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Sweden 1766

The World's First Legislation Protecting Freedom of the Press and Freedom of Information

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United Nations
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Sub-Committee on Education
and Research
Memory of the World



30 Years World Press Freedom Day 1993 – 2023

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Press Freedom and Documentary Heritage

Edited by Lothar Jordan and Fackson Banda

In cooperation with Claire McGuire

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Editorial

“A Laboratory of Ideas”: That was the name of an event during the 87th IFLA World Library and Information Congress in Dublin on 28 July 2022. The event was to celebrate the 75th anniversary of relations between UNESCO and the International Federation of Library Associations and Institutions (IFLA). Among the ideas that were developed in that laboratory was this Special Issue dedicated to the 30th anniversary of World Press Freedom Day. Freedom of information and of the media, along with its protection as it has evolved historically, is one strong link between both institutions. Consequently, this issue is edited jointly by the Sub-Committee on Education and Research (SCEaR) of the UNESCO Memory of the World Programme, the Documentary Heritage Unit in the Sector of Communication and Information of UNESCO, and IFLA.

It is our goal to introduce and contextualise documents from the history of press freedom that are very important, but not yet very widely known for their historical significance. We invited experts from all over the world to choose such documents and to comment on them. The historical range goes from the earliest newspapers to the Windhoek Declaration (1991), which triggered World Press Freedom Day (see Fackson Banda in this Issue).

Our thanks go to Mr Tawik Jelassi, UNESCO’s Assistant Director General for Communication and Information, and to Ms Barbara Lison, the President of IFLA, for their Forewords, and to all the authors for their articles.

This Issue is intended to promote the concept of press freedom in the context of human rights by shedding light on its historical dimension. The concept of ‘Press Freedom and Documentary Heritage’ provides a useful linkage between better care for and understanding of the past and the need to safeguard press freedom today and tomorrow.

Perhaps ‘Memory of the World’ can be an umbrella under which the significance of documentary heritage for a better understanding of human rights, including press freedom, will inspire new activities and projects. The continuation of the partnership between the Memory of the World Programme and IFLA would be helpful. Other partners will be welcome, too.

And we hope that this Issue can strengthen the endeavours of those that need press freedom for their work, including those who must sometimes fight for it – journalists and other media professionals – all over the world.

Lothar Jordan, Fackson Banda, Claire McGuire

From the Archives to the Newsroom: Defending Press Freedom through Documentary Heritage

by Tanfik Jelassi

UNESCO Assistant Director-General for Communication and Information

As the collective memory of nations and communities, documentary heritage bears witness to how freedom of expression has shaped democratic societies worldwide.

From the radio broadcast of Charles de Gaulle's [appeal of 18 June 1940](#) that attests the powerful role of media in the restoration of freedoms, to [the CLAMOR archives](#) that chronicle arrests and disappearances of human rights workers, trade unionists and journalists the world over, documentary heritage contributes to our understanding of how freedom of expression is a prerequisite to the enjoyment of all other human rights.

This is more relevant than ever as we mark the 30th anniversary of World Press Freedom Day on 3 May this year. This year's theme, "Shaping a Future of Rights: Freedom of expression as a driver for all other human rights", provides us with the opportunity to spotlight the contribution of documentary heritage to press freedom within the context of sustainable development.

To begin with, documentary heritage is a fundamental and indispensable factor in the exercise of journalism. It provides the essential information resource for a historical contextualization of current events, allowing journalists to assign meaning to these events since only in retrospect can these be truly examined, comprehended, and evaluated. This is particularly important today as we uphold the conviction of journalism as a public good that is struggling with declining trust due to a deluge of mis- and disinformation.

Going further, documentary heritage can promote access to justice by serving as evidence for holding those in power accountable, contributing to the promotion of transparency and accountability. The use of records of past events and actions can enable journalists to uncover and report on human rights abuses, corruption, and other forms of wrongdoing. This is particularly essential in the practice of investigative journalism. By accessing archives, journalists can retrieve information that may have been suppressed or hidden, and use this to expose wrongdoing as well as to demand justice and accountability from those responsible. For instance, the CLAMOR archives mentioned earlier have become an important source of information for the families of dead/disappeared persons who seek to assert their rights in their respective countries.

Linked to this is the need for the preservation of documentary heritage in order to promote even greater access to information by citizens, governments and other stakeholders. Such access is vital to the functioning of democratic societies. It cultivates an environment of open debate and critical thinking where journalists are able to report on issues of public interest without fear of reprisals. This is in line with the idea embraced by UNESCO's *2015 Recommendation Concerning the Preservation of, and Access to Documentary Heritage, Including in Digital Form*, namely that "... the preservation of, and long-term

accessibility to documentary heritage underpins fundamental freedoms of opinion, expression, and information as human rights.”

Recognizing the importance of documentary heritage in the creation of more inclusive knowledge societies, UNESCO established [the Memory of the World Programme](#) in 1992 with the aim of identifying, preserving and accessing documentary heritage of significant cultural and historical value. UNESCO believes that documenting and preserving historical events, including those related to the freedom of expression and the right of access to information, ensures that the memories encoded in documentary heritage are not forgotten and continue to inform and inspire journalists and the public.

Evidently, by reporting on and documenting events, issues and public affairs, journalists themselves are co-creators of documentary heritage, where new perspectives and voices are added to the historical records. World Press Freedom Day therefore also acts as a reminder of the importance of producing quality content that can constitute trustworthy documentary heritage for future generations that promotes women’s rights, children's rights, indigenous rights, digital rights, environmental causes, as well as the fight against corruption.

