was covering an election count in Enniskillen, for RTÉ, when Sinn Féin supporters began to chant one of their slogans in the background. The fact that we were live on air at the time possibly constituted a technical breach of Section 31 as it then stood. Another word in the annual Section 31 Order that was certainly open to more than one interpretation was ‘spokesman’. It was clear that this also included ‘spokeswomen’, in line with the normal interpretation of legislation. But it was not clear why it should include mere members, whether speaking about political or non-political matters. Yet, RTÉ interpreted it in that restrictive fashion. They seemed to feel that it could prove impossible in practice to know for certain whether or not a member of one of the organisations was acting as a spokesperson.

One other area where industrial action might have led to greater clarification was in respect of the sweeping provision that the ban extended to ‘any organisation which in Northern Ireland is a proscribed organisation for the purposes of Section 21 of the Act of

the British Parliament entitled the Northern Ireland (Emergency Provisions) Act, 1978'. The Oireachtas had written a blank cheque for the parliament of another jurisdiction (imprecisely referred to as 'British' rather than that of the United Kingdom), and this was certainly unusual if not unique in the history of Irish censorship regulations. I recall asking the late John Kelly of Fine Gael, sometime Attorney General and author of a seminal text on the Irish Constitution, if he did not suspect that the latter part of the ban was unconstitutional. He answered that he did not, although it must be added that he himself supported Section 31.

RTÉ management believed that their conservative interpretation of the annual Order conformed with the wishes of successive governments. The station took the view that discretion was the better part of valour in attempting to campaign against Section 31. Given that there was widespread political support for Section 31, management feared that a less restrictive interpretation might draw down the wrath of Dáil Éireann on the station's head and lead to the introduction of even harsher measures. As I wrote in *Fortnight* magazine in 1992, RTÉ management had been given to understand that the station was under threat from successive ministers: 'The threat was that if it did not read the government's intent accurately then it would face even more restrictive legislation'. The extent to which RTÉ remained very cautious even in the period immediately after the decision not to renew the Section 31 Order in 1994 was reflected in its newly updated guidelines for employees. These were more restrictive than those then circulated by the Independent Radio and Television Commission to non- RTÉ stations.<sup>6</sup>

### **Political censorship not self-censorship**

Some critics have seen evidence of what they call 'self-censorship' in RTÉ's conservatism, and especially in its willingness to appeal certain legal challenges to its interpretation of Section 31, as well as in the failure of its employees to oppose RTÉ's interpretation more robustly. While it is true that other interpretations of the annual Order were theoretically possible, it is also the case that RTÉ lives in a world of real politics and it is quite unrealistic to expect a publicly funded broadcaster to defy aggressively what it perceives to be the broad political consensus on a matter of legal interpretation.

To accuse RTÉ of self-censorship seems to me to distract from the fact that Section 31 was a form of overt political censorship. It was censorship by the state, not self-censorship. RTÉ could have done more to oppose Section 31, but neither RTÉ nor its employees were to blame for its continuation.

In 1994, shortly before a government decided for strategic reasons not to renew the annual Order under Section 31, Michael McDowell, who later became Minister for Justice, argued in a newspaper article that Section 31 was ‘not an issue of censorship’. He added, ‘It is not a question of the state trying to prevent us from knowing what the Provos think’. He described the provision as ‘simply a refusal by the state to allow Sinn Féin access to the airwaves because Sinn Féin is not an ordinary political party but is an “integral part” of the IRA, as the Supreme Court has found’.<sup>7</sup> His open and honest defence of Section 31, like that by Conor Cruise O’Brien on other occasions, is useful in helping us to understand precisely why the overwhelming majority of politicians long supported that provision. It was the mainstream political establishment, not merely mavericks such as McDowell or O’Brien that piloted and maintained Section 31. Any demonisation of such individuals by opponents of Section 31 allows quieter, cuter or more cowardly members of Fianna Fáil, Fine Gael, Labour and the Progressive Democrats off the hook of responsibility for the measure. On 25 May 1983, the Fianna Fáil leader, Charles Haughey, described Section 31 as ‘unnecessarily restrictive’; but within hours his party’s spokesman announced that this did not mean that Haughey favoured lifting the ban in any way! Nor did he lift it, in practice.

The political censorship of Section 31 was effectively supported by all of the major parties, albeit tempered by occasional expressions of reservation by individual politicians. They were probably terrified and enraged at the prospect of seeing their own features mirrored on the television, reflected in the expressions and words of spokesmen for Sinn Féin. Their own parties had long subscribed to policies on Northern Ireland that were virtually indistinguishable in content and rhetoric from those of Sinn Féin and the IRA. If they had softened their voices over the years, their words on paper still expressed old

sentiments. So, they found it difficult to counter some of the passionate arguments of Sinn Féin, and they dreaded the emotions that these might inflame at times of crisis.

Beyond that, and for good reason, they regarded the IRA as a straightforward threat to the democratic authority of the Republic of Ireland. Most societies provide for limitations on the right of freedom of speech when the state is threatened, and political parties supported Section 31 in that context. It is easy to forget in times of peace, or in societies where there are no serious civil disturbances, just how fragile the social fabric can be when political emotions run high and violence breaks out. I remember on one particular occasion giving a guest lecture on 'Free Speech and the IRA: the Irish Dilemma' to students and staff at Simon Fraser University in Vancouver, British Columbia. The Irish experience was so far removed from that of western Canada that I sensed a complete failure on the part of the audience to grasp how democratic politicians might ever find it necessary to ban certain organisations from the airwaves. They had no concept of what all the fuss was for.

