

PUBLIC DIPLOMACY AND THE TRANSFORMATION OF INTERNATIONAL BROADCASTING

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In *Media and Sovereignty*,¹ I described a variety of elements that, together, compose a foreign policy of media space. In this article, I focus on one of the instruments of such a policy, namely international broadcasting. Until the events of September 11, 2001 and the war in Afghanistan, there was precious little public attention to the place of international broadcasting in the armament of external influence. Scholarly treatment of international broadcasting has recently lagged.² But international broadcasting encapsulates many of the conflicts and difficulties that are central to understanding the need that one society may feel to shape the information space of another. We shall see the struggle to harmonize goals of “objectivity” with the need to act as an effective instrument of propaganda, the potential split between advancing national policy and acting as a credible journalistic enterprise and the tension between promotion of favorable regimes and the nourishment of dissent. International broadcasters have a range of styles, and additional styles are now emerging. Among these are the power purposefully to alter the mix of voices in target societies, to affect the composition of their markets for loyalties, to destabilize, to

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Kenneth Donow and Alan Heil were helpful in reading and commenting on drafts.

¹ MONROE E. PRICE, *MEDIA AND SOVEREIGNTY: THE GLOBAL INFORMATION REVOLUTION AND ITS CHALLENGE TO STATE POWER* (2002).

² For treatments of legal questions raised by aspects of international broadcasting, see Leo Gross, *Some International Law Aspects of the Freedom of Information and the Right to Communicate*, in NATIONAL SOVEREIGNTY AND INTERNATIONAL COMMUNICATION 208-9 (Kaarle Nordenström and Herbert I. Schiller eds., 1979). See Bhagevatala Satyanarayana Murty, *PROPAGANDA AND WORLD PUBLIC ORDER: THE LEGAL REGULATION OF THE IDEOLOGICAL INSTRUMENT OF COERCION* (1968), *reissued as THE INTERNATIONAL LAW OF PROPAGANDA* (1989); David Marks, *Broadcasting Across the Wall: The Free Flow of Information between East and West Germany*, J. COMM. 33, (1983); see also JOHN L. MARTIN, *INTERNATIONAL PROPAGANDA: ITS LEGAL AND DIPLOMATIC CONTROL* (1958). Much of this material is cited in Stephen D. Krasner, *Global Communications and National Power: Life on the Pareto Frontier*, 3 WORLD POLITICS 43, 336-466, 344 (1991) to support his argument that the few international agreements that deal with international broadcasting “are filled with the kind of confusing and contradictory language that betrays underlying disagreements about principles and norms.” Legal issues are also canvassed in Jamie Frederic Metzler, *Rwandan Genocide and the International Law of Radio Jamming*, 91 AM. J. INT'L L. 628 (1997).

help mold opinions among their public and otherwise to assert “soft power” for the purposes of achieving the national ends of the transmitting state.

After September 11, there is something else. All of a sudden, “hearts and minds,” the mental and emotional kilns in which hatreds are stoked and positive attitudes formed, burst forth as a meaningful and urgent battleground for large scale state concern. After the attack on the World Trade Center and the Pentagon, the debate on the significance of a “clash of civilizations” was no longer confined primarily to academic institutions. It became clear that military responses were insufficient to counter reservoirs of intensely inculcated belief that nourish future terrorists or aggressors against the West. As part of any broader strategy, the U.S. and other states would be required to be actively involved in the way opinions across the world toward the West and its policies were shaped.

Increasingly, political figures paid close attention to the mix and content of voices in other states, concentrating on the power of media, to be sure, but also examining such previously off-limits areas as the nature of religious education and the policies of leadership in tolerating or quietly reinforcing harshly anti-Western speech. The discovery that minds were being honed over years in ways unseen and unanticipated, in ways that could convert individuals into instruments of violent destruction forced a response. The United States and others re-examined the role of public diplomacy, including international broadcasting, as tools in a long process of counter-education and counter-programming.³

In this article, I review transformations of international broadcasting as an element of the foreign policy of media space, focusing

³ Gary Rawnsley has made this distinction:

Public diplomacy and media diplomacy are frequently used as interchangeable terms. [But] public diplomacy is specifically targeted at a mass audience, based on the supposition that public opinion can exert considerable influence on their governments and political systems . . . Media diplomacy is much more selective and aims to address a particular government or regime directly with a view to persuading it to modify its diplomatic position or behavior.

Rawnsley uses the following example:

BBC broadcasts in English targeted at the Soviet Union during the Cold War were never ‘jammed’ . . . This suggests that the Kremlin, complete with its own monitoring organization, depended upon the BBC as a reliable source of diplomatic news, information and intelligence and, of course, as a means by which the Soviets could learn how they and their policies were being presented and received in the West.

Gary Rawnsley, *Media Diplomacy: Monitored Broadcasts and Foreign Policy* 4 (1996). One example of a study of this process, marked by its reliance on the work of Herbert Schiller is Fred Fejes, *Imperialism, Media and The Good Neighbor: New Deal Foreign Policy and United States Short-wave Broadcasting to Latin America* (1986).

particularly, though not exclusively, on the United States. I conclude with a discussion of the impact of September 11. But to understand the limits and discourse in which immediate pressures to change take place, other transformations must be reviewed. These include the changes brought about by the end of the Cold War, the domestic pressures to transform international broadcasting as a fiercer tool of surrogacy, the responses to the ethnic conflicts before the turn of the century, and the implications of changed technology.

I. HISTORIES AND DEFINITIONS

International broadcasting is the elegant term for a complex combination of state-sponsored news, information, and entertainment directed at a population outside the sponsoring state's boundaries. It is the use of electronic media by one society to shape the opinion of the people and leaders of another. It involves what was once with pride called propaganda.⁴ The Voice of America, Deutsche Welle, and the BBC World Service are the best-known exemplars, but the practitioners are legion. Lines, of course, are blurred. Newer satellite services are often linked to government or regional policy but are not "state-sponsored" in the literal sense. There are those who argue that CNN is an instrument of U.S. hegemony, consciously or unconsciously, but it is not an international broadcaster in the club-like definition of the term. Similarly Al Jazeera has been described as bearing the heavy bias of its regional political setting, but it is not state-sponsored nor does it appear to be state-financed.⁵

The category is not defined by the technology of distribution. International "broadcasters" have traditionally used shortwave radio as a dominant mode of distributing their signals, but now many technologies, including FM, Internet, and satellite to home, are involved. A line is usually drawn between "international broadcasters" that are transparently such and so-called "clandestine" or "black" radios, instruments of information transfer that are secretly sponsored by governments, intelligence agencies, or state-linked political movements. There are varying styles in international broadcasting, a British style, a French style, and one or more American styles (reflecting the division between U.S. sponsored broad-

⁴ See MARTIN, *supra* note 2.

⁵ See Fouad Ajami, *What the Muslim World is Watching*, NEW YORK TIMES MAGAZINE, Nov. 18, 2001, at 48.

casters).⁶ These differences in style track broadcasting histories, varying foreign policy objectives, responses to the nature of societies targeted, political involvement at home, and deep-seated domestic cultural proclivities.

Histories of international broadcasting often seek to answer—usually inconclusively—whether international broadcasting accomplished or assisted in the accomplishment of the goals assigned to it.⁷ Accounts of the effectiveness of international broadcasting are often told through justificatory memoirs and rarely by the disaffected.⁸ The claims of achievement among the most avid believers are expansive. A book by Michael Nelson, former chairman of the Reuters Foundation, eloquently summarizes the position of many who support international broadcasting and are confounded by the under-appreciation of radio as a tool in altering the global political landscape. Nelson asks rhetorically, “Why did the West win the cold war? Not by use of arms. Weapons did not breach the Iron Curtain. The Western invasion was by radio, which was mightier than the sword. ‘Those skilled in war subdue the enemy’s army without battle,’ wrote Sun Tzu.”⁹ Among the contrarians, a former

⁶ These questions of style touch on ways the American approach to international broadcasting is different, for example, from that of the United Kingdom. United States international broadcasting was evolving into a cluster of aggressive broadcasters with specific sectoral managements. There are those who favored a television broadcasting system that emulates the BBC World Service as a unified source of reliable, factual, and dispassionate information over this cluster approach. Also, under its latest reorganization, the VOA, together with the external radios, are subject to the Broadcasting Board of Governors, as indicated, many of whom are political appointees. Many of the members in the 1990s were advocates of the ethos of surrogacy and policy driven radio on the VOA. One member was appointed to protect Radio and TV Marti in order to assure that the Cuban exile community was served.

The advocates of a unified “objective” broadcaster also consider that the pressure to transform into the surrogate function and to have a specific national political objective is destructive to the ability of the VOA to perform its functions. They consider that the proliferation of radios leads to the gratuitous duplication of resources and the use of those resources in ways that compromise the “objectivity” of the United States international broadcasters.

⁷ See ELZBIETA OLECHOWSKA AND HOWARD ASTER, CHALLENGES FOR INTERNATIONAL BROADCASTING V (1998); DAVID M. ABSHIRE, INTERNATIONAL BROADCASTING: A NEW DIMENSION OF WESTERN DIPLOMACY (1976); PHILO C. WASBURN, BROADCASTING PROPAGANDA: INTERNATIONAL RADIO BROADCASTING AND THE CONSTRUCTION OF POLITICAL REALITY (1992). There are many books that deal with these questions. See, e.g., MICHAEL NELSON, WAR OF THE BLACK HEAVENS: THE BATTLES OF WESTERN BROADCASTING IN THE COLD WAR (1997); PHILIP M. TAYLOR, WAR AND THE MEDIA: PROPAGANDA AND PERSUASION IN THE GULF WAR (1992); W. LANCE BENNETT AND DAVID L. PALETZ, TAKEN BY STORM: THE MEDIA, PUBLIC OPINION AND U.S. FOREIGN POLICY IN THE GULF WAR (1994); YOEL COHEN, MEDIA DIPLOMACY: THE FOREIGN OFFICE IN THE MASS COMMUNICATION AGE (1986); JAMES O.H. NASON, INTERNATIONAL BROADCASTING AS AN INSTRUMENT OF FOREIGN POLICY, (1977); OLIVE RENIER AND VLADIMIR RUBINSTEIN, ASSIGNED TO LISTEN: THE EVESHAM EXPERIENCE 1939-1943 (1986).