Therefore, I am pleased that the Sub-Committee on Education and Research (SCeAR) of the Memory of the World Programme is joining the rest of UNESCO in celebrating the 30th anniversary of the proclamation of World Press Freedom Day.

Examining Fundamental Rights and Freedoms through Documentary Heritage

by Barbara Lison

President, International Federation of Library Associations and Institutions

Documentary heritage may come from the past, but it should not stay there. The items that make it up hold a wealth of memories, but these are not a static, inactive reminder of the way things were. They transmit knowledge, perspectives, stories, and testimonies that shape our world today.

Of course, supporting preservation of and basic access to documentary heritage is a critical undertaking to ensure that these materials remain accessible for people now and for generations to come. However, we should also look to a subsequent step – *using* our collections to enhance our understanding of the past and of one another, spark dialogue, and inform our response to challenges.

Realising the potential of collections

In 2022, UNESCO's Memory of the World Programme celebrated its 30th anniversary with the theme *enlisting documentary heritage to promote inclusive, just, and peaceful societies*. Memory institutions like libraries, museums, and archives are encouraged to explore how they can connect their collections to diverse users in order to realise their societal potential. This is not just a challenge, but an opportunity to enhance how memory institutions make a difference in their communities.

We therefore welcome the opportunity to encourage greater support for the preservation of and access to documentary heritage, and for its innovative use to support development. This is central to our emphasis on freedom of access to information and freedom of expression at the International Federation of Library Associations and Institutions (IFLA).

Every type of library has a role to play. For some examples, academic and research libraries can connect collections to their institution's research fields, public libraries can enable encounters with diverse collections to spark wider dialogue, school libraries can integrate documentary heritage into educational programming, and parliamentary libraries can work to connect collections to current social events.

Lessons from the past

In providing the information and insights that build understanding – of our environment, of our past, of ourselves and of each other – libraries already share many of the same missions as journalism. But we can of course also throw light on the struggle for freedom of expression of the media itself.

The 30th anniversary of World Press Freedom Day is a perfect opportunity to start, offering a prompt to connect documentary heritage to critical issues of human rights, freedom of expression, and access to information.

For an example of how this can be done, the British Library's Speaking Out Project¹ draws on items from its sound archive and special collections that illustrate how public speaking has shaped the world. They accompany the collection with essays and interviews that further explore the history of public speaking in social justice, debate, policymaking and protest.

One example taken from the library's collection is the pamphlet *Areopagitica*, written by John Milton in 1644.² This publication stands up against the censorship of books, in response to state control of printing. It argues that readers should be trusted to read differing ideas in print and use their reason to come to their own conclusions. Contextualising this idea among other historic and contemporary records of public speaking, debate, and social change gives weight to the long struggle against censorship. These ideas are as relevant to our world today as they were to societies past.

Using the Memory of the World International Register

The Commemorative Statement on the 30th Anniversary of the Memory of the World Programme calls for innovative ways to make use of the 400+ items of documentary heritage inscribed on the Memory of the World International Register.

Of course, there are important heritage items in collections around the world that are not on the Memory of the World International Register. However, highlighting the International Register is a powerful means to raise awareness of the need to preserve and provide access to documentary heritage as a whole.

Therefore, on the occasion of the 30th anniversary of World Press Freedom Day, let us take some examples from the Memory of the World International Register and look at them in the context of social change, human rights, and press freedom.

Foundations of mass communication

When examining the development of the concepts of press freedom and censorship, it is important to maintain the memory of how printed and published media have significantly changed the world. This understanding lays a foundation on which we can better understand the development of and struggle for fundamental freedoms of expression.

The International Register shows us many records of early printed and published material from around the world. As mass media developed, we can also find records of the way this changed the way we communicate with each other, and the societies in which we live. An example is Germany's inscription from 2015 titled *Documents representing the beginning and the early development of the Reformation initiated by Martin Luther*.³

These are key texts in the development of the Reformation, a religious, social, political, and cultural movement that made an enormous impact around the world. These

¹ <https://www.bl.uk/speaking-out>

² <https://www.bl.uk/collection-items/areopagitica-by-john-milton-1644>

³ <https://en.unesco.org/memoryoftheworld/registry/410>

documents further demonstrate the transition from manuscripts to print media, as well as the impact of vernacular languages in conveying messages to the masses.

This collection highlights the incredible importance of the means and media used to transmit a message on its ability to inspire and mobilise the public. One could find a parallel between the transition to print media and the more recent transition to social media. We can ask, how are means, media, and language used to mobilise the public today?

A contemporary look – recording primary sources

Journalists and photographers have captured eye-witness testimony and primary source records of major wars, civil unrest, and social justice movements which have triggered significant social change in particular in the past century. These records have enduring value – both as testimony to the experiences of those involved, and, in some cases, in subsequent reconciliation efforts.

We can look to Brazil's inscription from 2015, titled *Fundo Comitê de Defesa dos Direitos Humanos para os Países do Cone Sul (CLAMOR)*.⁴ This is an archive consisting of documents produced and collected by the Committee for the Defense of Human Rights in the Countries of the Southern Cone between 1978 and 1991. This organisation of human rights defenders offered solidarity to political refugees, providing information and denouncing human rights crimes in the region.

Included among the information and first-hand accounts they compiled are records of victims of assassinations and forced disappearances, including journalists and human rights workers who were targeted for their work. These records remain important as they preserve the memory of the power of information and solidarity as a means of resistance. However, they also provide clear evidence of human rights violations, including violence against journalists that can enhance reparations claims today.

