

## **Contesting the Middle Ground: The Regulation of Objectivity in ABC Journalism**

**David Nolan**

Media and Communications Program, University of Melbourne  
d.nolan@unimelb.edu.au

### **Abstract**

In March 2005, the Australian Broadcasting Authority finally delivered its report responding to Richard Alston's 68 complaints about coverage of the 2003 Iraq war on the ABC radio program *AM*. While the report found that *AM*'s coverage was 'of a high standard overall', it upheld six further complaints for on the grounds that they breached the ABC Code of Practice's requirement of 'impartiality', thus providing further support to governmental claims regarding ABC 'bias'. This paper focuses on this episode to theoretically and empirically engage with the question of how journalistic norms of 'objectivity' and 'impartiality' are defined in ABC journalism. To this end, the paper focuses on the ABA's handling of a complaint regarding the reporting of a US military press briefing, and arguments made in response to this finding by ABC management and journalists. Rather than simply provide a descriptive account of formal policy frameworks and processes, this research draws on this case study to argue that norms informing journalistic practice can be seen to emerge through the interplay of political, regulatory, institutional and professional definitions of objectivity and impartiality. With this in mind, it focuses on the implications of the ABA finding, and the extent to which it may impact on the regime of objectivity governing ABC journalism.

### **Introduction**

*In 1958 I wrote the following:*

*'There are no hard distinctions between what is real and unreal, nor between what is true and what is false. A thing is not necessarily either true or false; it can be both true and false.'*

*I believe that these assertions still make sense and do still apply to the exploration of reality through art. So as a writer I stand by them but as a citizen I cannot. As a citizen I must ask: What is true? What is false?*

Harold Pinter, Nobel Lecture, December 7 2005.

On 1 March 2005, after an investigation that lasted 14 months, the Australian Broadcasting Authority (ABA) delivered its final report on the 68 complaints regarding the ABC radio program *AM*'s coverage of the Iraq conflict made by the Minister for Communications, Senator Richard Alston, in May 2003. The ABA rejected Alston's overall charge that *AM*'s coverage was 'biased and anti-American', finding it was of a high standard overall' (ABA 2005: 13).

Nonetheless, it upheld six of Alston's complaints, finding that the *AM* had breached the *ABC Code of Practice* (the Code) on four occasions.<sup>i</sup> Each of these complaints related to matters of 'impartiality', and was thus found to have breached clause 4.2 of the Code:

Every reasonable effort must be made to ensure that programs are balanced and impartial. The commitment to balance and impartiality

requires that editorial staff present a wide range of perspectives and not unduly favour one over the others. But it does not require them to be unquestioning, nor to give all sides of an issue the same amount of time. (ABC 2004)

In her analysis of the significance of Alston's criticisms of *AM*, Liz Jacka has questioned 'whether the concept of bias is a sustainable one, even though the chilling effect it produces is still powerful' (2005: 9). Jacka's argument has two dimensions. On one hand, she is concerned to suggest that Alston's intervention involved a mobilisation of the concept of bias to achieve ends that were highly political, and that the legitimacy of this move is questionable. Here, Jacka draws upon Krishan Kumar's analysis of how public service broadcasters necessarily have to occupy a 'middle ground' between representing the interests of various members of the public, thus demonstrating their legitimacy as a 'public service', while remaining mindful of their reliance on the state (and, by extension, governments) as a source of institutional support and funding (Kumar 1977). On this basis, Jacka argues that Alston's complaints must be understood not only in the context of the Australian Government's concern to make a public case for the Iraq conflict, but as an element in a broader set of 'culture wars' that are 'precisely about where lies the middle ground' (Jacka 2005, 22). In this respect, Alston's charges of 'bias' can be read as an attempt to (re)define the 'middle ground' upon which the objectivity and impartiality of ABC journalism is to be measured. Alston's intervention can thus be read as a self-interested attempt to influence future practices of ABC journalism and, by extension, the forms of 'public knowledge' (Schudson 1995) these serve to facilitate.