⁸ See Mark Hopkins, *A Babel of Broadcasts*, 44 COLUMBIA JOURNALISM REV. (1999).

⁹ See NELSON, *supra* note 8.

Voice of America correspondent criticizes those in Congress who think, “simplistically that United States broadcasts of otherwise unavailable news and information poison authoritarian regimes and fertilize the intellectual, if not revolutionary soil so that western democratic ideals and free markets will blossom.”¹⁰ In 1927 Harold Lasswell wrote: “The truth is that all governments are engaged to some extent in propaganda as part of their ordinary peace-time functions. They make propaganda on behalf of diplomatic friends or against diplomatic antagonists and this is unavoidable.”¹¹

The Voice of America, through World War II, was the symbol of U.S. international broadcasting. In the post war era, as a response to the Cold War, a group of U.S. citizens, with CIA backing and ultimately virtually full CIA funding, the surrogate radios, then called Radio Free Europe (targeting Central and Eastern Europe) and Radio Liberation (targeting the Soviet Union) came into existence. For a very long time, the Radios maintained that they were wholly independent of the government, privately funded, and, until the issue was forced, the government denied its clandestine relationship to it. Later, the Radios merged (Radio Liberation became Radio Liberty) and the federal government acknowledged its financing role. The advantages of the two (increasingly similar) styles—VOA “full service” broadcasting (largely telling America’s story to the world) and the Radios’ highly targeted surrogate style (narrating for the targeted society an account of events transpiring there)—have been debated in Congress for several decades, and this intensified when resources became scarcer in the post-Soviet period.

The depth of public interest in international broadcasting is cyclical. In the early 1960s, President Kennedy sought to build up Voice of America broadcasting for the “peaceful evolution” of socialist countries. The President aimed to make the broadcasts “leap national borders and the oceans, the ‘Iron Curtain’ and stone walls, in a life-and-death competition with communism.”¹² A U.S. Congress report then noted, “Radio broadcasting is a most valuable means of promoting foreign policy. . . . We need to re-acknowledge the strategic role of broadcast stations, considering our strategic superiority, to conscientiously reappraise radio broadcasting. . . . Radio broadcasting is the only way to overthrow socialism.”¹³ During one of the many congressional subcommittee discussions con-

¹⁰ See Hopkins, *supra* note 8.

¹¹ HAROLD D. LASSWELL, *PROPAGANDA TECHNIQUE IN THE WORLD WAR 14* (1927).

¹² *China Accuses BBC of Launching “Invasion ZHONGLIU”*, Beijing, June 12, 1999.

¹³ *Id.*

cerning support for Radio Free Europe, Representative Edward J. Derwinski stated that "the American people must be educated to think of the radios as weapons?albeit nonlethal?key elements in our national security."¹⁴

The Cold War was a time when international broadcasting raised specific issues of negotiation, unilateralism, and multilateral agreement in affecting media space. When the use of ideologically inspired radio broadcasting was at its height in the Cold War, the United States maintained a strong condemnation of radio-jamming technology in many contexts, a legal position that still exists and is invoked. Jamming is the blocking of programming through co-channeling on the same frequencies or the "deliberate use of interfering radio signals sent from one or more transmitters to garble emissions from other transmitters in order to make them unintelligible at reception."¹⁵ The United States and the West generally claimed that their right to broadcast putatively objective radio programs abroad meant that an interference with these transmissions was a breach of international law in terms of both specific radio conventions and broader rights of free expression.¹⁶ With respect to the older technologies, the Soviets and the Cubans had quite a different understanding. To them, and to many developing countries, state sovereignty precluded such undesirable foreign transmissions, and jamming was, and for Cuba remains, an often-used countermeasure.¹⁷

The legal status of jamming has been much discussed, especially in connection with Radio Marti and disputes between Cuba and the United States over the legality of US broadcasts and subsequent retaliations.¹⁸ In the case of Cuba and the United States, legal relations were established by the North America Radio Broadcasting Agreement (NARBA), which became effective in 1960. It is a "treaty among certain North American countries providing a system of priorities and engineering standards designed to

¹⁴ Jon T. Powell, *Towards a Negotiable Definition of Propaganda for International Agreements Related to Direct Broadcast Satellites*, 45 LAW & CONTEMP. PROBS. 3, 25-6 (1982).

¹⁵ JOHN B. WHITTON AND ARTHUR D. LARSON, PROPAGANDA TOWARDS DISARMAMENT IN THE WAR OF WORDS 210 (1964).

¹⁶ See MARTIN, *supra* note 2, at 87, 223.

¹⁷ Bruce Kessler, *Politics Among the Airwaves: An Analysis of Soviet and Western Perspectives on International Broadcasting and the Right to Exchange Ideas and Information Regardless of Frontiers*, 7 HOUS. J. INT'L L. 237, 248 (1985).

¹⁸ Stephen D. Bayer, *The Legal Aspects of TV Marti in Relation to the Law of Direct Broadcasting Satellites*, 41 EMORY L. J. 541 (1992); see also Omar Javier Arcia, *War Over the Airwaves: A Comparative Analysis of U.S. and Cuban Views on International Law and Policy Governing Transnational Broadcasts*, 5 J. TRANSNAT'L L. & POL'Y 199 (1996); L. ALEXANDRE, *Television Marti: "Open Skies" Over the South*, in BEYOND NATIONAL SOVEREIGNTY, (K. Nordenstren and Herber Schiller eds., 1993).

minimize interference and to promote the orderly use of the AM channels in the North American region.”¹⁹ NARBA established power levels at which broadcasting stations were required to operate to avoid objectionable interference. In addition the ITU Radio Regulations have provided that the shortwave band is “the internationally accepted method in which information can be transmitted across national borders,” while the AM band is for domestic use. Radio Marti operates on the shortwave and AM band.

The U.S. basis for Radio Marti’s operation is declared in Section 2 of the Radio Broadcasting to Cuba Act of 1983, which provides (1) that it is the policy of the United States to support the right of the people of Cuba to seek, receive, and impart information and ideas through any media and regardless of frontiers, in accordance with Article 19 of the Universal Declaration of Human Rights; (2) that, consonant with this policy, radio broadcasting to Cuba may be effective in furthering the open communication of accurate information and ideas to the people of Cuba, in particular, information about Cuba; and (3) that such broadcasting to Cuba, operated in a manner not inconsistent with the broad policy of the United States and in accordance with high professional standards, would be in the national interest.²⁰ It is interesting that built into the justification is the reference to Article 19 of the Universal Declaration of Human Rights that grants all people the freedom “to seek, receive, and impart information and ideas through any media and regardless of frontiers.” Despite the assertion, it is not clear that Article 19 provides any government the affirmative right to make information and ideas available to whomever it chooses on the basis that the host government is engaged in a deprivation of the right.

II. TRANSFORMATIONS IN THE WAKE OF THE COLD WAR

As the Cold War ended and with it the established basis for this ethereal penetration of sovereign borders, fundamental geopolitical change has required the reconfiguration of international broadcasting as new targets, new justifications, and new purposes were explored. Until resuscitated by the war on terrorism, international broadcasting underwent a deep crisis of purpose and credibility in the mid-1990s. Budget considerations, new technologies,

¹⁹ *Region 2 Administrative Radio Conference on Medium Wave Frequency (MF) Broadcasting: Hearings Before the Subcommittee on International Operations of the House Committee on Foreign Affairs, House Comm. on Foreign Affairs, 97th Cong. (1981)* (statement of James L. Buckley).

²⁰ Radio Broadcasting to Cuba Act of 1983 § 2, 3(b), 22 U.S.C. §1465 (2003).

and new industrial modes of distributing information were influential in the reassessment process.

During this time, Canada and Australia came close to eliminating external broadcasting. The Australians had a lesser involvement in classic European Cold War politics, and instead, had specialized as a major source of information in Southeast Asia and Oceania. Still, as would be true in the United States, Australian external broadcasting was the victim of a general budget cutting process. Australian commercial broadcasters also objected to the continuation of the service. Australian companies, like those of the media mogul Kerry Packer, sought to extend their sphere of influence into places such as Vietnam and Cambodia where international services operated. Ultimately, after Australian troops took a dominant position in peacekeeping in East Timor, and after an effective public outcry at home, Radio Australia's budget was restored and, to some extent, expanded. A unique effort to couple an Australian international television broadcasting presence in cooperation with a subsidized commercial channel failed, with international radio becoming the favored survivor.²¹ In Canada the budget cuts were more lasting.²²

In 1999, Deutsche Welle, the German external broadcaster, was required, also for budget reasons, to dismiss staff for the first time since 1949. In October 1999, its Director announced a new strategy for DW in light of these budget cuts. The principles declared were similar to changes marked for many other external broadcasters. Radio broadcasts would continue for regions with significant information deficiencies (broadcasting to the Balkans would continue and programs for Indonesia and crisis areas in Africa and Asia would be expanded). DW Radio would be discontinued in liberalized regions that were well served by privatized information markets (Japanese language programming for Japan and Spanish radio programs for Latin America were therefore cut). DW television would be maintained and Internet offerings expanded. As a kind of plaintive cry, the Director justified DW's existence because "growing Anglo-American media domination requires consistent offering of foreign language services and in-

²¹ *New Operator of Aussie TV to be Decided Soon*, JAKARTA POST, Apr. 9, 2001.