We can find a similar example in the Republic of South Korea's 2011 inscription *Human Rights Documentary Heritage 1980 Archives for the May 18th Democratic Uprising against the Military Regime, in Gwangju, Republic of Korea*.⁵ This collection includes documents, reports, and photographs from the 18 May Democratic Uprising, which took place in Gwangju, Republic of Korea, in 1980. Journalists and photographers documented the protest through newsletters, photographs and eyewitness testimony – often times at great risk to their own lives.

Today, these items have informed a Truth and Reconciliation Commission, and have assisted in the granting of compensation to victims. These materials commemorate the importance of journalists in documenting the realities of social change and ensuring their memory endures.

⁴ <https://en.unesco.org/memoryoftheworld/registry/426>

⁵ <https://mowcaparchives.org/items/show/78>

Informing the future

These examples from the Memory of the World International Register provide just a glimpse of the connections that can be made between our documentary heritage and social change. The upholding of human rights, the impact of mass communication on society, the role of different forms of media, and the importance of freedom of expression and access to information are a common thread that connects collections of memory institutions all around the world.

Ensuring these materials are preserved, accessible, and discoverable is the first step in realising their social value. Libraries, archives, and museums are therefore challenged to re-evaluate their collections as a means to promote inclusive, just, and peaceful societies. We can start by looking at our collections through a human rights lens and connecting them to the challenges faced in our modern societies.

Our documentary heritage has stories to tell, provides us with questions to ask and memories to pass on. Let us enhance our use of this knowledge to uphold human rights today and for generations to come.

Barbara Lison is President of the International Federation of Library Associations and Institutions (IFLA) for the term 2021-2023 and has been the Director of Bremen Public Library since 1992. Barbara Lison has been actively involved in German and European library Associations and in IFLA for many years. She is particularly committed to library policy and the development of libraries for the future.

Introduction

by Lothar Jordan

While Human Rights are today considered universal in value and scope, this understanding has developed over a long history. Their most famous records are the *Déclaration des Droits de l'Homme et du Citoyen* (1789; Declaration of Rights of Man and of the Citizen) of the French Revolution and the Universal Declaration of Human Rights, adopted by the UN General Assembly in 1948. The former was created on the basis of a national revolution, while the latter expresses the convictions of the political representatives of humanity.

Freedom of speech (or freedom of expression) is pivotal among these human rights. Press freedom is the most prominent specification of this right. Press freedom is especially interesting as its development intersects with the development of a technical innovation, that of the printing press.⁶

In the 18th century, the concept of press freedom spread internationally. This resulted in a revolutionary impact on communication, including the participation of more and more people as authors and readers. In the beginning, 'press' meant 'printing press', so freedom of the press included books, newspapers, posters, and so on. But as newspapers became more widely spread, especially over the course of the 19th and the early 20th centuries, and finally became a medium of real mass communication, 'press' was understood more and more as 'daily press'. As a consequence, today 'freedom of the press' and 'press freedom' mean freedom of newspapers and of journalism in general, including radio, television, and other electronic and digital media.⁷

This Special Issue of the *SCEaR Newsletter* presents documents related to the history of press freedom that are not as famous as the French Declaration of 1789, which was inscribed into the Memory of the World International Register in 2003. Nonetheless, these documents hold important memory about the global expansion of the press, the freedom it requires, and the obstacles that have stood in its way. So, according to the concept of a Newsletter, we present documents (and comments on them) that may be new to the majority of our readers in the world. This seems to be true even for the highly significant Swedish Ordinance of 1766 (see Jonas Nordin in this Issue). It not only provided a pioneering guarantee for press freedom, but also the freedom of information, a concept very close to the mission of the UNESCO Memory of the World Programme. This is an important aspect of this Issue, as some articles introduce digitisation projects which enable access to historical newspapers, free for everyone (see Tamara Štefanac, Tuula Pääkkönen/Minna Kaukonen, and Frial Ramadhan Supratman in this Issue).

⁶ China and Korea had technologies of printing before Gutenberg. The UNESCO/Jikji-Memory of the World-Prize reminds of that. The "Jikji"-book (1377) is the oldest extant book that is printed with moveable metal letters.

⁷ On the conceptual history of 'press freedom' in German in the context of West European languages see Lothar Jordan, *Pressefreiheit. Studie zur Geschichte von Wort und Begriff* (Press Freedom. A Study on its Conceptual History [in German]). Bremen, 2023. ISBN: 978-3-948077-34-1.

Of course, the questions of whether communication should be controlled, and how to exert this control, are much older than the invention of the printing press. But the growing number of books and newspapers reaching larger audiences of readers gave the question of control more weight for the authorities. Alongside this grew questions of freedom for those using the printing press and its products. While the tendency grew stronger to accept press freedom as a political and legal concept, the question of misuse of this freedom, a reason for censorship or restriction of press freedom, remained powerful – and continues to this day. In fact, even in liberal countries, press freedom is not unrestricted.⁸

International expansion of the concept of press freedom started in the 18th century

While the Netherlands already offered some freedom in the practice of printing, the first strong wave of support for the international expansion of the concept of press freedom came from the UK. This was a country without a written constitution; its Common Law was a combination of tradition, laws, and court verdicts. When a Licensing Act was not renewed in 1695, the result was a growing amount of freedom in the practice of publishing.

Already in 1644, the writer John Milton had given a famous case for a free press with his (fictitious) speech *Areopagitica*: [...] *For the Liberty of Unlicens'd Printing, to the Parliament of England*. In the early 18th century, the concept jumped over to the European continent (see Lothar Jordan in this Issue), and not much later, from England to its colonies in North America. Through *Cato's Letters*, a collection of articles and essays published in London journals from 1720, the journalists John Trenchard and Thomas Gordon had a strong influence on the development of press freedom in the British colonies. They pleaded for freedom of speech and freedom of the press in the context of human and political rights. *Cato's Letters* provided a foundation for modern journalism, as they characterised the press for its role as a public institution, monitoring the work of governments.

