

Human writes: The media's role in war propaganda

This article by Liz Harrop argues that by filtering communications and compromising access to contrary views, war propaganda is capable of violating human rights, including freedom of information, freedom of expression, freedom from discrimination, and freedom of the press. War propaganda is illegal under international human rights law. The article focuses on the United States of America and the United Kingdom, particularly in relation to the ongoing conflict in Iraq. And it concludes by stressing that media professionals should consider their role – not just in exposing human rights violations – but in perpetuating their own.

States wage war in the name of peace and democracy. Yet war propaganda can violate human rights and undermine the democratic principles it seeks to champion. Despite this it is rarely acknowledged, by the media, governments, or even anti-war campaigners, that war propaganda is illegal under international human rights law.

To date there is no legal precedent accusing government officials or media professionals of disseminating war propaganda. However, media workers have been tried by the International Criminal Tribunal for Rwanda (ICTR), which has provided important precedents for incitement to genocide. In the case of Georges Ruggiu, a journalist and broadcaster with Radio Television Libre des Milles Collines, the judgment found Ruggiu 'played a crucial role in the incitement of ethnic hatred and violence, which RTLM vigorously pursued'.¹

According to the International Council on Human Rights Policy, 'The central questions in (the ICTR) are these: Can journalism kill? And at what point does political propaganda become criminal?'²

These questions also apply to the role of media professionals in war propaganda. These violations may not be as extreme as Rwanda's radio broadcasts, but may still undermine

human rights principles including the right to freedom of information, the right to freedom of expression, the right to freedom from discrimination and the freedom of the media themselves.

Propaganda needs a medium

Governments are not obliged to reveal every detail of their military operations. Indeed the UN human rights treaty, the International Covenant on Civil and Political Rights 1966 (ICCPR)³ allows governments to restrict many rights including freedom of information during a declared 'State of Emergency'.

However, the guidelines for governments operating within a state of emergency can be unclear in international law. In communication terms, this results in a blurry division between appropriate censorship and unjustifiable withholding of information; between appropriate restrictions of freedom of expression and the unsanctioned silencing of dissenting voices.

It is not just governments that are responsible for the machinery of propaganda. Effective war propaganda selects which voices and messages are legitimate and undermines contrary views or information. Successful war propaganda, therefore, requires a media which are unwittingly manipulated by governments, or which are a willing party to its propaganda.

How propaganda violates human rights

Through its prohibition in Article 20 of the ICCPR⁴, war propaganda is an acknowledged opponent of human rights. Ironically, many wars, including the present Iraq conflict, are fought based on an agenda of combating human rights abuses or diffusing a threat to global peace and security.

The ICHRP (2002) has expressed concern over the misuse of human rights concerns in war propaganda, stating: 'Governments and other authorities have often used human rights to manipulate or inflame public opinion, particularly when they are involved in wars.'⁵

Freedom of information and expression

Freedom of information and freedom of expression are inextricably connected: without the freedom to express information, there can be no access to a diversity of information sources. Likewise, without the freedom to access information, creative thought and the formulation of an informed opinion is not

possible. Freedom of information and expression are also a vital component for the realisation of other rights. Access to information is a prerequisite of the right to education outlined in Article 13 of the International Covenant on Economic, Social and Cultural Rights (ICESCR).⁶ In addition, without access to information on political parties, and the ability of political parties to express their opinions, a democratic voting system can not operate. Article 25 of the ICCPR therefore talks about 'guaranteeing the free expression of the will of the electors'.

As Denis McQuail (1991: 71) summarises: '...democratic political process ... requires the services of public channels of communication; the full concept of citizenship presupposes an informed and participant body of citizen.' War propaganda limits the availability of facts, context and transparency of political motivation. Such information, were it available, would allow objective judgments to be made. For example, in allowing citizens to answer the question: 'Is the desire of our government to go to war valid and necessary?'