It follows from this reading that 'objectivity' is not an abstract philosophical concept, but rather a journalistic 'regime of truth' (Foucault 1984: 74) that is contingent upon a shifting field of power relations. However, in the same article, Jacka also presents a more general critique of the concept of 'bias' as a highly subjective and philosophically questionable concept that serves largely as means to 'chill' critical reportage. Here, she suggests that the concept of 'bias' tends to invoke a naïve positivist view of representation as a potentially transparent 'mirror to reality', presupposing that an entirely neutral and truthful representation of 'how things are in the world' may be presented through discourse. How far such a critique is relevant to this case depends on the degree to which Alston's complaints relied on an implicit claim that representation might, and should, act as a neutral reflection of 'reality'.

As Graeme Turner has recently argued, there can be little doubt that incessant criticisms of ABC 'bias' from the political right in recent years have tended to mobilise the concept in this way, and in some respects Alston's complaints can be understood as a public intervention that reproduced this approach (Turner 2005). However, the complaints defined 'bias' in much more specific terms as an 'absence of objectivity' (Hackett 1984: 232), where the latter is given particular definition by a regulatory system designed to provide a basis upon which ABC journalism is governed. Indeed, Alston's original letter to the ABC specifically framed his complaints in relation to the 'statutory duties of the ABC board to ensure that the gathering and presentation of news and

information is 'accurate and impartial according to the accepted standards of objective journalism' (Alston 2003a). In a later submission, Alston further commented that 'accuracy and impartiality are...key ingredients of a free media in a democratic society' (Alston 2003b). This suggests that a generalised philosophical critique of 'bias' may have somewhat limited applicability to this case since, rather than a merely subjective concept, 'bias' is thus defined as a failure to properly observe protocols of 'impartiality' that provide a mechanism through which information of public significance may be 'truthfully' communicated.

This is not to suggest that protocols of objectivity and impartiality are themselves immune from political influence, or that they do not themselves shape power relations. Rather, it follows that concepts of journalistic objectivity should not be dismissed out of hand, but rather investigated in terms of their social constitution and impacts. A range of studies and approaches have been developed to contribute to such an undertaking. These include: professional debates regarding the philosophical and ethical merits of such a norm (Dunlevy 1997, Ward 2004); social-organisational studies that have approached objectivity as a product of the organisational pressures and imperatives of news production (Tuchman 1972, Gans 1980, Soloski 1989); political-economic approaches focused on how objectivity serves to support the definition of issues in ways that coincide with those produced by centres of political and economic power (Hall et al 1978, Hallin 1986), and how it is linked to the political-economic character and interests of media organizations themselves (Hackett and Zhao 1998); and policy-oriented approaches that have paid attention to variations in models and practices of objectivity in different national contexts (Donsbach and Klett 1993, Chalaby 1998), as well as national variations in legislation and regulation applying to related concepts such as 'fairness' and 'impartiality' (Harvey 1998).

Michael Schudson's work on the cultural history of journalistic objectivity in US journalism (Schudson 2001, 1995, 1978) provides a useful basis upon which such disparate approaches can be productively brought together to provide an understanding of objectivity as a professional norm subject to multiple influences. Criticising singular (technological and economic) determinist accounts of objectivity's emergence, Schudson traces its development at the intersection (and through the interaction) of forces and factors both internal and external to journalism. These include: professional factors, such as the need for journalists to establish professional norms to establish their public credibility as a profession; political-economic factors, such as the benefits such self-discipline offered to management as a means of social control within the newsroom; and broader political and cultural factors, such as the rise of public relations and propaganda and its impacts on journalism, the emergence of widespread epistemological scepticism in the early 20<sup>th</sup> century, and influence of political ideologies such as progressivism in the United States. Schudson's is not the only account of the history of objectivity, nor one that is uncontested by other historians.<sup>ii</sup> What it provides, however, is a template for approaching objectivity as a norm that is shaped by both the professional culture of journalism itself and the broader socio-cultural, regulatory and political contexts in which it operates.