The Zenger trial in New York in 1734-35 was a milestone in that respect. The printer and publisher of the *New York Weekly Journal*,⁹ John Peter Zenger, had been accused of 'seditious libel' against the Governor of New York. The court ultimately decided that publishing the truth cannot be regarded as seditious libel. The Zenger trial exemplifies a model that unfortunately continues to be valid even today. A journalist, author, or publisher is threatened with prison, expulsion, or even with murder (as show in this Issue in the articles by Maria Arvanitaki and Max Scriwanek).

With its happy ending, the Zenger trial was a part of the development that led to the emphatic Virginia Bill of Rights (1776) "Sec. 12. That the freedom of the press is one of the great bulwarks of liberty, and can never be restrained but by despotic governments."

⁸ There was only one exception in history: Denmark had in 1770-71 a completely unrestricted freedom of the press. It did not work very well, and brought the country close to a civil war.

⁹ 12 November 1733: "THE Liberty of the Press is a subject of the greatest Importance."

Benjamin Franklin, printer, newspaper publisher, and politician, played a strong role in implementing this into law. As an ambassador of the United States of America in Paris (from 1776), he brought the new Constitution and Bills of Rights to France. There they found their way into the Declaration of 1789.

It must be noted that this concept spread not only to North America, but to other regions as well. That is shown by Agnes Iok-Fong Lam's and Hio-Iong Wong's article on the Macao newspapers in the early 19th century and the public debate on press freedom in China.

Sometimes the expansion of press freedom stands in a context of colonialism – and of the liberation from colonial power in the end (see also Seyni Moumouni in this Issue). Due to the universality of human rights, the concept of press freedom is so strong that it can be emancipated from its historical roots.

Freedom of information – press freedom

After World War II, 'information' became the pivotal term in international law concerning free speech and press freedom. This is reflected in Article 19 of the United Nations' Universal Declaration of Human Rights (1948): "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."¹⁰ 'Information' has become a key term as well for memory institutions like archives and libraries. In both memory institutions and international law, information access is seen as a critical aspect of human communication.

Despite the trend to include press freedom as a specific part of 'freedom of expression' under the umbrella of the "freedom [...] to receive and impart information", press freedom remains a strong aspect of legislation and constitutions of many countries. It is one of the strongest words in the fight for the freedom of expression and the freedom of the media – including in the digital environment. However, in our times of the internet and of 'fake news', the age-old question of misuse of press freedom has re-emerged with a new intensity.¹¹

The Memory of the World programme and memory institutions can play an important role in safeguarding documents representative of the history of press freedom. They can help impart a better understanding of this history, and raise awareness of the idea of press freedom to a wider audience (see the chapter 'Activities of NGOs' in this Issue).

¹⁰ The tasks of this UN Declaration of 1948 were strengthened 1966 in the International Covenant on Civil and Political Rights with similar words. "Article 19. 1. Everyone shall have the right to hold opinions without interference. 2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice." Similarly in 1950 in the (European) Convention for the Protection of Human Rights and Fundamental Freedoms, Article 10, Freedom of expression.

¹¹ See Timothy Garton Ash, *Free Speech. Ten Principles for a Connected World*. London, 2016.

Perspectives of future work: Press freedom and documentary heritage

Although the relevance and the impact of texts like the Déclaration des Droits de l'Homme et du Citoyen (1789) is well known, the history of these rights, their terms, and implementation – and the obstacles they found on their way to implementation – are only partially understood and described. This is especially true for the *international* aspects of the origin and implementation process of human rights.

We could consider sketching outlines of a project for a better understanding of the development of human rights and their global implementation. For example, this might start with freedom of the press, including the role of international transfer in the proliferation of its, exploring the journey from printing press to newspapers and journalism and their significance, which are exemplified through the annual celebration of World Press Freedom Day.

It could be the task of this hypothetical project to outline the integration of “freedom of the press” into intellectual and political discourses and into constitutions and laws worldwide. Compiling documents of the key elements, events, and texts would play a central role in illuminating this history. While I referred to this as a project some lines ago, it, in fact, would be a bundle of single projects. It will require a basis of knowledge on what has been done already on a regional or national level. The outcomes of such a project should be targeted for use by scholars, students, and a wider audience, and as a basis for follow-up projects in research, education, and media on all levels.

Such a global project concerning human rights would be well-placed under the umbrella of UNESCO. As the Communication and Information Sector covers both matters of documentary heritage and press freedom, its Memory of the World Programme could play a pivotal, coordinating role.

I am convinced that the articles of this Special Issue give good reasons to consider further steps to highlight the role of memory and research institutions in promoting press freedom.

Lothar Jordan is a Professor of Modern German Literature and Comparative Literature. He worked in universities and in a museum. Now retired. Since 2004 he has been engaged in ICOM, currently again in the Board of its Int. Committee for Literary and Composers' Museums (ICLCM). From 2013-2017 he has been active in Memory of the World as Vice-Chair of its International Advisory Committee (IAC), and since 2013 as Chair of its Sub-Committee on Education and Research (SCEaR).

17th and 18th Century

The Petition (1605) of a Publisher and the First Printed Newspaper in the World: Outstanding Documents of Press History

by Holger Böning

A highly significant item of documentary heritage is safeguarded in the City Archive of Strasbourg. In December 1605, the Strasbourg publisher Johann Carolus sent a petition to the City Council. For some weeks, he writes, he has been setting and printing the “Avisen” (announcements, news), coming in weekly. Now he asks for the ‘freedom’, that is, the privilege, to get an exclusive licence for it – the allowance to be the only publisher of a newspaper in town.