One thing that long irked broadcast journalists in Ireland, was the fact that Section 31 targeted only the airwaves. Journalists objected that if the IRA and other organisations such as Sinn Féin were a grave threat then it was illogical to stop broadcasters from working with them while allowing their interviews to be carried by the print media and allowing some proscribed organisations that were not even overtly paramilitary to organise freely and to recruit new members. Sinn Féin, for example, was never banned and it has long published its own polemical paper. However, politicians were clearly convinced that the impact of speaking on radio and television was of a special magnitude. They were voting with their feet, and their statutory instruments, when it came to an assessment of media effects theory.

### **Rising to the challenge post Section 31**

When the Oireachtas did decide, finally, to discontinue the annual banning Orders under Section 31 and then to repeal the section itself, it did so *not* because it was converted anew to the principle of unfettered freedom of speech but because repealing Section 31 was a means of enticing Sinn Féin to participate in the 'peace process' and to sign up to

the Good Friday Agreement. A measure that had been defended for years as a vital weapon in the armoury of the democratic state suddenly became a bargaining chip. Only when the electorates north and south were poised to vote in favour of a policy that embraced consent before unification, as they proceeded to do once referenda on the Good Friday Agreement were held, was it regarded as safe by most politicians to tamper with Section 31. If this attitude itself was politically inconsistent and not a matter of principle (if not unprincipled), there were not many journalists who were going to object. Now, broadcasters had what they had been looking for, which was an opportunity to exhibit their professionalism in the manner in which they interviewed members of organisations who had previously been banned from the airwaves.

There were immediate expressions of concern about how some broadcasters rose, or did not rise to that challenge. For example Paddy Woodworth soon wrote that, ‘This was the week in which all the nightmares of those who support Section 31 came true’.<sup>8</sup> Opinions still vary on the extent to which broadcast journalists have adequately questioned and reported on those people and organisations that were banned from the airwaves under Section 31.<sup>9</sup>

Today, the onus is on broadcasters to ensure that they apply the same professional criteria to interviewing members of the formerly proscribed organisations as they do to any other interviewee. The term ‘professionalism’ has been rightly interrogated by the political Left because it is sometimes used as a shield behind which class or sectoral interests hide or perpetuate unjustified privileges. But ‘professionalism’ can also be a badge of honour, worn by those who absorb the collective wisdom of generations of workers in a particular field. Those generations have deduced a method of responding appropriately to recurrent challenges or problems. One thing in particular that journalists learn is that just about everyone has something to ‘sell’, and that it is necessary to treat all interviewees with a certain scepticism if the truth is ever to come out. Allowing oneself to be overawed by ideological or paramilitary credentials is not a wise option for those who wish to be honest journalists rather than political acolytes.

Journalists aspire to the truth. From long before the moment that Pontius Pilate faced Christ and asked ‘What is truth?’<sup>10</sup>, thinkers in various cultures have speculated about that elusive concept or construct. That we continue to debate the matter implies that we believe that there are, at the very least, higher and lower levels of relative truth. It is a part of the job of journalists to aspire to the highest possible level. This should mean, for example, that a broadcaster does not permit paramilitary sympathisers to use radio or television to advance a series of complaints about the state unless the broadcaster also obliges them to face unpalatable facts about the organisations of which they themselves are members. This is so even if such facts are said by some to be ‘unhelpful to the peace process’, or even if the reporter senses an underlying danger that he or she may be punished for the persistent questioning of bullies by being denied access to an organisation’s spokespeople in the future, or by more direct action.

Journalists face the daily challenge of negotiating media organisations and making professional judgements about what they perceive to be facts. While ‘facts’ are sacred, it is obvious that no two people may agree on what precisely are the most salient ‘facts’ to include in any particular media report. Journalists must swim in the sea, while others speculate about its ultimate nature. They negotiate treacherous waters, in which everyone from politicians to fashion models, and from media personnel to academics, are ‘constructing’ some interpretation of the facts. In this sea of relative subjectivity, journalists develop a practical appreciation of just how many degrees of truth there are. All have a better chance to show just how truthful and fair and professional they can be in the service of the general public since Section 31 ceased to operate as a mechanism of censorship.

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<sup>1</sup> See chapter by Conor Cruise O’Brien.

<sup>2</sup> Nally, D. ‘The ban and toeing the line in RTÉ’ in *Sunday Tribune*, 20 January 1991.

<sup>3</sup> O’Meara, A. ‘Journalists at odds as RTÉ faces unravelling of Section 31’ in *Sunday Tribune*, 27 March 1988.

<sup>4</sup> Anon. ‘Pirate radio producer sacked’ in *Irish Times*, 24 December 1982.

<sup>5</sup> Horgan, J. ‘Journalists and Censorship: A Case History of the NUJ in Ireland and the Broadcasting Ban 1971-1994’. *Journalism Studies*: 3 (3) 2002, 377-392.

<sup>6</sup> MacCoille, C. ‘How airwaves opened up for Sinn Féin’ in *Sunday Tribune*, 23 January 1994; Connolly, F. ‘Broadcasters oppose RTÉ guidelines’ in *Sunday Business Post*, 6 February 1994; Kenny, C. ‘Section 31

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and the Censorship of Programmes' in *Irish Law Times and Solicitors' Journal*, n.s. xii (no 3), March 1994, 50-52.

<sup>7</sup> McDowell, M. 'Section 31 is not an issue of censorship' in *Sunday Tribune*, 9 January 1994.

<sup>8</sup> Woodworth, P. 'Broadcasters fall into line as Adams calls the media tune' in *Irish Times*, 5 February 1994. Also see Drapier, 'Men of violence winning airwaves battle', in *Irish Times*, 9 April 1994.

<sup>9</sup> See chapter by Farrel Corcoran.

<sup>10</sup> John 18:38.