Three heuristic points can be drawn from this brief review that appear pertinent to a consideration of the dispute being considered here: Firstly, following Schudson's lead, that operative norms of objectivity are not shaped solely by the professional culture of journalism itself, nor by factors and forces external to the profession, but rather by the interaction between the two. Secondly, that objectivity (or its antonym, 'bias') do not exist as pre-given standards of judgement, but rather are given specific (if not always explicit) definition by various parties as they are mobilised to criticise, defend and govern practices of journalism. Thirdly, in so far as such definitions prove influential, these not only work to inform practices of journalism themselves but, in so doing, have manifest implications for political relations more broadly. With this in mind, I will now turn to consider how, in relation to AM's coverage of the Iraq war, a 'public' (or 'middle ground') subject position was defined and contested by different parties.

#### **'Impartiality' and the reporting of public relations**

If the various arguments put forward by the different parties involved in this dispute (i.e. Alston, the ABA, ABC management and journalists) are considered, it is possible to distinguish between two markedly different views of what journalistic objectivity is, and particularly how it should be governed. On the one hand, a 'bottom up' approach situates journalists themselves as the primary locus of objectivity. It is journalists, being the ones most familiar with the story being covered and having the independent capacity to exercise professional judgment, who are best placed to decide how to identify and cover stories in a balanced and impartial manner. From this perspective, although journalists are expected to fulfil the obligations to report impartially set out in the ABC's editorial policies, how they do so remains a matter of professional judgement. This can be defined as a 'bottom-up' approach to regulating objectivity, then, since it is highly reliant on journalists' own (self-regulatory) capacities to act in accordance with standards of professionalism. A notable feature of this approach is that, while they are still required to uphold particular standards of practice, it depends on placing a high degree of trust in journalists themselves. A 'top-down' approach, by contrast, places less emphasis on trust and more on accountability: that is, in ensuring that journalists operate in a manner consistent with standards of practice defined by formal regulatory frameworks and authorities. In terms of defining 'objectivity', from this perspective the primary locus is no longer journalists themselves, but rather the definitions articulated in regulation, and the individuals and regulatory bodies empowered to police these. This approach is 'top-down' in the sense that it emphasises a hierarchical relationship, whereby journalists' actions 'on the ground' are governed 'from above'. It should be stressed that this is a somewhat artificial distinction employed for the purpose of analysis. None of the parties involved in this dispute (with the possible exception of Alston himself) assumed a definition that was unqualifiedly 'bottom up' or 'top down'. Having said this, if these two perspectives may be seen to involve different emphases, it is possible to locate different players in terms of their tendency toward one or the other. In this case, I will argue that ABC journalists and management were oriented more strongly towards a 'bottom up' model, while the ABA and Alston himself assumed or adopted a more 'top down'

approach.<sup>iii</sup> To illustrate this, and to consider the implications of these different approaches in practice, I will focus discussion on the dispute over one complaint (Matter 26) in particular.

To understand how this raised the issue of impartiality, it is important to consider the context of Alston's original complaint, in which this was one among several relating to the handling of a US military press briefing:

**Thursday 27 March 2003 – 08:00:19**

23. *Next day a direct hit on a market/shops in Baghdad was introduced by Linda Mottram as: "A test for Coalition claims about the accuracy of their weapons and a bloody one, as images of carnage in suburban Baghdad fuel difficult new questions for the Coalition".*

*No evidence of difficult new questions for the Coalition was provided.*

24. *When a US spokesman denied deliberately targeting a market place and suggested Iraq might have been to blame Linda Mottram editorialised: 'it sounds like they are spinning this very strongly out of some degree of concern'*

*This was followed by another huge leap, especially as the US was contesting liability.*