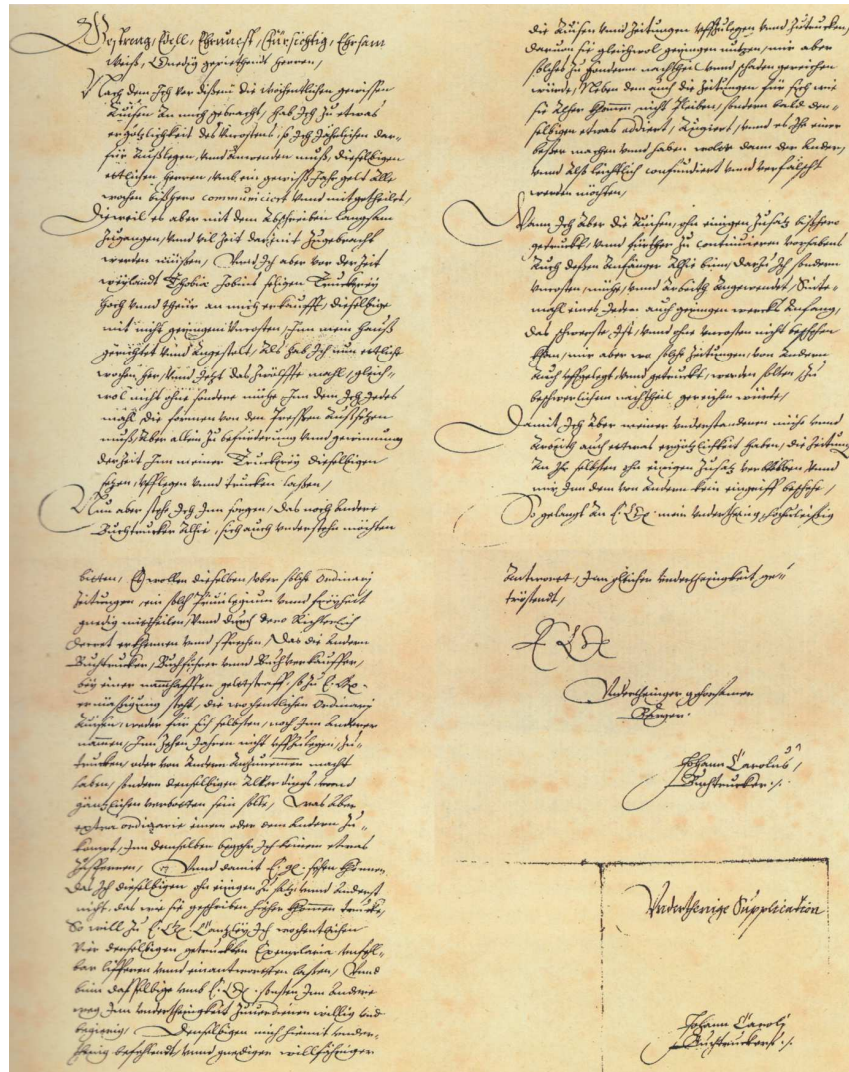


Image 1. Petition [“Supplication”] of Johann Carolus to the City Council of Strasbourg (1605). City Archive of Strasbourg. Photo: Martin Welke.

This petition is the earliest known document worldwide giving evidence of the existence of a printed newspaper published continuously. It was a paper with political news that came out weekly, alongside the post – as up-to-date as was possible at the beginning of the 17th century. One can see this petition as the birth record of the modern European press. The earliest extant copies of this newspaper that started in September 1605 are from 1609.

Already for some time before, Carolus had edited a *handwritten* newspaper, sent to subscribers weekly by mail. In his Petition he explains:

“As copying by hand went rather slow / and took much time / [...] so I have since some weeks / and now for the twelfth time / [...] just to use and win time / In my printing house these [‘Avisen’, news] have let set / and print”.

So we learn from this Petition that the first newspaper was created for reasons of business rationalization. While earlier, very few copies could have been created by scribe’s hand, now the printing press enabled the publisher to produce much cheaper papers in unlimited numbers for a much larger readership. The printing press was an ingenious invention that found imitators first in the German language area and then in many places across Europe.

This Strasbourg newspaper made history as the first printed newspaper in the world. For the first time, it was possible for citizens to inform themselves on what was happening in the world. During the 17th and 18th centuries, this new access to information, mainly related to political, diplomatic, and military events, became the most important basis for the forming of opinion. Until the 19th century, the newspaper was the most important, undisputed medium for information and discussion worldwide. It kept its outstanding significance into the 20th century, even for quite some time after electronic media had started to compete with it.

Unfortunately, the oldest extant copies of this epoch-making newspaper can be found only in the complete volume of 1609. The individual items do not have a title or name, but the publisher Carolus supplied his subscribers with a cover for the volume (Image 2). Its purpose was to help bind the single items together into a chronicle of current affairs for sustainable use.



Image 2. *Relation*, cover of volume 1609. University Library Heidelberg.

Therefore, the newspapers turned into a detailed world chronicle of contemporary history that could be used as reference book. The title page that Johann Carolus created for 1609 indicated all the countries and regions his news came from: South Germany and North Germany, France, Italy, Scotland, England, Spain, Hungary, Poland, Transylvania, Wallachia, Moldavia, Turkey, and beyond. The World Association of Newspapers (WAN) has acknowledged this journal, [according to the results of a study on press history](#), as the first newspaper of the world.¹²

The second-oldest newspaper of the world, the *Aviso* (Wolfenbüttel, Germany), has also survived with its first volume 1609. After the launch of these two newspapers, a rapid development of additional newspapers followed. In 1610 a newspaper opened in Basel, Switzerland. Frankfurt/Main, Berlin, and Hamburg followed with newspapers opening in 1615, 1617 and 1618 respectively.