²² To maintain and reinforce its service, the management at Radio Canada International made a conscious decision to be part of "Team Canada." These are assortments of business and industrial leaders sent to various countries to promote goods and services. RCI determined that Team Canada activities, "rather than just being a news story, were an integral part of reflecting what's happening in Canada." *Radio Canada International plans for 1999*, (BBC Summary of World Broadcasts, Jan. 1, 1999), World Broadcast Information, China, WBI/0001/WB.

creased international cooperation.”²³

In the United Kingdom, after outliving the spasms of fascism, the Cold War, and decolonization, it became necessary for the BBC World Service to find a more inclusive definition for its long-term purposes. In 1993 John Tusa, the outspoken former head of the enterprise, argued that international broadcasting from the United Kingdom should not “turn on the hinge of a particular political dispute or ideological difference, nor one particular period of history or the immediate needs of a particular part of the globe.” Defining the criteria for a sustained World Service, he added: “It must be relevant to all audiences worldwide It must appeal to a global rather than an elite audience. It must be ‘international’ rather than foreign.” The Service’s broadcasts, Tusa wrote, can do a multiplicity of different things for different people. “In part, the broadcasts operate like aid, transferring knowledge and skills; they have an element of cultural advertisement; they are an instrument of informal diplomacy; they bring individuals in touch with a nation.”²⁴

Threatened cuts in the early 1980s nearly forced the closure of BBC services like the Burmese, though it typified the function most readily justified, providing transmissions to people whose oppressive governments deprived them of access to other reliable sources of news. Later in the decade capital budgets actually increased, enabling a dramatic improvement in transmission facilities, and a consequent jump in the listening figures. With the collapse of communism in Eastern Europe and the Soviet Union, as with the American Radios, the Service redefined opportunity and found itself with another new role, namely assisting in transitions in the old Soviet bloc. Attentive to warnings not to allow itself to become too defined by particular disputes or historical events, the BBC World Service survived the passing of the global crisis of confidence with almost all its European services intact.²⁵

In the U.S., the invention and growth of CNN caused some to raise monetary objections to the continued existence of such entities as the Voice of America and the so-called surrogate radios.²⁶

²³ *DW Services and Staff Cuts Outlined*, (BBC Summary of World Broadcasts, Oct. 15, 1999), World Broadcast Information, WBI/0042/WB.

²⁴ John Tusa, *Media: Britannia Rules the Airwaves*, THE INDEPENDENT, Dec. 9, 1992, at 19.

²⁵ Peter Popham, *The Empire Talks Back*, INDEPENDENT MAGAZINE, Jan. 17, 1996, at 2.

²⁶ CNN broadcasts largely in English, though that was changing. British and U.S. international broadcasters broadcast in more than 65 languages and reach mass audiences (more than 200 million readers/listeners/viewers a week), not just the affluent who can afford television. See DON M. FLOURNOY AND ROBERT K. STEWART, *CNN: MAKING NEWS IN THE GLOBAL MARKET* (1997).

After the collapse of the former Soviet Union, the once-vigorous Russian international broadcasting efforts deteriorated markedly. Shortly after coming to office, President Bill Clinton called for the consolidation of all U.S. international broadcasting. This was a low point in the prospects for international radio. Consolidation was to be an opportunity to reduce budgets, rethink missions, and question assumptions. Under his initial proposal, the budget of Radio Free Europe/Radio Liberty (RFE/RL) would be slashed, as a prelude to later elimination of the Radios. On April 30, 1994, the President signed into law the U.S. International Broadcasting Act. The Voice of America and the Radios, including Radio Marti, would report to the International Broadcasting Bureau within what was the soon-to-be-abolished United States Information Agency (USIA).²⁷ In obeisance to history, the surrogates, RFE/RL and Radio Free Asia, reported directly to the Bureau's Board of Governors as privately incorporated, federally funded grantees. Their employees were not part of the U.S. civil service as were those of other components, the VOA and Radio-TV Marti, for example. The legislation also authorized the Broadcasting Board of Governors (BBG) to oversee the Broadcasting Bureau, establish and maintain broadcasting standards, set broadcast priorities of the different language services, and assess the quality, effectiveness, and professional integrity of all activities. Typical of the mood of the time, the act, ominously, expressed the sense of Congress that the private sector should assume all funding for the radios not later than the end of fiscal year 1999.

The tenor of government and society was far less supportive than it would be less than a decade later. In the mid 1990s the institutions of international broadcasting were under pressure from the great private media moguls and their political counterparts. They argued that international broadcasting was unnecessary in the "age of CNN." The Radios and the VOA were, together, considered gold-plated Cold War relics, with high salaries and an obsolete mission. That year, too, the President certified that significant national interest required relocating the operations of RFE/RL from Munich, Germany, to Prague in the Czech Republic.

In the face of this effective opposition, the Radios began to rethink their missions. No longer facing an authoritarian regime where they served as surrogates expressing the views of dissenters, they created a new role for themselves: facilitating transitions. The Radios' missions, they claimed, had evolved from the purely surro-

²⁷ United States International Broadcasting Act, Pub. L. No. 103-236, tit. III (1994).

gate task of providing news and analysis on internal events where no such media were available, to compensating for the limitations of domestic media and setting a standard by which emerging free media could judge themselves.

RFE/RL asserted three primary missions for itself in the transition period: (1) to act as a traditional broadcaster by providing information and news on important issues such as democracy and political organization, the environment, and economic growth; (2) to provide assistance to indigenous radio stations; and (3) to train indigenous radio personnel and broadcasters. RFE/RL offered itself as a "model of Western journalism, an alternative news source, and insurance against resurgent government censorship abroad." It developed bureaus in all former Eastern European target countries and the former Soviet republics and rebroadcast on stations licensed within those states.

Geoffrey Cowan, then director of the Voice of America, articulated the VOA's comparable purposes in 1996 as follows: to help transform authoritarian societies, to encourage freedom of media as practiced in the United States, to foster appreciation for U.S. values, to increase educational opportunities, to explain US policies to the world and to serve U.S. culture, trade, and tourism. Increasingly, the mission of the Radios overlapped with that of the Voice of America, causing growing friction and competition between the constituents of the International Broadcasting Bureau.

The mood of the times would affect bureaucratic predilections. Lobbying groups and public officials favored "surrogacy" or a more hard-hitting approach by tax-supported international broadcasting institutions. This bias tipped ardor and revenue, ardor's manifestation, to the Radios over the Voice of America. On October 30, 1997, two new U.S. funded radio services to Iran and Iraq began transmitting.²⁸ Produced by RFE/RL, these services originated in Prague. The service to Iran was originally to be called Radio Free Iran and had its political sources in Congress rather than in the State Department. In May 1997, after the election of President Khatami, the State Department sought to postpone or cancel the Iranian service as part of a general diplomatic overture. By April 1998, the State Department, under intense congressional pressure fostered by RFE/RL and those who favored the surrogate approach, justified the new service as designed to enrich domestic

²⁸ VOA has been broadcasting to Iraq in Arabic for more than half a century and to Iran in a restored Farsi Service since 1979.

political debate inside the country and not to undermine the government.

As a semantic manifestation of this delicately articulated purpose, the authorities agreed to change the name of the new entity from Radio Free Iran to the Persian-language service of RFE/RL. This importance of nomenclature would repeat itself, as we shall see with Radio Free Asia. In the case of Radio Democracy in Africa, original Congressional pressure had been for a surrogate named Radio Free Africa. This was avoided in favor of a VOA division; rather than have an ethic of "opposition" or dissent, the African service would engage in conflict prevention or conflict resolution and "civic reporting and civic building" where there were "moves toward democracy." The service would adhere to the VOA charter commitment to general objectivity and impartiality, and the newscasts were to be VOA-determined.²⁹

The implications of global change and increased private competition on the Radios can be seen in the emphases for the continuation of national services as articulated by Congress:

It is the sense of Congress that Radio Free Europe and Radio Liberty should continue to broadcast to the peoples of Central Europe, Eurasia, and the Persian Gulf until such time as (1) a particular nation has clearly demonstrated the successful establishment and consolidation of democratic rule, and (2) its domestic media which provide balanced, accurate, and comprehensive news and information, is firmly established and widely accessible to the national audience, thus making redundant broadcasts by Radio Free Europe or Radio Liberty. At such time as a particular nation meets both of these conditions, RFE/RL should phase out broadcasting to that nation.³⁰

III. TRANSFORMATIONS AND RADIO FREE ASIA

Radio Free Asia is a case study in the focused effort to transform international broadcasting to affect information space in target countries.³¹ This surrogate service, established in the U.S. International Broadcasting Act of 1994, was designed to target China, Vietnam, Burma, Laos, Cambodia, and North Korea.³² RFA

²⁹ *Details of New Radio Democracy for Africa*, (Voice of America radiobroadcast, Apr. 11, 1998).

³⁰ 22 U.S.C. 6211.

³¹ This section is based on research done by Dr. Michael Likosky during graduate work at the Centre for Socio-Legal Studies, University of Oxford.

³² As a historic matter, a surrogate service directed at China had previously existed from 1951 to 1953.

Radio Free Asia, an allegedly public-supported (but in reality, CIA-financed)

is a modern iteration of Cold War use of the airwaves, emphasizing a turn from the traditional Cold War targets to new ones. The debates about Radio Free Asia echo those about other surrogate radios. These debates are important within the United States, as well, because of a general shift to purposeful, designated and sharper-edged surrogate approaches.

Radio Free Asia is also an example of another hypothesis: instruments of international broadcasting are a reflection of the priorities and internal politics of the sending nation. Most foreign policy, it is said, including international broadcasting, can be described as shaped by domestic politics.³³ There are a number of themes in the RFA story that illustrate the relationship between domestic politics in the United States and the design of international broadcasting. For example, what emerges from the debate is the introduction of Radio Free Asia as a domestic trade-off to build support for “most-favored-nation” treatment for China. In the 1990s, when there were numerous objections to China’s human rights policies and a liberalized trade policy was held hostage to a more aggressive attitude toward China, RFA was a convenient technique for gaining votes: those who favored free trade could demonstrate their loyalty through the fist of radio while at the same time facilitating the glove of opening economic markets.