25. LINDA MOTTRAM: "do you think this might cause a rethink about the strategy in this war...?"

26. *And, finally, referring to Victoria Clarke reading out a list of crimes committed against international law by Saddam Hussein, a dismissive "it is obviously a very vigorous public relations offensive at this time" (quoted in Green 2003: 40)*

While a full representation of the report is beyond the scope of this paper, a number of points can be drawn from this excerpt to specify the exact nature of this complaint. It is clear that what is at issue is the coverage of a press briefing relating to a specific incident (the bombing of the Shaab marketplace in Baghdad) in which it appeared at least 14 civilians had been killed. At the time of reporting, US military officials were expressing uncertainty regarding whether these deaths had been caused by US or Iraqi weapons. In this respect, Mottram's interpretation of a Pentagon official reading out a list of Saddam Hussein's war crimes as a 'very vigorous public relations offensive' is made in this context. By contrast, in the context of the adjacent complaints, Complaint 26 involves the suggestion that Mottram had (a) assumed that the US was actually liable for the bombing; and (b) that this assumption led her to dismiss the references to Hussein's war crimes as a 'public relations offensive'.

The ABA upheld Alston's complaint, citing the following reasons for doing so:

The ABA recognises that the US government and military officials may have sought to deflect blame for the incident away from the Coalition, and acknowledges that it is legitimate for journalists to be sceptical and questioning in circumstances such as those surrounding the report in question. However, the ABA notes that the reporter and Victoria Clark [sic] also raised a number of significant military and strategic issues. Notwithstanding this, the presenter characterised the government official's statement as 'spin' and some time later puts to the reporter the proposition

that Coalition reporters had mounted a 'vigorous public relations offensive'. While mindful of the role of a public relations official in such circumstances, the ABA nonetheless considers that the language used by the presenter would have suggested to an ordinary reasonable listener that *AM* regarded the official's references to the alleged war crimes of Saddam Hussein as merely a public relations measure. The ABA finds that the program was prejudging, rather than questioning the motivations of the officials, and was predisposed to the view that the official's statement was a 'public relations' initiative only. (ABA 2005: 68)

In light of this finding, we might speculate on what other possible motivations might have led Victoria Clarke to provide a list of Saddam's war crimes in this context. It may have been that Clarke was presenting this information to support a case suggesting casualties may have been caused by Iraqi weapons. However, US officials had already acknowledged that they were uncertain as to whether the bombing had been caused by US or Iraqi weapons. In this situation, and given that Clarke made this reference in response to questions regarding possible US involvement in this incident, such a case must in itself be regarded as strategic. Furthermore, Clarke took the opportunity to emphasise the extent of Hussein's tyranny, thus reiterating a prominent US justification for its invasion of Iraq. Given that the question of the legitimacy of the Iraq intervention had been highly contentious prior to the war, it is difficult to see how this could not reasonably be construed as a public relations exercise.

It is important to note, however, that the ABA did not dispute that Clarke's reference to war crimes was part of a public relations exercise, but rather that it was 'merely' a public relations exercise. The wording of the ABA's finding emphasises this point:

The ABA finds that an ordinary, reasonable listener would have understood from the program that it had assessed the issues which the official alluded to as being part of a public relations exercise. This was a prejudgement which trivialised the information in the report. (ABA 2005: 67-68)

Regardless of the question of whether any justification exists for this particular finding, it is important to emphasise that it depends on a very particular interpretation of what referring to a 'public relations exercise' involves. That is, this suggests that to refer to a statement as 'public relations' is to suggest that the information it contains is somehow negligible or questionable, as opposed to simply being presented to support particular purposes. Although the ABA provide no justification to support such a view, if it were to be carried through to everyday reporting it would have definite consequences. Indeed, since *any* reference to 'public relations' could, on the basis of this logic, be construed as a 'prejudgement', for journalists to engage in discussion of public relations would involve running the risk of having their impartiality called into question. At best, any such reference would have to be 'balanced' not only by a reiteration of 'the facts' as presented by the interested party in question, but also by raising the possibility that this representation may constitute a disinterested 'truth' or 'mere information'.