¹² On the emergence and the early days of the press see Holger Böning, *Dreißigjähriger Krieg und Öffentlichkeit. Zeitungsberichterstattung als Rohfassung der Geschichtsschreibung*. 2nd, enlarged ed., Bremen, 2020; idem, *Für Glaubensfreiheit und gegen Absolutismus. Die Vorgeschichte des Dreißigjährigen Kriegs im Jahrgang 1609 der beiden ersten gedruckten periodischen Zeitungen der Welt. Ein Lesebuch*. Bremen, 2020.

Soon after, the events of the Thirty Years War (1618-1648) triggered a wave of additional newspaper openings. The Bremen Institute *Deutsche Presseforschung* ('German Press Research') has collected all these important documents of media history.

Before 1630, records show 30 newspapers were published at the same time. In the 1630s, the Swedish entrance into the war triggered a second wave of new newspapers. Already in the early 1620s, quite a number of cities had two competing newspapers. Around 1630, the first newspapers began coming out twice per week, and towards the end of the war, some were published three times per week. In 1650, it was Leipzig that had the first daily newspaper.

Territorial fragmentation, denominational separation, and a favourable traffic situation in Germany lead to an especially diverse newspaper landscape. In Hamburg, the German capital of newspapers, and in the neighbouring city of Altona (at the time belonging to Denmark, today a part of Hamburg), up to eight newspapers were being published at the same time. No other medium had such a range. The newspaper had become the mundane reading matter with the highest circulation.

The Thirty Years War also triggered the fast development of the press in other European countries. Newspapers started to be published in Amsterdam (1618), Antwerp (1620), Paris (1631), Lisbon (1641), and in Stockholm (1645). Although today London is seen as *the* city of newspapers, it had only a weekly news bulletin starting in November 1641, and did not have a daily newspaper until 1702.

The degree of innovation that the printed newspapers brought into the world is made visible through the reports on the Thirty Years War and its pre-history. The first volume shows 1609 as a fateful year for European history up to the middle of the 17th century. On the first page handed down to us, we read from Antwerp: "About the matters here one cannot write much good.../ as things seem to develop more [in the] direction [of] war than peace".

All the conflicts that would trigger that war were already being traced in 1609. Already during the decade before the war, the reader would have been able to predict – like by a seismograph – that everything was building towards a deadly conflict.

When the war began in 1618, questions were asked anew of the freedom of the press related to unhindered information on the military confrontations and antagonistic political interests. In general, newspapers were supervised by the governments. While censorship was certainly an important factor for the work of the newspapers, it seems that in the beginning, interventions by the authorities did not play a big role.

On the contrary, the reports show surprising impartiality, far from any propaganda of war, covering even the misdeeds of their own troops. The achievements of the newspapers during the Thirty Years War can only be called amazing. For the first time in history, the events of war, events that had taken place only a short time before, were reported continuously, week by week, by the newspapers.

This new medium provided a history of the war, incomparable in its density and with an unprecedented richness of detail. The readers learned about the reasons for these

conflicts and about the motives of the persons and parties involved. No battle was left out, no siege of fortifications and cities ignored. Even the number of casualties can be established more precisely by reading these reports than by any other source.

During the Thirty Years War, the German press provided its readers with reports that were more detailed, more reliable, more conscious of problematic issues, and which showed less bias, than what is seen today in the media coverage of war. Even top-secret political and territorial promises of the Emperor to the German Princes found their ways into the newspapers immediately. Their reports can be seen as a first draft of historiography.

It may seem to be a miracle that amidst death and destruction a new profession began to flourish – journalism (even if the word did not yet exist at that time). In the face of the destruction of postal traffic, it is hard to understand how printers, publishers, and editors succeeded in receiving tens-of-thousands of reports on war, diplomacy, and politics, and further succeeded in disseminating them to their readers. The first printed newspapers, the newspapers of the first half of the 17th century, documenting the achievements of the pioneers of journalism, are – like the two examples of this article – outstanding pieces of the world’s documentary heritage.

Translated from German by Lothar Jordan

Dr. Holger Böning was (until 2018) Professor of Modern German Literature and History of the German Press and Spokesperson of the Institute Deutsche Presseforschung ('German Press Research') at the University of Bremen. He published numerous books on German and Swiss history, literature and press, Popular Enlightenment, and on the history of music.

Liberty of the Presse (1712) – Liberté de la Presse (1713): Transfer of Political and Legal Concepts through Translation

by Lothar Jordan

of EUROPE.

thing he Wills is Legal. However there will be found those that will Comment on the Actions of Princes, and bring 'em to the Standard of Truth, which they and their Ministers call Sedition, and the Writings that have a Tendency thereto, Libels. Several Books were Publish'd in Holland, against the French Alliance, which the Pensionary suppress. Nay, so very complaisant was that Minister, that he would not suffer any thing to be Printed that reflected on *Persons of Quality in France*. Something of that kind being done, a Memorial was immediately given in by the French Ambassador, to have the Author and Publishers brought to Exemplary Punishment. The French being ever impatient of the least Liberty of the Press; and all that imitate their Politicks, will be sure to exercise their Tyranny in an Exemplary manner on that Freedom, which never was a Friend to Arbitrary Principles, and has been a greater Plague to Tyrannical Governments, than ever Arms were. 'Tis our Happiness in England, to have the Press Free, and it will always be so in Governments where the Law presides. There such Freedom can never be prejudicial, for no Body was ever afraid of the Press, that could venture their Actions to be try'd by an Impartial Judge.