Aside from the debate over trade, much of the Congressional debate that focused on Radio Free Asia was about the nature and purpose of international broadcasting. Often Congressional statements focused on such questions as the similarities and differences between China in the 1990s and Eastern Europe of the late 1940s to 1960s. Advocates of RFA recited the account of the end of the Cold War that assigned a major role to the impact of Radio Free Europe and Radio Liberty in bringing about the fall of Soviet dominion. Opponents responded that whereas the European societies under Soviet rule were ostensibly “tightly closed,” today a “flood of information reaches China.”³⁴ European listeners risked their lives to listen to RFE, while it was contended that in China,

international broadcasting station operated out of San Francisco, but transmitting from Manila, was founded. Its dual mission was to strengthen resistance within China to the new Communist government plus prevent overseas China in Asia from ‘falling victim to communist Chinese propaganda.’

JOHN A. LENT, *BROADCASTING IN ASIA AND THE PACIFIC: A CONTINENTAL SURVEY OF RADIO AND TELEVISION* (1978). The creation of RFA was once again debated during the Vietnam War. CRS Report for Congress, *Radio Free Asia*, Jan. 2, 1997.

³³ JAMES N. ROSENAU, *DOMESTIC SOURCES OF FOREIGN POLICY* (1967).

³⁴ US ADVISORY COMMISSION ON PUBLIC DIPLOMACY, *DIPLOMACY IN THE INFORMATION AGE*, 15 (1993).

Id. at 30.

leadership policing was not so strict.³⁵

Opponents of RFA argued that the best strategy to combat human rights abuses and to institute political freedom and democracy in Asia was by focusing on economic engagement. U.S. credibility in Beijing, they claimed, would be undermined by the establishment of RFA because “the PRC leadership would see creation of a Home Service radio as confirming that the United States follows a policy of attempting to displace them by promoting ‘peaceful evolution.’”³⁶ Such a response would “undercut U.S. influence and our ability to moderate People of Republic of China policies to which we object.”³⁷ Finally, opponents denied the claim that the Chinese people did not have any available source of news about domestic affairs. They asserted that informal alternative sources of domestic news were abundant in China.³⁸

Proponents hoped that RFA might provide the “hope and knowledge needed to change conditions in China” by fostering an increased “understanding of the meaning of political and economic freedom and democracy” and thus forcing “the Chinese government to allow greater measures of each.”³⁹ In arguments claiming a special obligation on the part of Americans to support democracy and freedom abroad, the proponents stressed that RFA was necessary to “show our commitment to these countries’ citizens.”⁴⁰ Some went so far as to say “the fate of America is intertwined with [propagating or advancing] the faith of American ideals.”⁴¹ Others made a more strategic argument on behalf of

³⁵ *Id.*

³⁶ *Id.* at 26.

³⁷ *Id.* The Commission established by President Bush summarized the argument as follows:

China’s growing participation in the global economy’s already having the effect of opening its society to outside influences, with inevitable demands for increased democracy. We encourage these trends but the creation of a new and separate ‘surrogate’ broadcasting system—which would be seen as a hostile American act—is not an effective means of accomplishing that objective.

³⁸ *Id.*

³⁹ DIPLOMACY, *supra* note 35.

⁴⁰ 140 CONG. REC., S4819-02, S2420 (statement of Sen. Biden).

⁴¹ 140 CONG. REC. H5113-04, H5125 (statement of Rep. Porter). Congressman Smith argued for the primacy of ideas as follows:

Just let me say that throughout human history, the most important battles have not been those whose object was to control territory. The battles that really matter have always been about values and ideas. When the history of our century is written it will be large part the story of a long struggle for the soul of the world, the struggle between the values of the free world on the one hand and those of communism, fascism, and other forms of totalitarianism on the other. Throughout most of the world, the values of the free world have been victorious, not only because we had better values but also because we were not afraid to stand up for them.

142 CONG. REC. H8215-03, H8228 (statement by Rep. Smith).

RFA, claiming “that the spread of democratic ideas serves the interests of the United States because democracies are far less prone to launch wars of aggression.”⁴² For this reason RFA would serve “[a]s a prime vehicle for the dissemination of democratic ideas” creating “a cost-efficient, nonviolent means of communication.”⁴³ Some argued that RFA was not only the most efficient means for democratization and prevention of physical destruction but also for saving money, feeling that due to budget restraints, “it is cheaper to fight some of these conflicts and wars with words rather than weapons.”⁴⁴

The debate exposed fault lines between supporters and opponents of the Voice of America as compared to the approach of the surrogates. Partly this was a philosophical debate over goals and methods, over what U.S. international broadcasting should be like. But it was also a struggle over declining resources. Advocates of the Voice believed that the creation of RFA would lead to a propor-

⁴² 140 CONG. REC. H5125 (statement of Rep. Bentley).

⁴³ *Id.* See also 140 CONG. REC. H5131 (statement of Rep. Porter). Such a strategic stance was discussed in the context of particular countries; for instance Cambodia, Vietnam and North Korea, as articulated by Bentley, H5125-H5126:

In Cambodia, 15 months after historic elections were held, the Chinese-backed Khmer Rouge were again on the offensive—waging war over the airwaves, as inflammatory news broadcasts by Pol Pot’s forces need only refer to the Foreign Broadcast Information Service reports that many of our offices receive on a daily basis. The growing political chaos, fuelled by Khmer Rouge broadcasts, should be of serious concern to all who remember what happened inside Cambodia from 1975-1978. Radio Free Asia can play a positive role in helping Cambodia consolidate its tentative move toward democracy that is in danger of being suppressed again by the murderous Khmer Rouge.

In Vietnam, a country of 70 million people, the VOA broadcasts 2 1/2 hours a day—certainly not enough for a country of such pivotal regional importance. In Vietnam, economic liberalization has not necessarily been followed by political liberalization. Yet, although the Vietnamese government continues to prohibit free expression, there has been a range of nascent, democratic activities that must be nourished through access to a Radio Free Asia. Although the Congress has lifted economic sanctions, we must not falsely assume that trade, by itself, will foster democracy. While the VOA gives these countries a window to world events, a Radio Free Asia will address a full and fair colloquy of events of the day within each country and culture.

Then, there is the case of North Korea, a closed, militaristic society that has the potential to foment major instability throughout the region. In a closed society such as North Korea, international radio broadcasting is extremely important for another key reason—communication with the ruling elite. Contrary to the belief that North Korean leaders are of only one mind, we know from past events that there are moderate as well as hardline factions. Make no mistake about it, members of the ruling elite can and do listen to international radio broadcasts—perhaps behind closed doors—but listening nonetheless. Kim Il-song will not live forever, and the succession is not clear. Through Radio Free Asia, we can implant the notion that a peaceful future is possible, with as much as the North Korean elite as can be reached. Must we wait for the outbreak of a second war on the Korean Peninsula before recognizing the need for a Radio Free Asia?

⁴⁴ 140 CONG. REC. (statement of Rep. Hughes).

tional cut in VOA services. In the midst of this battle, VOA submitted a compromise plan in which it would satisfy the need for "surrogate service"-type broadcasting. This plan was based on the assumptions: (1) that, unlike VOA, RFA would require a "new structure and staff"; (2) that VOA already had an audience, and it would take years for RFA to "find an audience and establish credibility with a loyal listenership"; and (3) that augmenting VOA would be "a much more efficient and less expensive way" of accomplishing the objectives; that VOA, even though many assert it focuses only on "news from the United States and international developments" and cannot do targeted broadcasting, has demonstrated that it is capable of providing specialized programming.⁴⁵

Despite the numerous objections, the International Broadcasting Act of 1994 brought the RFA into being and provided for its support.⁴⁶ RFA's obligation was to furnish a service for Asian countries "which lack adequate sources of free information," in a way that would "enhance the promotion of information and ideas, while advancing the goals of U.S. foreign policy."⁴⁷ The legislation listed target countries: the People's Republic of China, Burma (Myanmar), Cambodia, Laos, North Korea, Tibet, and Vietnam.⁴⁸ Under the Act, the "surrogate" function of RFA was specified, that is, to construct a service that would give "accurate and timely information, news, and commentary about events in the respective countries of Asia and elsewhere and be a forum for a variety of opinions and voices from within Asian nations whose people do not fully enjoy freedom of expression."⁴⁹

In May 1994 the President announced that renewal of most-favored nation status (MFN) was contingent upon increased "international broadcasting."⁵⁰ Soon thereafter, he suggested that talks on reducing the Chinese jamming of Voice of America were progressing.⁵¹ In March 1995, the BBG attempted to rename the RFA as the, Asia Pacific Network. The attempt angered some in Con-

⁴⁵ *Id.* See also 142 CONG. REC. H5113-04 and H5125 (statement of Rep. Smith).

⁴⁶ United States International Broadcasting Act of 1994, 22 U.S.C.A. § 6201 et seq. (1994).

⁴⁷ *Id.*

⁴⁸ See *id.* at § 6208(a)1. In order to receive a grant, Congress required that the Board submit "to Congress a detailed plan for the establishment and operation of Radio Free Asia." See *id.* at § 6208(c)1. This plan must include how RFA will meet its funding limitations, the number and qualifications of its employees, and how it will meet its technical capabilities. See *id.* at § 6208 (c)1(A), (B) and (C).

⁴⁹ *Id.* at § 6208(b)1 and (b)2.

⁵⁰ Exec. Order No. 12,850, 3 C.F.R. 606-607.

⁵¹ President's Letter to Congressional Leaders on Most-Favored Nation Trade Status for China, 20 WEEKLY COMP. PRES. DOC. 1203 (June 2, 1994).

gress who thought the radio was meant to be confrontational and so should keep the name "Radio Free Asia." The original name was restored.⁵² In September 1996, broadcasts began in Mandarin into China and soon thereafter a Tibetan language service was added.⁵³ In 1997 broadcasts were begun to Myanmar, Vietnam, and North Korea. In 1996 and 1997 the debate over MFN status to China was renewed, and RFA again became an important bargaining chip. Representative Porter introduced legislation to make RFA a twenty-four hour a day service, as a kind of relief valve for opposition to continued extensive trade relationships with China. The President and Speaker supported the legislation.