The media, therefore, have a crucial role in refusing to parrot the government line and in uncovering hidden facts. Article 1 of the 1978 Declaration on Fundamental Principles concerning the Contribution of the Mass Media to Strengthening Peace and International Understanding, to the Promotion of Human Rights and to Countering Racism, Apartheid and Incitement to War (Declaration on Mass Media) reinforces this point:

The strengthening of peace and international understanding, the promotion of human rights and the countering of racism, apartheid and incitement to war demand a free flow and a wider and better balanced dissemination of information. To this end, the mass media have a leading contribution to make.⁷

Freedom from discrimination

Article 2, paragraph 1 of the ICCPR protects an individual's freedom from discrimination 'without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status'. The effects of war propaganda, however, are inherently discriminatory. In order to 'make the enemy thoroughly hated' (Williams 1992: 157) and predispose the public to war, the enemy must

be characterised as worthy of destruction.

War propaganda, therefore, encourages ignorance and creates a climate of prejudice and fear. Violations of the human rights of the opposing side may be tolerated as being necessary to the war effort, for example targeting civilians and the torture of detainees. Meanwhile racial prejudice, discrimination and suspicion on home soil thrive, for example, in the treatment of detainees under the British anti-terrorism legislation, which the UK Special Immigration Appeals Commission found to be unlawful and discriminatory.⁸

Peoples and their leaders are polarised as 'good' and 'evil', which pre-supposes a moral right to wage war on (or 'liberate') the enemy, and which attempts to establish the crusade of civilising goodness as a higher norm than respecting the rights of alleged 'evil-doers'. For example, Tony Blair's comment on the Kosovo war of 1999 that it was not just a military campaign 'it is a battle between Good and Evil; between civilisation and barbarity' (see Knightley 2002: 507).

Lee Wigle Artz and Mark Pollock (1997: 121) analysed the caricatures that accompanied the 1991 Gulf War, commenting:

The singular demonisation of Hussein was accompanied by commonplace images of other Arabs – including US allies – as incompetent, weak, self-centred and incapable of diplomacy in their own region...The corollary, of course, was another powerful commonplace: the righteousness of a civilized Western world courageously defended by US soldiers. These images had little subtlety or variation.

Marginalising the voice of dissent

Violations of freedom of expression and freedom from discrimination combine in branding dissenters among the domestic population and international community as traitors who are unworthy of being heard. For example, in the US, Pulitzer Prize winner Seymour Hersh was accused of being a media terrorist by Pentagon advisor Richard Perle for opposing the 2003 Iraq war⁹. Meanwhile Defense Secretary Donald Rumsfeld categorised France and Germany as 'old Europe'¹⁰ for their unwillingness to support a war with Iraq and according to the US Administration, the UN 'risked irrelevance'¹¹.

The disapproval and silencing of dissenting voices is therefore officially sanctioned and encouraged. As a result, dissenters may be less willing or able to air their views due to factors including popular opinion, being publicly discredited by officials or having lack of access to media willing to carry their views. This applies equally to members of the public, journalists, academics and politicians.

As Edward Herman (1992: 11) explains a 'greatly underrated constraint on freedom of speech is dissenters' lack of access to the mass media, and thus to the general public. Their freedom is in an important sense only a personal freedom with limited public and social significance'.

Even where two opposing views are given, this may still be unsatisfactory in human rights terms. David Detmer (1995: 96-100) outlines the 'both sides' ideology whereby journalists invite debate by illustrating two sides of a story. Detmer comments: 'Members of the audience... are not encouraged to consider the possibility that both sides might share important points in common and that these points might be precisely those standing most in need of being challenged.'

Freedom of the Press

Under the various UN Human Rights treaties, states carry the responsibility for ensuring freedom of the press. This has a legal basis in, for example, Article 19 of the ICCPR on freedom of opinion and expression and Article 15 of the ICESCR which concerns the right to take part in cultural life including steps necessary for 'the diffusion of science and culture'.

Supporting the right to freedom of the press is often in conflict with the aims of the state, which may wish to dominate media output to protect state power. Government control is of paramount importance in time of war. However, it is at exactly this time when the media can be dependent on government for access to information. The dilemma facing media is played out in the roles of unilateral versus embedded reporters, whereby the embedded reporters exchange their independence for access to information and army protection, while unilateral reporters enjoy both the benefits and disadvantages of going it alone.