Of all the Malicious Reports of the Orange Party, against the Most Christian King, nothing sure could be so groundless, as what his Minister at the Hague tells his Secretary in France, that most People

E believ'd

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des Intrigues de la France. 51

usages qu'il trouve à propos; & s'il leur arrive d'être susceptibles d'impressions contraires à sa volonté, ils en sont bien-tôt guéris, ou par les Galères ou par le Gibet: Au lieu que dans une République, les peuples ont le malheur de faire usage de leur raison, qui, dans le système du Roi, est souvent aussi fautive que judicieuse. Un Monarque est toujours infaillible, & ne peut jamais se tromper, puis que ce n'est pas la Raison, mais la Volonté, qui est la regle de toute justice. Il se trouve cependant des Gens qui osent gloser sur les Actions, des Princes, & les confronter contre la vérité; mais les Rois & leurs Ministres appellent cela sédition, & traitent de Libelles tous les Ecrits qui tendent à critiquer leur conduite.

On ne manqua pas de publier beaucoup de Livres en Hollande contre l'Alliance avec les François, mais le G.P. eût soin de les supprimer, de même que tout ce que l'on écrivoit contre les *Personnes de qualité en France*: tant il avoit d'égards & de complaisance pour cette Couronne. Quelques Imprimeurs de cette nature aiant paru, l'Ambassadeur de France présenta d'abord un Mémoire, demandant que * les Auteurs & les Imprimeurs fussent châtiés exemplairement. Tant il est vrai que les François ne peuvent jamais souffrir la Liberté de la Presse, & que ceux qui suivent leur politique sont toujours enclins à exercer leur Tyrannie sur cette Liberté, qui est incompatible avec les principes Arbitraires, & qui a toujours été le fléau des Gouvernemens Despotiques. Notre bonheur en Angleterre consiste dans cette Liberté de la Presse, que l'on tolérera toujours dans les Gouvernemens bien reglez, où les Loix sont au-dessus de tout: Car jamais cette Li-

D 2 berté

* Pag. 79.

Image 1. [John Oldmixon:] *The Secret History of Europe* [...]. [Vol. I]. London 1712.¹³

Image 2. [John Oldmixon:] *Histoire secrète des intrigues de la France En diverses Cours de l'Europe* [...]. Tome I. Traduit de l'Anglois. London 1713.¹⁴

The international expansion of 'freedom of the press' as a term and as a political and legal concept started in the early 18th century. The two documents shown above give evidence of this.¹⁵

¹³ Copy: State Library of Lower Saxony and University Library Göttingen, Germany.

¹⁴ Shown and photo: Herzog August Bibliothek [Duke August Library] Wolfenbüttel, Germany.

¹⁵ Shown for the first time side by side only very recently, in Lothar Jordan, *Pressfreiheit. Studie zur Geschichte von Wort und Begriff* [Press Freedom. A Study on its Conceptual History (in German)]. Bremen, 2023, pp. 308-309. [ISBN: 978-3-948077-34-1].

In 1712, John Oldmixon (1673-1742) anonymously published *The Secret History of Europe* [...], a book that attacked France and its international political intrigues under King Louis XIV. Oldmixon was a journalist and author of numerous books and was connected to the Whigs political party (which could loosely be considered as a pre-pre-cursor of the Labour Party of today). The book is applying the antagonism ‘England – freedom’ – ‘France – tyranny’, and in this, freedom of the press plays an important role.

Similar to today, press freedom was already seen as an indicator of a lawful government (see Image 1): “’Tis our Happiness in *England*, to have the Press Free, and it will always be so in Governments where the Law presides.”

Oldmixon’s book was intended to be an instrument of foreign affairs, supporting the idea of freedom for an international – mainly, but not only, French – audience. However, it had one major deficiency: it was published in English. While today English is the main language of international communication, in the 18th century, especially in its beginning, not many people on the European continent understood this language. The book had to be translated in order to make an international impact.

At that time French was the language of international communication in Europe.¹⁶ A translation into French could be read not only in France, but by educated people in many countries. Indeed a French version of this book was published the next year. The character of a translation was shown on its title page: “Traduit de l’Anglois.”

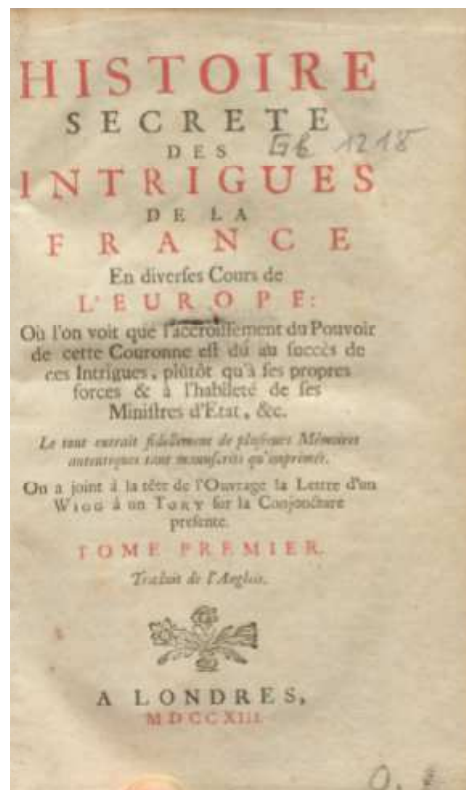


Image 3 (like Image 2).

¹⁶ In the academic world, Latin was still a language written and read in many countries.