The international debate over the broadcast of RFA took on the character of many past battles over U.S. international broadcasting to older target sites including the Soviet Union and Cuba. On the one hand, the United States argued that its privilege to broadcast was contained within Article 19 of the Universal Declaration of Human Rights giving everyone the right "to seek, receive, and impart information and ideas through any media and regardless of frontiers."⁵⁴ These arguments assumed, as has already been mentioned, that the "right" of individuals in target countries gave the United States the correlative power or duty under the international legal regime, to satisfy legal and informational disabilities that such individuals might have. China, Korea, and Vietnam argued that such broadcasting violates international tenets and agreements on domestic sovereignty.

In terms of response, accounts from the societies RFA was designed to reach include (1) a critique of the free flow of information argument as being instead a form of cultural imperialism, or (2) claims that the broadcasting efforts violate domestic sovereignty. In China, for example, the Foreign Ministry spokesman said:

We demand the United States not interfere further in other countries' internal affairs by using the excuse of freedom of speech. . . . It is obvious that the Free Asia Radio is a tool of psychological war, a typical tool of the Cold War period, and at

⁵² The authorizing law stated: "such broadcast service shall be referred to as Radio Free Asia." CRS Report, 5.

⁵³ The first RFA broadcast took place on September 29, 1996, broadcasting into China in Mandarin. The initial broadcasts of one hour at 7:00 a.m. and one hour at 11:00 p.m. include regional news and feature stories. The 7:00 a.m. broadcasts consist of a half hour program that is repeated at 7:30 a.m., 11:00 p.m., and 11:30 p.m., with updated news added to each half hour. Broadcasting into China is expected to double by the end of the 1996 calendar year. CRS Report, 3.

⁵⁴ 22 U.S.C. § 6201.

the same time a direct interference in the internal affairs of Asian nations. In other words, the Radio Free Asia is a form of cultural colonialism.⁵⁵

The China Youth Daily reported:

Although the Cold War has been over for years, the United States and other Western nations rely on the superiority of their communication and information technology to increasingly launch Cold War propaganda. . . . The real goal of setting up Radio 'Free Asia' is to use news media to interfere in the internal affairs of China and other Asian nations, to create chaos, and to destroy the stability of these countries.⁵⁶

In 1999, a report from China attacked VOA's increased broadcasting in Tibetan as a new escalation in the U.S. radio infiltration of China.

A look at a series of most recent actions in U.S. broadcasts against China shows the new United States "smokeless war" strategy. The United States has gradually installed around China a series of relay stations and transmitters . . . United States officials asserted that, "these . . . relay stations enable all of mainland China to hear the VOA," "making Beijing's jamming ineffective." After President Nixon's 1972 visit to China, particularly after the establishment of Sino-United States diplomatic relations, United States officials in charge of foreign propaganda maintained that: this was the arrival of "an absolutely unprecedented opportunity since 1949 to really subject China to Western ideological influences and values." So we need to seize the "unprecedented good" opportunity, launching propaganda against China, to make up "its gap in Western ideology and values." The VOA has adjusted its programming in line with changing circumstances on one hand, while going all out to expand its real broadcasting might against China on the other.

Similar statements emanated from North Korea. Shortly after the initiation of Radio Free Asia in 1994, a spokesman for the DPRK Foreign Ministry objected to the legislation and stated,

Passage of the bill . . . is a criminal act of interfering in the internal affairs of and hostility against our country and other Asian countries. . . . The true intention of the United States in initiating Radio Free Asia is to infuse the so-called United States style

⁵⁵ *Hanoi accuses RFA of 'cultural colonialism'*, Oct. 4, 1996, available in LEXIS News Library, BBCSWB file.

⁵⁶ Mure Disckie, *China Media Lambast US over Propaganda, Politics*, REUTERS WORLD SERVICE, Nov. 1, 1996.

democratic values and the toxin of bourgeois ideology into our country and other Asian countries in order to crush socialism in this region and demolish the independent governments there from within. The United States was able to use this machination and propaganda effectively to demolish from within the former socialist countries in another region in the past and to have them turn to capitalism, but it is far from workable in our country.⁵⁷

Another typical passage objecting to Radio Free Asia is as follows:

The U.S. plan to establish an Asian Pacific broadcast to control our people with Korean-language broadcasts is as foolish an act as attempting to crush a rock with an egg. The U.S. maneuvers to establish an Asian Pacific broadcast cannot be anything but a childish farce [*yuchihan norum*] that will only bring disgrace in the United States. It is better for the United States to maintain relations with Asian countries through a sound way of thinking, instead of adhering to shabby slanderous broadcast propaganda. This is also the demand of the United States people. The United States should not kick up a useless racket.⁵⁸

Arguments from Vietnam had much the same tone. *Nhan Dan*, a leading Vietnamese newspaper, strongly criticized radio efforts of the United States, saying they were detrimental to the recent efforts to improve Vietnamese-United States relations. In a commentary, the paper called the U.S. efforts to open Radio Free Asia “a move to renew the psychological warfare in the Cold War period, using the pretext of democracy and human rights to launch a war of ideological and cultural invasions and interfere into Asian countries’ internal affairs.” The papers said that from the idea of its establishment to preparations for the start of its broadcasts, “Radio Free Asia has exposed itself as a wicked political instrument and a product of the Cold War period,” which is designed “to oppose socialist countries, including Vietnam.”⁵⁹

The second, related set of arguments against RFA from Asian countries focuses on the international legal framework for national sovereignty, as well as political rhetoric emerging from this framework. A Vietnam radio commentary against Radio Free Asia is one such example:

⁵⁷ *Foreign Ministry Spokesman Berates Plan for Radio Free Asia*, Central Broadcasting Station broadcast, Feb. 1, 1994, available in LEXIS News Library, BBCSWB file.

⁵⁸ *Radio Condemns US Plan to Set up Radio Free Asia*, broadcast from Central Broadcasting Station, (Oct. 11, 1996), available in LEXIS, News Library, BBCSWB file.

⁵⁹ *Vietnamese Newspaper Raps US Radio*, XINHUA NEWS AGENCY, Dec. 7, 1996.

One of the fundamental principles of international law is the principle of respect for national sovereignty. In existing international law, this principle has become a rule and a condition already engraved in almost all important international legal documents, especially in the U.N. Charter and in various documents of the U.N. General Assembly, by which all nations have full and ultimate authority to make decisions on foreign and domestic policies. Therefore, the use of Radio Free Asia by the United States to spread its propaganda and impose its political will, and to pressure other countries into changing their national policies and lines constitutes a violation of the sacred sovereignty of these countries.⁶⁰

In the official *Quan Doi Nhan Dan* (People's Army) newspaper, the United States was accused "of seeking to undermine stability in Asia, but also expos[ing] deeper sores from a war that ended nearly 22 years ago." The paper went on to say:

You [the United States] should know that for the Vietnamese people, for a long time, whenever the adjective *free* is used by you it implies no beautiful meaning . . . The Vietnamese people don't want to repeat that whenever the adjective *free* has been applied to us by you, it's linked with 'free aggression,' 'freely bombing,' 'freely spraying toxic chemicals,' 'freely killing and jailing patriotic people,' 'freely distorting the truth' . . . and 'freely interfering in the internal affairs of sovereign countries.'⁶¹

IV. TRANSFORMATIONS AND INFORMATION INTERVENTION

Transformations in international broadcasting were also occasioned by the ethnic conflicts that closed the twentieth century. I have discussed the complicated balance the international community seeks to find as it alters media space to prevent future conflict and the potential for genocide. Training journalists, fostering new voices, and sparking local, indigenous media are all steps toward increasing stability and enhancing the plurality and diversity of political participation. But there are contexts where the ground for these more advanced measures was barren. In countries such as Cambodia and Rwanda, at particular times, the deployment of international radios may be a major mechanism for introducing a mood hospitable to peace or to help initiate useful political shifts.

⁶⁰ *Radio Says Revival of Radio Free Asia Violates International Law*, Voice of Vietnam broadcast, Dec. 4, 1996, available in LEXIS News Library, BBCSWB file.

⁶¹ *Cold War Remembered as Hanoi Blasts U.S. radio*, REUTERS WORLD SERVICE, Dec. 10, 1996.

Combinations of monitoring, so-called peace broadcasting (neutral, outside efforts to provide information), and jamming are now emerging as elements of formulae for preventing conflict and promoting healing after war and genocide.⁶²

In Cambodia in the mid-1990s, when the international community entered, there was little in the way of indigenous media and U.N. radio was created to ensure that there was a “fair” information source during the first elections. But afterwards, the U.N. radio ceased. In order to fill what was perceived as a void, Radio Free Asia sought to establish an FM relay station in Phnom Penh.⁶³ The Hun Sen controlled Information Ministry agreed to allow the station, but before the agreement was concluded and the station actually took concrete shape, the station’s authorization was put in doubt. Newspapers charged Hun Sen with fear of RFA and VOA broadcasts “because the RFA broadcast constitutes a powerful missile that can destroy all tactics conducted by the dictatorial clique in the twinkling of an eye.” With RFA’s FM broadcast in Phnom Penh, “people can be informed immediately of what the Hun Sen government has done whether for national development or national destruction.” The argument, hyperbole aside, was that RFA would provide pluralism of views:

Everyone is now aware that Hun Sen and his entourage have spent millions of dollars on FM radio stations to disseminate misleading information aimed at deceiving the people. Most of the radio stations controlled by Hun Sen—except Beehive Radio—represent the voice of injustice, immorality, and dictatorship. Nevertheless, the overwhelming majority of people do not believe the news broadcasts by those stations because RFA or VOA rectifies them promptly. This is the reason why Hun Sen and his cronies have revoked their decision to let the RFA set up a relay station in Phnom Penh.⁶⁴

In Rwanda, the international broadcasting community was initially paralyzed as to how it should affect media space where media agents were largely responsible for genocide.⁶⁵ There was a residue of shame and resulting inertia partly because of earlier inaction, partly because of the horrendous complexity of the post-

⁶² See Metzl, *supra* note 2.