One of the most famous unilateral reporters, Robert Fisk, has been criticised by embedded

journalists for jeopardising media access through disobeying army instructions. For example in the first Gulf War of 1991, Fisk discovered that fighting remained in the Iraqi town of Khafji long after the US-led forces claimed it was liberated. He was harshly criticised by an NBC-TV pool reporter of whom Fisk said: 'For the NBC reporter, however, the privileges of the pool and the military rules attached to it were more important than the right of journalists to do their job.' (Knightley op cit: 492)

Some journalists are explicit in their support for the government. In the Iraq war 2003 for example, Fox News took an openly pro-war stance in its new output, despite its seemingly ironic strapline of 'We report, You decide'. During the conflict, Oliver North, infamous for his role in the Iran/Contra affair of 1987-88 and an embedded commentator for Fox News, said: 'You're an American before you're a journalist.'¹²

For media reporters who do not comply, governmental pressure attempts to encourage their cooperation. Paul McMasters, of the Freedom Forum, comments: 'Federal officials, after all, have what journalists need: the news. A journalist's usefulness to her news organization flames out if she burns a source by complaining about the ground rules, let alone resists abiding by them.'¹³

Media deaths

The most devastating blow to freedom of the press is the deaths of the many journalists who have lost their lives reporting war. There have been allegations that media 'murders' on the battlefield are used, in the words of the BBC's John Simpson, as 'the ultimate act of censorship'¹⁴ in the war propaganda process.

The International Press Institute (2003) reported that 'some observers claim that they had been targeted as media workers'¹⁵ and *Independent* journalist Robert Fisk said 'I suspect they were killed because the US ...'decided to try to "close down" the press'¹⁶. This amounts to an extremely grave charge, which would violate both international human rights law and international humanitarian law under the Geneva Conventions.

Protocol 1 of the Geneva Conventions relating to the Protection of Victims of International Armed Conflicts contains measures for the protection of journalists in Article 79. This

considers journalists to be civilians and therefore affords special protection including 'general protection against dangers arising from military operations' and they 'shall not be the object of attack'¹⁷.

The Iraq war has had tragic consequences for the media. According to Reporters Without Borders, 67 journalists and media assistants have been killed since the start of fighting in Iraq in March 2003, and two are still missing¹⁸. The lives of media are also threatened because under the genocide convention, governments are required to 'prevent ... direct and public incitement to commit genocide'¹⁹. This is also reflected by Article 3 of The International Convention concerning the Use of Broadcasting in the Cause of Peace.

Context

In order to avoid subjectivity and the presentation of a narrow viewpoint, the media it could be argued, should provide context and analysis over and above simple news briefings. Contextualising news is an important but often missing part of contemporary news reporting. In terms of reporting around a war, this could include reminding audiences of how power balances have shifted over the years so that once allied regimes are now branded as enemies. Likewise, valuable political context, about what a state has to gain from war, over and above the righteousness of the moral high-ground would provide valuable background.

John MacArthur, publisher of *Harper's Magazine*, identifies a particular problem for the United States. He explains: 'Americans live in a perpetual present. This is the country with the shortest attention span in the civil world, and it is a cultural problem. We don't know anything that happened six months ago much less 20 years ago when we supported the Afghan resistance and Bin Laden against the Soviet Union. No one remembers that we were Saddam's ally and supporter during the Iran-Iraq war. Nobody remembers.'²⁰

The continual flow of short news pieces, although large in quantity can be short on quality and are unable to relay deeper meaning and context. As Philip Taylor comments on TV coverage of the Iraq war: 'Discerning the truth is complicated, if anything, by the incessant television coverage from Iraq; news comes in so fast that we barely have time to evaluate its wider meaning before the next images fire in.'²¹

Noam Chomsky argues that the very structure of the media is designed to induce conformity to established doctrine. Chomsky says (1989: 10): 'In a three-minute stretch between commercials, or in seven hundred words, it is impossible to present unfamiliar thoughts or surprising conclusions with the argument and evidence required to afford them some credibility. Regurgitation of welcome pieties faces no such problem.'