### **Interpretive impartiality**

In their submissions to the ABA, both ABC management and journalist Linda Mottram strongly objected to the suggestion that Mottram has 'trivialised' Clarke's reference to Hussein's war crimes. However, although such an imputation might be drawn from its report, the crux of the ABA's argument was that *AM* was dismissive of the case made in support of Iraqi responsibility for the bombing. On this point, however, the ABC submitted that the report was not primarily about who was actually responsible, but 'squarely focused on how the Pentagon was explaining its position on the Shaab market incident', an issue that was 'highly newsworthy' in its own right (ABC 2005: 5). Furthermore, rather than dispute that *AM* considered Clarke's comments as part of a public relations exercise, the ABC argued that:

There was no *prejudgement* by the program, although the program certainly assessed the issues and made a *judgement* about Clarke's strategy. This did not reflect the 'affections or enmities' of the presenter or the reporter. Rather, it reflected their considered journalistic judgement that by seeking to draw attention to the atrocities of the Iraqi regime when pressed on the US role in the Shaab market place bombing, Clarke was engaging in an information relations strategy which could fairly be described as a 'public relations offensive'. This is precisely the sort of analysis and judgement that is expected of a current affairs program such as *AM*. (ABC 2005: 6)

It is important to note here that the ABC's defence does not involve any suggestion that impartiality and interpretation are mutually exclusive. Rather, it defends the interpretation presented on the grounds that it is both reasonable *and* newsworthy.

Similarly, Linda Mottram defended herself against the suggestion that she had 'trivialised' the information presented on the dual grounds that her interpretation was both reasonable, and focused on a legitimate public issue. Given Victoria's Clarke's job as 'a Pentagon Public Affairs official', referring to 'propaganda' in this context was, she argued, justified. To consider the propaganda aspect of war was far from a 'trivialisation', however:

There can be nothing trivial about all of this. It is offensive and historically naïve to suggest so. The situation is quite the contrary. Propaganda is one of the least trivial aspects of war management. (Mottram 2005: 9)

In emphasising the non-'trivial' nature of communications management during wartime, Mottram suggests that avoiding the issue of public relations would itself provide an overly 'partial' perspective on the war. Indeed, she argues that the ABA's finding 'appears to be case of appeasing the minister' who, far from being a disinterested 'ordinary reasonable listener', had a direct interest in the question of how the war was being reported. Indeed, both Mottram and the ABC raised concerns about the degree to which the ABA's apparent expectations of impartiality placed undue limitations on the degree to which legitimate concerns regarding the Coalition's information management strategies might be considered. The ABC also argued that, in a situation where the justification for war was itself highly contentious, the Coalition's practice of allocating

blame for all civilian deaths (even those caused by US weapons) to Saddam Hussein's regime was a matter of legitimate public concern (2004a: 21).

In this respect, arguments opposing the ABA's finding went significantly beyond questioning the degree to which its interpretations were justified, and focused on the validity of the standards of 'impartiality' the ABA adopted in assessing the complaints. This is clearly apparent in the following passage, in which the ABC directly contested the basis of the ABA finding:

There was no partiality in the report, nor any requirement to "genuinely [consider] the alleged crimes of the Hussein regime". For the ABC to have "genuinely considered the alleged crimes of the Hussein regime" in this report would have been to do precisely what the US tactic sought to achieve. The report was about the briefing and how the US was handling the public relations fallout from the Shaab market incident. There was no need in a report with that focus, in order to be balanced and impartial, to consider the alleged crimes of the Hussein regime. Had the ABC done that, one can imagine that the US would have regarded their public relations strategy of 'deflecting blame' as having succeeded. Further, the ABC could legitimately have been accused of partiality in unduly favouring the US perspective. (ABC 2004a: 22)

What is clearly apparent, at this point, is that there is a manifest disparity in the standards of 'impartiality' assumed by the ABA on the one hand, and ABC management and journalists on the other. At this point, I wish to turn to consider the basis of this disparity, and highlight it how it is connected to these parties' orientation toward 'top down and 'bottom up' models of objectivity.