⁶³ *Government Plans to Ban U.S.-funded RFA Criticized*, *Samleng Yuveakchon Khmer*, Apr. 8, 1999, reprinted in World Broadcast Information, Apr. 23, 1999, available in LEXIS News Library, BBCSWB file.

⁶⁴ See *supra* note 21.

⁶⁵ See Linda Kirschke, *Organization, Broadcasting Genocide: Censorship, Propaganda and State Sponsored Violence in Rwanda 1990-1994*, London: Article 19/International Center Against Censorship, 1996.

genocide society, and partly because some journalists, trained by the West in the skills of radio production and audience building, had used those skills during the genocide to drum up fervor for the Hutu to slaughter the Tutsi. Later, as a relatively minor contribution, in the wake of genocide, the BBC World Service launched an FM relay in Kigali in March 1998. External donors including the U.N. High Commission for Refugees, the British government's Department for International Development, Christian Aid, the British Red Cross, and Save the Children Fund funded this special service for the Great Lakes region (Rwanda, Burundi, and the Democratic Republic of the Congo). Included in the program would be news and current affairs for the region, development and rehabilitation features and messages from refugees and displaced people. Because of "growing competition from local, national, and international broadcasters and satellite television and the Internet," said the BBC World Service Managing Director, "it is no longer enough for the BBC to broadcast on shortwave alone; we have to be more accessible to our audience, more relevant and more aware of our listeners' needs."⁶⁶

International broadcasters, in these newly altered conflict resolution and peacekeeping roles, often must work with concurrent efforts to block disfavored communications, altering the position of the international community. Especially in the contexts of threatened genocide or potentially large-scale deprivation of human rights, different forms of intervention have been found warranted. These modern interventions are even more drastic than jamming and not within the standard definition. The airwaves have to be—or so it seems—affected negatively and positively. In the bombing of transmitters in Afghanistan, before the international broadcaster took over the air space, local transmitters were destroyed on the ground that they were used for the spewing of speech that incited or intensified conflict.⁶⁷ In another example, in May 1999 at the height of the conflict in Yugoslavia, the Eutelsat Board of Directors discontinued transmitting the Radio-TV Serbia (RTS) satellite program and thus made RTS inaccessible in Euro-

⁶⁶ USA, *NATO Said to Be Building Ring Around Serbia*, TANJUG NEWS AGENCY, Aug. 13, 1999, available in LEXIS News Library, BBCSWB file.

⁶⁷ Sufficiently similar to be cited here was the decision of Israel to destroy the building of the Palestinian Broadcasting Corporation in January 2002. Palestinian leaders and international media watchdogs condemned the Israeli attack on the Ramallah headquarters. Israel had contended that Palestinian radio and television incited violence. The destruction of the Palestinian broadcasting headquarters renewed a debate on the propriety of attacking civilian-operated media outlets. *Analysis: Israel Destroys Palestinian Broadcasting HQ in West Bank*, BBC Summary of World Broadcasts (Jan. 24, 2002): BBC Monitoring Research.

pean countries.⁶⁸

In November 1999 the United States reiterated its displeasure that Israel continued to permit the Yugoslav authorities to broadcast RTS on an Israeli satellite. After the Secretary of State raised the question, the private Israeli company Spacecom, which owns the Amos-1 satellite, announced that it stopped broadcasting the Yugoslav program, following orders from the Israeli government.⁶⁹ According to the Serbian authorities, "the decision [to discontinue RTS broadcasts] is a culmination of the hypocrisy of the policy pursued by Western powers, which in words urge the freedom of the media while most grossly preventing the flow of information in the world and, thereby, consciously violating the Eutelsat founding principles."⁷⁰

For the first time since the founding of Eutelsat, one of its members has been denied the right of transmission of its programs, which poses a most serious threat to others, too. Today it is Serbia and it is only a question of who will be the next. The Eutelsat Board of Directors have explained their decision by saying they wanted to prevent the spreading of religious and national hatred, which they are in fact doing by their own decision.

There are many who suggest that the international community should have jammed "hate" programming or programming inciting conflict in Rwanda and the former Yugoslavia, this being the other side of the power to inject a new set of images into a designated context. This is the face of force of the Declaration of Human Rights, the sword and the blunderbuss of the right of citizens to receive and impart information about their civil condition.

V. TRANSFORMATIONS AND NEW TECHNOLOGIES

One important question is how international broadcasting is affected by new technologies. There are innovations, but one could also conclude that external broadcasting remains a primarily low-tech enterprise and that radio, and shortwave radio at that, is its most effective tool. In the post-war review of how to build up Afghan media, one approach was to sponsor a series of low power transmitters that would reach local areas rather than seek a na-

⁶⁸ Of course, this was during an armed intervention. See *Eutelsat Decision 'Culmination of Hypocrisy'*, TANJUG NEWS AGENCY, May 27, 1999, available in LEXIS News Library, BBCSWB file.

⁶⁹ *USA 'Embittered' by RTS broadcasts on Israeli Satellite*, BBC Summary of World Broadcasts (Nov. 12, 1999): World Broadcast Information; Yugoslavia/Israel/USA; WBI/0046/WB. Source: Monitoring research (Nov. 4, 1999).

⁷⁰ See *supra* note 27.

tional audience. Changes, such as the expansion of VOA into television, satellite feeds to a large number of independent or state-owned FM radio stations around the world, the introduction of monitoring, jamming, and broadcast aircraft as part of a means of introducing messages, often during war, and, of course, the turn to the Internet have suggested that modernization is necessary and useful. But do these new efforts make a difference? Do new technologies make states particularly permeable to the extensions of other states, and have the sending states used new technologies in ways that have affected the strategies of international broadcasters?

The geopolitical and technological changes affecting international broadcasting in the 1990s have been substantial. Partly, there was a shift from reliance on traditional shortwave and mediumwave transmissions. An increasing number of intended recipients were turning to TV, the Internet, and to national and local FMs carrying relays of the international broadcasts tolerable to the host country. The international broadcasters, like their domestic counterparts, have had to learn new skills and new modes of attracting attention.⁷¹ There is a greater stress on "multimedia" in this new environment, and competition for listeners' attention has increased in the emerging multichannel world. A shift in the nature of conflict itself to internal war and hostilities rather than conflict between nations has affected the role of media.

As to technology, one observer has noted, "The Internet and digital transmission by satellite will make obsolete the old shortwave broadcast system, with its expensive and cumbersome relay transmitter stations."⁷² Without question, the VOA, Radio Free Asia, and all other international broadcasters are seeking to adjust to an Internet-literate world. The then-chairman of the IBB's Board of Governors, Marc Nathanson, was quoted as saying, "Technology of shortwave is outmoded. We need to get into modern technology. Congress needs to fund it as we go to satellites, the Internet, and FM broadcasting."

Listeners with access to the Internet in China, Serbia, or Russia can download radio broadcasts in real time. Because of the demography of Internet use, American and other foreign global broadcasters, such as the BBC and Germany's Deutsche Welle, will find an audience slightly different from what they had before, with an increasing proportion of academics, students, and government officials. Television is also an important altered venue. Though in-

⁷¹ See Olechowska and Aster, *Challenges for International Broadcasting* V. 214-257.

⁷² See Hopkins, *supra* note 8.

ternational broadcasting remains substantially a radio service, the number of radio listeners declines wherever television is available. Consider the adjacent states of Indian Bihar and Uttar Pradesh. According to VOA research studies in 2000, in Bihar, the BBC obtained a 20 percent listening rate for their shortwave broadcasts. In Uttar Pradesh, which has five cities of national consequence with available television, the BBC only had a four percent rate. It is possible that other factors related to urban life affected this result, but generally, shortwave radio listening generally recedes under pressure from television. For the VOA, this means that its competition may not be primarily the BBC World Service but, instead and ever increasingly, television and local radio, especially FM. Consider it as a market for attention. International radio listening is traditionally an evening activity. Families listen during what is commercially considered to be prime time. As television becomes more generally available it draws these families away from the international radio hearth.

Direct-to-home (or to village) satellite television has the potential in some circumstances to transform institutions of international broadcasting. It certainly requires that the audience has both satellite dishes and is information?poor or information?denied. This combination may not frequently exist. Where it does, or where information poverty relates to information about local events, a third condition is that individuals feel that they can watch without real fear of interdiction. Iran became a case that satisfied these conditions. Satellite radio has promise, but to date it predominantly means distribution of a radio signal by satellite to a terrestrial rebroadcaster. A great deal of planning and experimentation—along the lines of WorldSpace's ambitious plans in Africa, Asia, and the Caribbean—must be undertaken before there are satellites regularly and effectively distributing programs directly to radios. Problems with shadowing in target regions proved difficult to resolve, as was the cost of radios that can receive direct from satellite. Digitalization is not yet a functional low-cost option for receivers, although WorldSpace has conducted experiments to provide for a dedicated service for digital radio receivers in Africa.

In late 1996 and early 1997, then?President of Serbia Slobodan Milosevic cracked down on independent media during opposition rallies protesting his regime's annulment of opposition victories in fourteen municipal election contests across Serbia. The BBC, VOA, and RFE all sought to fill the information vacuum. VOA not only expanded its Serbian language broadcasts on shortwave and medium wave to reach more listeners in Yugoslavia, but it

also leased leased time on a Eutelsat TV transponder to simulcast its Serbian language radio broadcasts within ten days after Milosevic attempted to close down independent Serbian radio station B-92.⁷³ The Serbian language VOA radio-TV simulcasts were pioneering efforts for planned expansion in VOA-TV programming of the late 1990s and beyond.