These welcome pieties form what Chomsky calls 'the basic presuppositions of discourse'. In the case of the US, these include the assumption that foreign policy is guided by a benevolent 'yearning for democracy' in the face of aggressors (ibid: 59). These presuppositions allow the media to gloss over uncomfortable facts and to paint out grey areas. Such grey areas, would require deeper explanations and would risk boring or unsettling viewers seeking an instant news summary and confirmation of their belief system.

News segments are designed to be short, sharp and sexy and to educate the audience instantaneously. To help meet this objective, news reporting may be sensationalised so that its messages are more obvious and immediately digestible. In any number of news items, consumers are given a black and white version of grey reality where selected facts paint an impactful, morally simplistic picture. This applies whether it is a celebrity divorce or a war.

Acts of omission

Context, or lack of it, is therefore a key factor in media bias. However, bias and distortion in media reports is not just about the presence of false information, it is also about their absence. A 2001 report by media watchdog, Fairness and Accuracy in Reporting²², found that the evening newscasts of the three commercial broadcast networks in the US (ABC, CBS and NBC) had deliberately avoided discussing the effects of bombings of civilians in the 2001 Afghanistan war. The study claimed that network journalists failed to inquire about the numbers of casualties, nor did they discuss the legal implications of these bombings. Instead, they communicated the civilian casualties as a regrettable but justifiable consequence of America's military retaliation or as unverifiable Afghan propaganda.

The media's attribution of the source of stories

is also problematic because as long as the media attribute their story to a source and quote that source accurately, they are being 'truthful'. It could be argued that a journalist or media outlet does not have the resources or time to cross-check every single report or quote given to them by an official spokesperson and that to do so would hinder the news-making process so much as to make it commercially uncompetitive.

According to David Gordon, attribution is not an acceptable media practice without verification of the facts. Says Gordon (1999: 86): 'The media ... have the responsibility to assess the validity or truth of the information they disseminate ... (to) allow readers, listeners and viewers to reach their own conclusions.'

However, Daniel Hallin sees attribution not as a violation of duty, but as a positive norm of media ethics. Talking of the Vietnam war, he comments (1994: 50): 'It was not simply the use of official sources which gave officials so much influence over news content. It was the fact that the norms of objective journalism required the journalist to pass on official information without comment on its accuracy or relevance.'

Censorship of media by media

Who carries the responsibility for fair and accurate reporting? Is it the journalists themselves, their editors or media owners and what is the impact of stakeholders such as consumers and advertisers? The different motivations and pressures applied to the media in censorship of wartime news is a complex one, involving different actors and ethical frameworks.

The interplay between all these groups means that the final media output has been influenced by a manifold of different sources. Therefore holding the individual author to moral or legal account for an act of omission or commission may not be realistic.

John MacArthur believes the Iraq War 2003 was 'the most self-censored war in history', arguing: '95% of the war coverage was beside the point. It had nothing to do with the war. It was trucks rolling down the highway ... boxes being loaded and unloaded, GIs talking about feeling lonely.'²³

Journalists may opt for self-censorship for a variety of reasons including personal loyalty as an embedded reporter, patriotism, to best-

ensure promotion, or simply from a weight of official pressure. CNN's top war correspondent, Christiane Amanpour, commented on the Iraq war: 'My station was intimidated by the administration and its foot soldiers at Fox News. And it did, in fact, put a climate of fear and self-censorship, in my view, in terms of the kind of broadcast work we did.'²⁴

Many media proprietors are guilty of censoring their journalist's work and opinions. For example in the Iraq war 2003, MSNBC's Ashleigh Banfield was openly critical of the war's sanitised media coverage. The *Hollywood Reporter* noted that NBC News president Neal Shapiro 'has taken correspondent Ashleigh Banfield to the woodshed' for a speech in which she criticised the networks for portraying the Iraq war as 'glorious and wonderful'. An official NBC spokesperson later told the press: 'She and we both agreed that she didn't intend to demean the work of her colleagues, and she will choose her words more carefully in the future.'²⁵

Meanwhile pro-government media apply pressure by rallying against media which display rebel tendencies. For example, the *Sun* newspaper in the UK turned on the BBC, *Guardian* and *Mirror* during the 1982 Falklands conflict, accusing the *Mirror* and BBC of treason because of their war reporting. Speaking also of the Falklands, Phillip Knightley (op cit: 481), comments: 'Some newspapers contributed as a matter of policy. They supported the government all the way, even to the extent of attacking other newspapers or television programmes that expressed the slightest reservation about Britain's actions. This helped create a climate in which to dissent was little short of treason.'