#### **Newsworthiness' and the 'Ordinary Reasonable Listener**

As we have seen, in the context of this dispute, both the ABC and Linda Mottram defended AM's coverage on the grounds that it was legitimate and newsworthy. Furthermore, criticism focused not only on individual findings, but also on the validity of the ABA's approach to judging impartiality (via an assessment of whether an 'ordinary reasonable listener' would consider a particular report as biased). This, Mottram submitted, provided an inadequate test of the Code's requirement that 'every reasonable effort must be made to ensure that programs are balanced and impartial':

The draft report appears to contend that not only should impartiality and balance be determined with reference to the ordinary reasonable listener, but that the reasonableness of efforts to achieve this is somehow also to be determined by the listener... This is not a correct application of the Code. Whether or not reasonable effort has been made depends on all circumstances, known to the listener or not, including the urgency of the reporting, the available information at the time, the background knowledge of the presenter and reporters, previous information presented on the program, the conduct of other media. (Mottram 2005: 7)

This critique is grounded in an understanding of impartiality as something that does not exist in the abstract, but is specific to the situation of reporting itself. In these terms, reporting impartially is not merely to present a representation of events that can be consensually acknowledged to adhere to 'reality', but rather

involves professional interpretations regarding how to communicate the public significance of events and issues.

Submissions from ABC management, similarly, criticised the ABA for an apparent lack of regard for, and expertise in, the realities of journalism production. However, the ABC also argued on legal grounds that, in adopting this methodology, the ABA had overstepped its legitimate role as national regulator:

The statutory regime of the ABC Act, and the broader legal context in which it operates (for example the implied freedom of expression that the Constitution provides, including to the ABC's interviewees, in relation to governmental and political matter) seems inconsistent with the ABA stepping in and second-guessing the editorial authority which the ABC Act gives exclusively to the ABC. Yet that is precisely what the Report in its present form does. (ABC 2004b: 5). In the context of this complaint, the ABC went on to argue that, by making assessments about how broadcasters should have represented issues, the ABA substituted its own views for those of the broadcasters. This, the ABC submitted, was inappropriate because it did not assess whether the actions of broadcasters were reasonable in the circumstances, but rather whether the ABA itself judged the coverage itself to be reasonable.

In dismissing this objection, the ABA put forward the following argument in defence of its approach:

In the ABA's view, its clear role under section 151 of the Act is to investigate complaints that a broadcaster has acted contrary to a code and to decide whether or not it is satisfied that a particular complaint is justified. This does not involve reviewing decisions made by the ABC to determine whether no reasonable broadcaster could have made them, but rather to apply the words of the code. Among other matters, this involves consideration of what the material broadcast conveyed to an ordinary reasonable listener, as opposed to what was conveyed to any particular complainant. (ABA 2005: 6)

While this response may appear reasonable in its own terms, as an approach to regulating journalism it raises a number of concerns. Firstly, despite its claim to remove itself from reviewing decisions made by the ABC, it involves a *de facto* privileging of the national regulator over the ABC in relation to editorial matters. This is so not only because the artifice of the 'ordinary reasonable listener' authorises the ABA to make independent decisions regarding questions of impartiality, but because it also privileges this judgement over those of journalists themselves. In this way, it supports a practice that 'applies the words of the code' in isolation any consideration of the context in which reporting takes place, or the role that news judgements play in informing journalistic decisions regarding the reporting of public issues. Indeed, it is notable that there are crucial differences between the requirements regarding impartiality as these are formulated in the *ABC Code of Practice* and its *Editorial Policies* respectively. In particular, the stipulation in the *Charter of Editorial Practice* that, in deciding how to represent issues impartially, 'news values and news judgements are a material consideration in reaching decisions' (2002: 9) is absent from the Code. In this

respect, the ABA's conclusions involved a disregard for the regulatory framework through which the ABC attempts to fulfil the obligations stipulated in the Code.