The 1999 NATO campaign against Yugoslavia provides additional insights into adaptation to new or different technologies. During the campaign, the Yugoslav government closed down all foreign broadcasting and banned the retransmission of international broadcasters on domestic radio stations to the extent they could. In October 1998, during the period of threat of NATO attacks, the then Serbian Information Minister Aleksandar Vucic issued a decree that banned the "rebroadcasting of foreign media reports that aim to spread fear, panic, or defeatism." He singled out Deutsche Welle for its "numerous fabrications" about events in Kosovo and claimed that the Voice of America was conducting a propaganda campaign against Serbia:

This is a way to prevent the psychological-propaganda war which some foreign countries have waged against us either by broadcasting their programs or parts of their programs on domestic radio and TV stations or by directly or indirectly influencing the editorial concepts of certain media companies, especially if this originated from countries which are directly threatening to use military force against us.⁷⁴

With the Voice of America and Radio Free Europe's broadcasting taken off the air on stations inside Serbia, in April 1999 the chair of the International Broadcasting Board announced that the U.S. government had decided to join in building the "ring around Serbia." The decision was to deploy FM transmitters so that U.S. agencies could get signals into Serbia and communicate to the Serbian people. The FM transmitters would beam into Serbia from surrounding countries though, at the time, international broadcasting officials were not specific about which countries were involved. The FM transmitters were constructed with funds provided by USAID. Though FM is of limited range, is problematic in hilly terrain, and is more vulnerable to jamming than shortwave, the policymakers resorted to FM because it is the radio medium of

⁷³ Several hundred thousand homes in Yugoslavia were equipped with satellite dishes capable of receiving international TV signals independently of local cable or terrestrial channels controlled by the government.

⁷⁴ *Information Minister Defends Relay Ban*, TANJUG NEWS AGENCY, Oct. 10, 1998, reprinted in World Broadcast Information, Oct. 16, 1998, available in LEXIS News Library, BBCSWB file.

choice in Serbia.⁷⁵ The construction of any strategy to transmit FM signals required a complicated effort to obtain rights to use of transmitters. In the case of Serbia, use was made of facilities in Kosovo and Republika Srpska, the Bosnian Serb entity.

In the summer of 2001, the United Kingdom announced the curtailment of shortwave transmissions of their international broadcasting arm to the United States, Canada, Australia, New Zealand and the Pacific Islands. Listeners instead would have to access the World Service on the Internet or listen to a limited service re-broadcast on FM by local stations. The move ended the tradition, established in 1932 when the Empire Service, as it was then called, first went on air, of punctuating each hour with the familiar signature "This is London" and providing many listeners with their first live voice from a distant land.⁷⁶ The Voice of America cut back on its shortwave services as well, but expanded its Internet content. The context in which the BBC World Service and the Voice of America functioned had changed, and changed dramatically. New technologies, now including the Internet in specified locales, had greater audiences than traditional modes for distributing their messages. Virtually for the first time, because of the boundary-less nature of the Internet, a Congressional-imposed rule that the VOA could not be directed at a U.S. domestic audience was technologically threatened in a meaningful way. There was muttering at that and other decisions to alter priorities. But times and technologies had made some rules unenforceable.

VI. TRANSFORMATIONS AND SEPTEMBER 11

There is little question that the events of September 11, 2001 had a profound impact on all of public diplomacy, including the institutions of international broadcasting. The war in Afghanistan was a moment in which military strategies were rethought and new ideas tested. Similarly, it would be a critical episode in assessing the significance of longstanding doctrines in the arena of propaganda and use of information. There had long been talk of a Revolution in Military Affairs (RMA), but rarely discussion of a Revolution in Public Diplomacy.⁷⁷ Now there were the elements and the demand

⁷⁵ *U.S. to Surround Serbia with FM Transmitters*, Voice of America broadcast, Apr. 10, 1999, reprinted in World Broadcast Information, Apr. 16, 1999, available in LEXIS News Library, BBCSWB file.

⁷⁶ *BBC World Service to Cut Back Broadcasts*, DAILY TELEGRAPH, May 26, 2001.

⁷⁷ On the military side, an RMA occurred when there was a fundamental shift in the nature of warfare brought about by a radical change in technologies accompanied by a change in military doctrine and organizational and operational concepts. See MACGREGOR KNOX AND WILLIAMSON MURRAY, *THE DYNAMICS OF MILITARY REVOLUTION: 1300-2050*

for performance that might lead to further transformations in international broadcasting. Previous scrutiny—arising out of the end of the Cold War, the opportunity presented by new technologies, the demands of the ethnic conflicts, and the challenges put by young critics like Jamie Metzl—had shaken the institutions of international broadcasting but not fundamentally altered their behavior.

In short order, various underpinnings of the classic commitment to international broadcasting were questioned, not out of indifference, but rather out of a new sense of necessity that propaganda goals were vital to national security.

One such underpinning had been the celebrated (though repeatedly questioned) commitment to objectivity by the Voice of America as that term came to be interpreted in U.S. journalism. A VOA charter, drafted in 1960 and signed into law in 1976 by President Gerald Ford, addressed the need to protect VOA's integrity (an ambiguous need to maintain a profile that would relay the national message while still upholding national values like impartiality).⁷⁸ The Charter provided as its first principle that "VOA will serve as a consistently reliable and authoritative source of news. VOA news will be accurate, objective, and comprehensive."⁷⁹ The harsh reality of September 11 caused an immediate conflict with this principle. A little more than a week after the suicide attacks, William Safire, the influential columnist for *The New York Times*, questioned the utility of adherence to the principle of objectivity as practiced by the VOA. He skewered "evenhanded journalists" there, and mockingly condemned "fine impartiality" as "the wrong voice" for a state-sponsored international broadcaster in wartime. Prompting Safire's ire, the VOA had included a discussion of various views, including those of Taliban leaders, in a program concerning the potential war. Safire quoted the VOA's news director as stating that "for the agency to remain 'a credible news organization,' such interviews with terrorists 'will be part of our balanced, accurate, objective, and comprehensive reporting, providing our listeners with both sides of the story.'"⁸⁰

(2001); JAMES DER DERIAN, *VIRTUOUS WAR; MAPPING THE MILITARY-INDUSTRIAL-MEDIA-ENTERTAINMENT NETWORK* (2001)

⁷⁸ Pub. L. No. 94-350 (1976).

⁷⁹ The other two principles were as follows: (2) VOA will represent America, not any single segment of American society, and will therefore present a balanced and comprehensive projection of significant American thought and institutions; and (3) VOA will present the policies of the United States clearly and effectively, and will also present responsible discussions and opinion on these policies. Note the innate conflict between the third principle and the first.

⁸⁰ William Safire, *Equal Time for Hitler*, N.Y. TIMES, Sept. 20, 2001, at 31.

For Safire and the many who identified with what he wrote, the irrelevance of adherence to the Charter's first principle was clear: "Which US government broadcaster should be charged," he wrote, "with stirring anger among Afghans at rulers eager to bring further devastation to their country? That mission of countering Radio Shariat's propaganda should go to RFE/RL, the 'radio free' outfit experienced in acting as a surrogate free press in repressive nations like Iran, Iraq, and China."

"In the climate of today's undeclared war," Safire had concluded, "private media in democracies are free to take either or neither side, but U.S. taxpayer-supported broadcasting is supposed to be on our side." The Safire column created its own volcano of additional objections and soon combined with a second incident in which the State Department placed pressure on the VOA not to feature an exclusive interview with a leading Taliban figure, Mullah Mohamed Omar, even though it was, by all accounts, an important news story.⁸¹ A famed characteristic of VOA-State Department relationships had been violated, a corollary to the principle of objectivity: the existence of a "firewall" which was supposed to protect Voice programmers from intervention from Executive Branch officials. The VOA had striven to present itself to the world as largely insulated from political control. Yet at this moment of national security fears, the qualities that VOA considered vital to its international reputation seemed to be ephemeral, incapable of the significant anxieties of the moment.

And then there was a third kind of faltering. During the Afghan War, the VOA was broadcast from military aircraft, the Commander Solo planes that were substituting the VOA signal for the destroyed Taliban radio. The VOA had steadfastly refused during the Gulf War and Kosovo crisis to permit its programming to be

⁸¹ An account of the event was presented by the VOA itself:

VOA originally planned to air the [Mullah Omar] report on September 21. The State Department typically does not see VOA reports in advance of their broadcast, somehow State Department officials found out about this story and objected vehemently to some members of the Broadcasting Board of Governors, which oversees all U.S. government international broadcasting. VOA senior management decided to hold the story pending an interview with the former Afghan King and other experts. Most VOA employees learned about this incident last Sunday, September 23, when they read about it in the Washington Post. This past week, over 200 VOA journalists and broadcasters signed a petition which began with a statement made on VOA's first day of broadcasting, Feb. 24, 1942, during World War II. 'Daily at the time, we shall speak to you about America and the war—the news may be good or bad—we shall tell you the truth.' The petition concluded: 'This censorship sets a most unfortunate precedent and damages our credibility with our worldwide audience.'

Voice of America, "USA/Afghanistan: State Department's 'Regret' at VOA's Taleban Interview," BBC Monitoring World Media, Oct. 1.

relayed via U.S. Defense Department aircraft or terrestrial “psywar” stations. This policy, too, had been put in abeyance. For some, these events were part of the process of conflict; for others it was a further deterioration in the idea of independence.