The flip side to the resistance of censorship is the desire for censorship, with some journalists preferring explicit censorship rather than self-censorship at their own discretion. Kevin Williams (op cit: 161) discusses the Vietnam war, in which it is widely believed there was less formal censorship than in other wars. An increase in self-censorship during the war, he says, proved that many journalists preferred censorship being 'uncomfortable with taking the responsibility for what they wrote'.

Commercial concerns

The unattractiveness of 'un-newsworthy' information and the short, sharp format of news coverage, both prohibit the

contextualising of news output and are largely governed by commercial concerns. The need to satisfy an audience with a short attention span and to maximise audience numbers and advertising revenue can therefore be barriers to accurate reporting. With commercial factors taking prevalence, Kevin Williams (ibid: 166) comments that in a competitive mass media market 'truth must take second place to the swift production of copy'.

The ICHR (2002) has expressed its concern over the influence of commercial factors in journalism, saying: 'Driven by new technologies and the lure of lucrative mass markets, media owners are themselves guilty of upsetting the balance of interest between journalism as an instrument of democracy and its exploitation as a tradable commodity.'²⁶

With exactly this kind of situation in mind, the Vienna Declaration on Public Broadcasting 1993, outlined a range of measures to ensure media freedom, including in paragraph 10: '... the abolition of monopolies and ... of all forms of discrimination in broadcasting and frequency allocation, as well as the abolition of all barriers to the launching of new private media outlets'.

Conclusions

The issues surrounding the prohibition of war propaganda are complex. From a legal perspective they involve problematic arguments about the legality of war, the declaration of states of emergency, the ratification, reservations and reporting on the ICCPR and the domestic codification of an internationally illegal practice.

The media, meanwhile, at the behest of commercial, governmental, ethical and legal influences and responsibilities, attempts to find a balance (or not) between them. A whole range of rights, including freedom to information and expression, freedom from discrimination, academic freedom, freedom of the press and even the right to life, are interwoven with the prohibition of war propaganda in an intricate web of mutually supporting human rights.

One of the roles of a free press could be to educate the public about its role, particularly in a state of emergency, when freedom of information is threatened. In this way it may be possible to confront the prejudice encountered by the 'voice of dissent' discussed above. War

reporter, Peter Arnett, believes this is a valid role for the press. Arnett reported from the Iraqi side during the 1991 Gulf War and was heavily criticised. Phillip Knightley (op cit: 493) recounts: 'On his return to the United States Arnett defended his role, saying that the media was partly to blame for the negative reaction because it had not educated the public about the function of a free press in wartime.'

The importance of freedom of the press can not be underestimated as a moderator of social injustice, including war propaganda. As Denis McQuail (1997: 70) concludes: 'The most practical instruments for protecting freedom and combating tyranny have involved using the means of communication to claim rights, criticise power-holders, advance alternatives.'