This may be seen to be problematic in several respects. Firstly, it implicitly marginalises the role journalistic expertise must necessarily play in making judgements about what 'public issues' are, and how these might be covered impartially, that cannot be satisfactorily addressed in a 'one size fits all' approach. Secondly, it creates a peculiar situation where different editorial regimes exist at institutional and national levels, simply because the national regulator chooses to interpret the organization's own code according to its own (albeit attributed) perspective. Finally, because the 'ordinary reasonable listener' is an imaginary figure, it provides a mode of assessment that is not only non-transparent, but risks being highly subjective. This creates the ironic situation in which the mode of judging 'impartiality' may be reasonably criticised for presenting highly partial interpretations. This could not only damage the credibility of the regulator (if, as in this case, it is accused of siding with a particular interested party in a dispute), but also undermine what remains of public faith in the possibility of independent journalism.

To this point, academic discussions of the Alston complaints have tended to focus criticism on the Minister's complaints themselves, positioning these as a deliberate attempt to overstep the legitimate boundaries that have traditionally existed between executive government and the fourth estate. Arguably, however, such moves are only problematic insofar as those arrangements provide an insufficient basis for such political moves to be resisted. If this is the case, then whether or not Alston's intervention should be judged as cynical and politically motivated may not be the most important issue that this episode raises. Rather, what this paper has highlighted is the need for regulatory arrangements that ensure an optimum level of independence for ABC journalism, such that its practices cannot be shaped in a 'top-down' fashion. This is an imperative not only in order to uphold public faith in journalism itself but, more broadly, for the viability of democratic communication in the future. Of course, the very fact that the ABC has publicly rejected the ABA findings, and has continued to defend both the performance and the independence of its journalists suggests that, at this point, journalistic objectivity is not simply defined from the top down, but rather emerges from the interplay of norms defined at professional, institutional and regulatory levels. Such findings do, however, significantly increase pressure for 'the middle ground' to be redefined in practice. It goes without saying that this a matter of significant public concern if such issues as civilian deaths during wartime are not only invisible to audiences (as was overwhelmingly the case during the Iraq conflict), but might become literally unspeakable.

---

<sup>i</sup> Because three of Alston's complaints referred to a single segment, the ABA upheld these as a single breach of the Code.

<sup>ii</sup> For alternative accounts, see Schiller 1981, Ward 2004.

<sup>iii</sup> I have chosen not to include the view of the ICRP within this analysis because, although their report performed a significant role in the development of this dispute, its longer

---

term significance is questionable. Furthermore, as a party involved in influencing the nature of ABC journalism, the ICRP is relatively insignificant by comparison to the other players discussed herein.