Finally, a sign of all these pressures was that Congress, rarely subtle when it is passionately in pursuit of newfound truths, tried, instantaneously, to recast the international broadcasting structures. Senator Joseph Biden, the chair of the Senate Foreign Relations Committee, proposed a half-billion dollar initiative for a satellite television channel that would compete with Al Jazeera to reach “younger Muslims who are seen as anti-American.” By 2003, this took the form of a \$30 million appropriation. Congress raced, as well, to establish a new surrogate Radio Free Afghanistan at the beginning of the U.S. bombing campaign. According to Congressman Ed Royce, this station was necessary “to do what was done with Radio Free Europe in Poland and Czechoslovakia. When we talk with leaders [there], they say that the hearts and minds of those people in those countries were turned by the opportunity to listen daily to a radio broadcast which explained what was actually happening in their society.”⁸²

In addition, there was enthusiasm for a new Middle East Radio Network (MERN), now called Radio Sawa, targeted at young Arabs with a “musical mix [that] will run from Madonna and the Backstreet Boys to popular Middle Eastern Singers like Egypt’s Amr Diab and Cheb Mami of Algeria.”⁸³ The origins of such an approach can be found in the months prior to September 11 but it was rushed into prominence as a result. If implemented, MERN would constitute the embodiment of a Revolution in Public Diplomacy, especially when joined with other emerging stratagems to “rebrand” the United States. MERN would have radical implications for the VOA and international broadcasting.

Radio Sawa was the brainchild of Norman Pattiz, a highly successful radio entrepreneur (he was the major shareholder in Westwood One—a large-scale information and entertainment radio content supplier) and a member of the International Broadcasting Bureau’s Board of Governors. Because of his background in the commercial radio industry, Pattiz had been asked to co-chair the committee charged with undertaking an extensive review of the effectiveness of the VOA. What he learned, he said in post Septem-

⁸² Congressman Ed Royce, Press Release, Nov. 7, 2001.

⁸³ *US Dials Up Radio Network to Reach Young Muslims*, WALL ST. J., Nov. 27, 2001, at A24.

ber 11 testimony before the U.S. Congress, “shocked” him.⁸⁴ “I was astounded to see how poorly we did in areas of vital concern to U.S. foreign policy.” He was disturbed, especially, by listening rates in the Middle East. He faulted the VOA for having “no targeted programming for the region, just a generic, one-size-fits-all Arabic stream.” He considered the distribution mechanisms outdated and fatally flawed: “We had no local FM or regional AM distribution, the radio channels of choice, just out-dated shortwave. We scarcely had a presence in the region, only a few very small news bureaus. In short, we really had no chance of being successful.”

The remedies he outlined could be seen as a significant critique of international broadcasting as it had previously developed. First, as have the commercial broadcasters who now dominate U.S. radio space, the Radio Sawa broadcasters would have more specific demographic analysis and objectives. “We’re going to know the audience and program to that audience.” For the new network, the determination was that the target would not be the elite of the target society, not an older politically involved audience, but “the new young mainstream of educated Arabs under 30 and the emerging Arab leadership.”

Not surprisingly, the techniques to be used would approximate those of the urban stations, which Pattiz had helped develop. His solution to VOA’s problems—in its broadest terms—was for U.S. international broadcasting to use “the same techniques and technologies that drive U.S. commercial media today.” These would include an approach to radio as “a medium of formats not shows.” The U.S. listener tunes “to a particular station because we like what that station offers overall.” Modern radio is constructed so that there are stations known for the kind of music they play, thematically, all day long. These are highly engineered formats designed to attract and keep audience.

Such a model would be radically different from the programming schedule of the traditional VOA. U.S. international broadcasting, Pattiz contended, “still uses radio largely the way it was used fifty years ago. The 60 language services present collections of programs, packaged into programming blocks of varying duration. Not only does this sound dated but it robs our broadcasting of one key advantage of formatted radio—a clear identity the audience can relate to and easily recognize.” To accomplish his results, there

⁸⁴ “Rethinking US Public Diplomacy,” Committee on International Relations, United States Congress, Nov. 14, 2001 (statement of Norman J. Pattiz). All quotes by Mr. Pattiz in this section are from this Statement.

would need to be a different organizing mentality, different staffing, and a different set of incentives. The content and approach to content would be transformed, just as American radio was transformed by the rise of highly managed, highly targeted, ratings-sensitive radio that emerged after the 1970s. Genres would change, with implications, probably, for competition among international broadcasters, with new satellite services and local commercial competitors.

In his testimony, Pattiz argued that a specially designed MERN would “present a consistent, uniform format that achieves a clear identity the audience can relate to and easily recognize.” His words recalled urban radio in Detroit or “easy listening” formats in Los Angeles. “We’re going to be a force in the market—on the air 24/7 on multiple channels that the audience uses and that we own. Being on around the clock establishes a fixed, prominent profile as opposed to sporadic broadcasts at different times during the day. We want to maintain a constant on-air presence and be available whenever the audience wants us.” The nature of the target audience would affect format and content. “We’re going to attract an audience by creatively using entertainment and music. We have to be realistic.” His indication of ownership suggests a different technology of distribution, with more local transmitters and local FM or AM outlets obtained by the U.S. international broadcaster.

A significant question would be the status of news and information, areas that have been central to the VOA’s existence. Noting that the target audiences for the Middle East Radio Network would be young adults, Pattiz argued,

They are not news-seekers first and foremost. We have to attract them with the programming they want to hear and drop in the news and information we want them to get. This means strategic use of music and entertainment. A major competitive advantage of the Middle East Radio Network is access to specialized music researchers who use state-of-the-art techniques to stay up to the minute on changing audience preferences. Since music will be a vital to our programming appeal, it must be absolutely current.

Pattiz might have had in mind, as a model, Radio Maximum, a decade-old radio station in Moscow. The station had been developed, in part, by Bert Kleinman, who was selected by Pattiz and the International Broadcasting Board of Governors in 2001 to develop a “master plan” for MERN. Chosen, apparently, because he possessed “unique capabilities” in providing ethnic- and Middle East-specific broadcast consultative services, Kleinman would provide

“branding and marketing strategies.” A joint venture between the U.S.-owned Storyfirst Communications and the Moscow News publishing house until it was sold in 2001, Radio Maximum was number six in the Moscow market and number two in St. Petersburg with a format described by its managing director Mikhail Eidelman as “cool rock and smart pop.” The strategy is to have an image as “a young energetic station for forward-looking people.” Targeting students and young businessmen, mostly age 18-30 who have a higher than average income, Eidelman sought an audience better educated, “generally more open-minded to the world,” very much the equivalent of the desired demography in the Middle East. Significantly, according to the managing director, a characteristic of the programming strategy is: “No politics, no hard news, no sport, only short reports with a good sense of humor. Our audience has enough brains not to be told what to think?they are well-informed people who can get other kinds of news elsewhere. We are an entertainment station.”⁸⁵

All of this suggests why Pattiz’ vision for the Radio Sawa contains seeds of transforming change. Pattiz foresaw his innovation as breaking through the traditional distinctions between the Voice of America and the so-called surrogate radios. Debates about international broadcasting in the United States, as we have seen, have been filled with vicious divisions between those (essentially the Voice of America) who contend that the task is to provide an objective and impartial view of the United States in the world; and those, the surrogates, who deploy international broadcasting to provide a view of local news in the target society as framed by those employed by the surrogates.

Pattiz’s vision transcends this divide by relying on a new model, one that would draw on commercial counterparts to overcome any ideological obstacle. There would be “a global, research-driven U.S. government broadcasting network” that fulfills the missions of both the surrogate radios and the Voice of America by broadening the distribution mechanisms and bringing them under one mode of control. He predicted a time when the component parts of current U.S. international broadcasting efforts-surrogates and VOA- would be content providers supplying programming. This network would be maintained by the International Broadcasting Bureau, which also operates under the Broadcasting Board of Governors and has had since 1994 the function of consolidating broadcasting operations. Presumably, the network would also be

⁸⁵ *Moscow’s Music Radio Glasnost*, MUSIC & MEDIA Aug. 25, 2001, at 7.

able to gain content from other suppliers if the task of reaching the target audience would be enhanced.

The war in Afganistan and the sharper focus on hearts and minds, rendered the model of the Radio Sawa more likely to be achieved. It would provide, if all the aspirations of Norman Pattiz were to be realized, an astonishing, sweeping change in U.S. international broadcasting. It would bring the techniques of the marketplace much more to the fore, and with it, radical changes in genre and technique. The VOA office warrens of displaced diasporic dissidents, the Pashtos, the Serbs, the Azerbaijanans, would find that their preserves were severely jolted and their places taken by the inevitable MBAs and managers with experience in commercial radio. As Pattiz concluded his testimony: "We know how to make US international broadcasting robust in every quarter of the world. We simply have to use the same broadcasting techniques and technologies that drive the best commercial broadcasting today. These have worked everywhere they have been tried."

CONCLUSION

The events of September 11 and, afterwards, the war in Iraq, brought to the foreground debates over the future of public diplomacy and international broadcasting. These debates sharpened an understanding of the interest one society has in the media space of others. There are few other contexts in which there is so direct a discussion of a national purpose to alter the mix of voices, to affect the market for loyalties, to achieve greater civic participation in target societies and, finally, to win over hearts and minds. If there is a "revolution in public diplomacy," international broadcasting will be one critical site for its implementation. The move may be toward "rebranding," to use a current hot-button phrase, from an emphasis on a general process of representing the United States to one far more instrumental in its emphasis on specific content. International broadcasting may move from being an active proponent of the relationship of media to democracy to a function more closely tied to issues of media and global security. The very institutions of international broadcasting could begin to mimic their commercial counterparts. There may be a move from news to entertainment, from "objective and impartial" reportage to promotion of a particular culture or style. New technologies, new genres, new kinds of partnerships—all these will certainly characterize the future of international broadcasting, as we have seen in the example of the Middle Eastern Radio Network. The revered Canadian

activist and writer Graham Spry had a relevant warning (though he was speaking of domestic public service broadcasting): “To trust this weapon [the shaping of public opinion through electronic media] to advertising agents and interested corporations seems the uttermost folly.”⁸⁶

⁸⁶ Letter from Graham Spry, 1931, *quoted in* Robert M. McChesney, *Graham Spry and the Future of Public Broadcasting*, 24 *CANADIAN J. COMM.* (1999).