Notes

- 1 Paragraph 50 of the judgment of International Criminal Tribunal for Rwanda, The Prosecutor versus Georges Ruggiu, 2000. Available online at <http://www.ict.org/default.htm>, accessed on 25 August 2005
- 2 International Council on Human Rights Policy (2002) *Journalism, Media and the Challenge of Human Rights Reporting*, Switzerland, p16 quoting Marlise Simons, *International Herald Tribune* 'Trial examines war crimes free speech and journalism' 5 March 2002
- 3 The ICCPR has 152 State Parties as at 9 June 2004. Available online at <http://www.unhchr.ch/pdf/report.pdf>, accessed on 9 September 2005
- 4 '1. Any propaganda for war shall be prohibited by law. 2. Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.'
- 5 International Council on Human Rights Policy, *Journalism, Media and the Challenge of Human Rights Reporting* p 90
- 6 The ICESCR has 149 State Parties as at June 2004. Available online at <http://www.unhchr.ch/pdf/report.pdf>, accessed on 25 August 2005
- 7 Article 1 Declaration on Fundamental Principles concerning the Contribution of the Mass Media to Strengthening Peace and International Understanding, to the Promotion of Human Rights and to Countering Racism, Apartheid and Incitement to War 1978 http://www.unhchr.ch/html/menu3/b/d_media.htm, accessed on 9 September 2005
- 8 In 2002, the UK Special Immigration Appeals Commission judges found there was a public emergency justifying the derogation from Article 5 of the ECHR -- allowing people to be detained without charge or trial -- but found that the derogation was unlawful and discriminatory because the new powers only concerned foreign nationals. The judgment means a core part of the Anti-Terrorism, Crime and Security Act is contrary to the ECHR. See <http://www.liberty-human-rights.org.uk/issues/terrorism.shtml>, accessed on 25 August 2005
- 9 Danny Schechter, *The Media Channel, The Link Between The Media, The War, And Our Right To Know*, 1 May 2003. Available online at <http://www.mediachannel.org/views/dissector/moveon.shtml>, accessed on 25 August 2005
- 10 BBC News Online, Plain-speaking Rumsfeld strikes again 12 March, 2003. Available online at <http://news.bbc.co.uk/2/hi/americas/2843311.stm>, accessed 25 August 2005
- 11 Tarik Kafala, BBC News Online Analysis: Does the UN risk irrelevance? 5 March, 2003. Available online at http://news.bbc.co.uk/2/hi/middle_east/2823149.stm, accessed on 25 August 2005
- 12 How Fox is Winning the War, *Chicago Tribune*, 17 November 2003. Available online at <http://www.chicagotribune.com/news/showcase/chi-0304040059apr04.story>, accessed on 25 August 2005
- 13 Quoted by Robert Jensen, CommonDreams.org, News Media Industry's Criticism of Iraq Coverage Reveals Deeper Problems

- with Mainstream Journalists' Conception of News, August 4 2003
- 14 Quoted by Ciar Byrne, *Media Guardian* US soldiers were main danger to journalists, says Simpson, 27 June 2003. Available online at <http://media.guardian.co.uk/iraqandthedia/story/0,12823,986601,00.html>, accessed on 25 August 2005
- 15 International Press Institute, *Caught in the Crossfire: The Iraq War and the Media*. Available online at <http://www.freemedia.at/IraqReport2003.htm>, accessed on 25 August 2005
- 16 Robert Fisk, CounterPunch, Did the US Murder Journalists? 29 April, 2003. Available online at <http://www.counterpunch.org/fisk04292003.html>, accessed on 25 August 2005
- 17 xvii Article 51 of Geneva Convention relating to the Protection of Victims of International Armed Conflicts
- 18 Reporters Without Borders http://www.rsf.org/rubrique.php3?id_rubrique=20, accessed on 9 September 2005
- 19 Text from Articles 1 and 3 of Convention on the Prevention and Punishment of the Crime of Genocide 1948. Available online at http://www.unhchr.ch/html/menu3/b/p_genoci.htm, accessed on 25 August 2005
- 20 John MacArthur, Censorship And The War On Terrorism, 27 September 2001. Available online at <http://www.mediachannel.org/views/interviews/macarthur.shtml>, accessed on 25 August 2005
- 21 Philip M. Taylor, *Washington Post*, Credibility: Can't Win Hearts and Minds Without It, 30 March, 2003. Available online at <http://ics.leeds.ac.uk/papers/vp01.cfm?outfit=pmt&requesttimeout=500&folder=40&paper=45>, accessed on 9 September 2005
- 22 How Many Dead? Major networks aren't counting, 12 December 2001. Available online at <http://www.fair.org/activism/afghanistan-casualties.html>, accessed on 25 August 2005
- 23 Interviewed in Channel 4 Television The War we Never Saw 5 June 2003.
- 24 USA Today Amanpour: CNN practiced self-censorship, 14 September 2003
- 25 As quoted by Danny Schechter, The Media Channel, The Link Between The Media, The War, And Our Right To Know. Available online at <http://www.mediachannel.org/views/dissector/moveon.shtml>, accessed on 25 August 2005
- 26 International Council on Human Rights Policy, *Journalism, Media and the Challenge of Human Rights Reporting*, p xv

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