## References

- Alston, Richard (2003a) *Letter to ABC Managing Director, 28 May 2003*.  
[http://www.abc.net.au/mediawatch/images/alston\\_to\\_balding\\_28may.gif](http://www.abc.net.au/mediawatch/images/alston_to_balding_28may.gif)
- (2003b) 'Rebuttal of the ABC Response to a Complaint About the AM Program's Coverage of the Iraq Conflict.'  
[http://www.abc.net.au/mediawatch/alston\\_aba.pdf](http://www.abc.net.au/mediawatch/alston_aba.pdf)
- Australian Broadcasting Authority (ABA) (2005). *Investigation Report 1362*. 1 March 2005. <http://www.aba.gov.au>
- Australian Broadcasting Corporation (2002) *Editorial Policies* Sydney: ABC.
- (2004a) *ABC Code of Practice*. Sydney: ABC.
- (2004b) Submission in response to ABA Preliminary Investigation Report, August 2004. Unpublished document supplied to author.
- (2004c) Further submission in response to ABA Preliminary Investigation Report, August 2004. Unpublished document supplied to author.
- (2005) Submission in response to ABA Draft Report, January 2005. Published online, 1 March 2005.  
[http://www.abc.net.au/corp/pubs/ABA\\_Submission.pdf](http://www.abc.net.au/corp/pubs/ABA_Submission.pdf)
- Chalaby, Jean (1998) *The Invention of Journalism*. New York: St Martin's Press.
- Dunlevy, Maurice (1998) 'Objectivity' in M. Breen (Ed.) *Journalism: Theory and Practice*. Paddington, NSW: Macleay Press.
- Donsbach, Wolfgang and Bettina Klett (1993) 'Subjective Objectivity: How Journalists in Four Countries Define a Key Term of Their Profession.'  
*Gazette* 51: 53-83.
- Foucault, Michel (1984) 'Truth and Power' in P.Rabinow (ed.) *The Foucault Reader*. Harmondsworth: Penguin. pp51-75.
- Gans, Herbert (1980) *Deciding what's news*. London: Constable.
- Green, Murray (2003) *Complaints Review Executive Determination on a Series of Complaints from Senator Richard Alston, Minister for Communications, Information Technology and the Arts, on 28 May 2003*. Sydney: ABC.  
<http://www.abc.net.au/corp/pubs/reportsindex.htm>
- Hackett, Robert (1984) 'Decline of a Paradigm: Bias and objectivity in news media studies'. *Critical Studies in Mass Communication* 1 (3): 229-259.
- Hackett, Robert .A. and Yuezhi Zhao (1998) *Sustaining Democracy? Journalism and the Politics of Objectivity*. Toronto: Garamond Press.
- Hall, Stuart, Chas Critcher, Tony Jefferson, John Clarke and Brian Roberts (1978) *Policing the Crisis*. London: Macmillan.
- Hallin, Daniel (1986) *The Uncensored War: The Media and Vietnam*. New York: Oxford University Press.
- Harvey, Sylvia (1998) 'Doing it my way – broadcasting regulation in capitalist cultures: the case of fairness and "impartiality".'  
*Media, Culture and Society* 20 (4): 535-556.

- Jacka, Liz. 2005. The Elephant Trap: Bias, Balance and Government-ABC Relations During the Second Gulf War. *Southern Review: Communication, Politics and Culture* 37 (3): 8-28.
- Kumar, Krishan (1977) 'Holding the Middle Ground: The BBC, the public and the professional broadcaster' in J.Curran, M.Gurevitch and J. Woollacott (eds), *Mass Communication and Society*. London: Edward Arnold.
- Mottram, Linda (2005) Submission by Linda Mottram to ABA Review Ref. 2003/0864. Unpublished document supplied to author.
- Pinter, Harold (2005) 'Art, Truth and Politics', Nobel Lecture, December 7 2005. <http://nobelprize.org/literature/laureates/2005/pinter-lecture.html>
- Schiller, Dan (1981) *Objectivity and the news: the public and the rise of commercial journalism*. Philadelphia: University of Philadelphia press.
- Schudson, Michael (1978) *Discovering the News*. New York: Basic Books.
- (1995) *The Power of News*. Cambridge, Mass.: Harvard University Press.
- (2001) 'The Objectivity Norm in American Journalism.' *Journalism: Theory, Practice and Criticism* 2 (2): 149-170.
- Soloski, John. 1989. News reporting and professionalism: some constraints on reporting the news. *Media, Culture and Society* 11: 207-228.
- Tuchman, Gaye. 1972 . Objectivity as Strategic Ritual: An examination of newsmen's notions of objectivity. *American Journal of Sociology* 77: 660-679.
- Turner, Graeme (2005) 'Bullying the ABC: Bias, Balance and Budgets' in *Ending the affair: The decline of television current affairs in Australia*. Sydney: UNSW Press. pp.95-122.
- Ward, Stephen (2004) *The invention of journalism ethics: the path to objectivity and beyond*. Montreal; Ithaca: McGill- Queen's University Press.