If one sees “A Londres” (in London) indicating the place of printing, one can assume this is not true. Most probably the book was printed in the Netherlands, but the exact place is not known. Distribution in Europe was easier from the Netherlands than from across the channel, and they were, in matters of free speech and freedom of the press, a liberal country.

Indeed, Oldmixon’s text mentions the Dutch tradition of publishing anti-despotic books, “Several Books were Publish’d in Holland, against the French Alliance” (Image 1) / “On ne manqua pas de publier beaucoup de Livres en’Hollande contre l’Alliance avec les *François*”. (Image 2). Perhaps the book was *translated* in London.¹⁷

It was with this translation that the term ‘liberté de la presse’ came into French. *The Secret History of Europe* is, as far as it is known, the first document to use this term. This is important, as ‘liberté de la presse’ – like ‘freedom of the press’ or ‘press freedom’ – is today a key term in the political and juridical spheres.

However, this translation does not only transfer the *term* from English into French, it also transfers its specific context and reasoning. Freedom of the press has always been, the English author says, “a greater Plague to Tyrannical Governments, than ever Arms were.” (Liberté de la Presse [...] a toujours été le fléau des Gouvernemens Despotiques). This was also deemed to be true the other way around. Press freedom will always be a positive element for “Governments where the Law presides. There such Freedom can never be prejudicial”.

We find an echo of Oldmixon’s English text half a century later in the famous Virginia Bill of Rights (12 June 1776): “Sec. 12: That the freedom of the press is one of the great bulwarks of liberty, and can never be restrained but by despotic governments”.

Likewise, the French translation was echoed in 18th century political discourse in France, including in the writings of Voltaire and Rousseau, and in the *Encyclopédie*. Compare

„[...] Liberté de la Presse, que l’on tolérera toujours dans les Gouvernemens bien regles, ou les Loix sont au-dessus de tout : Car jamais cette Liberté ne peut-être pernicieuse à cette sorte d’Etats.”

with the beginning of Louis de Jaucourt’s article „Presse“ in the *Encyclopédie* (1765):

„PRESSE, (Droit polit.) on demande si la liberté de la *presse* est avantageuse ou préjudiciable à un état. La réponse n’est pas difficile. Il est de la plus grande importance de conserver cet usage dans tous les états fondés sur la liberté : je dis plus ; les inconvéniens de cette liberté sont si peu considérables vis-à-vis de ses

¹⁷ Very often Huguenots (French protestants) refugees in England and the Netherlands provided translations of books against the French King and supported their publications. See for more information Jordan (2023), p. 47 [fn. 7].

avantages, que ce devrait être le droit commun de l'univers, & qu'il est à-propos de l'autoriser dans tous les gouvernemens."¹⁸

Documentary heritage is indispensable for the understanding of the international development and increased dissemination of human rights, as seen in this example of freedom of the press and its basic concepts. Translations play a very important, and sometimes still underestimated, role in this process.¹⁹

I want to close my article with a personal remark. While progress in digitisation of documentary heritage over the last two decades has been a great help for research, including my own, and while the development of Artificial Intelligence will provide further possibilities,²⁰ personal cooperation with librarians will remain useful in many cases. For my research on the conceptual history of 'press freedom', different libraries were needed. For this article, the Herzog August Bibliothek [Duke August Library] in Wolfenbüttel, Germany, was essential. It was not only the wonderful collections and working conditions in this research library that were helpful, but also the expertise and cooperativeness of its staff.

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¹⁸ *Encyclopédie, ou dictionnaire raisonné des sciences, des arts et des métiers* [...] mis en ordre & publié par Diderot & quant à la partie mathématique, par d'Alembert. Tome 13. Paris/Neuchâtel 1765, p. 320.

¹⁹ In the *SCEaR Newsletter* 2017/3

<https://en.unesco.org/sites/default/files/memoryoftheworldsceanewsletter2017-3sept29.pdf>

I reported on the basic plan for a „Manifesto for Safeguarding the Memory of Translators and Translations“ to strengthen their role in memory institutions around the world. Covid and other obstacles retarded the work on this plan. It will be reactivated soon, in cooperation between MoW, IFLA, ICLCM (Int. Committee for Literary and Composers' Museums) in ICOM, and others.

²⁰ See Luciana Duranti, „Artificial Intelligence for Documentary Heritage“, in *SCEaR Newsletter* 2022/1, pp. 11-17.

Sweden 1766: The World's First Legislation Protecting Freedom of the Press and Freedom of Information

by Jonas Nordin

On 2 December 1766, *Kongl. Maj:ts Nådige Förordning Angående Skrif- och Tryck-fribeten* ('His Majesty's Gracious Ordinance Regarding the Freedom of Writing and of the Press') was adopted, making Sweden the first country in the world with a legally guaranteed freedom of the press.

Constitutional press freedom did not mean unlimited freedom of expression. Four areas were still subject to restrictions: (1) blasphemy and attacks on the pure evangelical doctrine; (2) disparaging opinions about the royal house and attacks on the government's authority; (3) libellous writings against the state's officials or individual citizens; (4) violations of Christian morality. These restrictions may seem far-reaching – pre-censorship was even maintained in religious matters. Such restrictions and the design of the law had their specific historical reasons.

A republic with a king

At this time, Sweden was essentially a republic, even though the king was formally the head of state. After the death of Charles XII in 1718, absolutism was abolished and replaced with a system of government where the legislative power was held by the Diet (parliament) and the executive power was held by the council of state. The council had sixteen members and convened under the king's chairmanship. In council votes, majority decisions applied, and the king with his two votes could easily be outvoted. The Diet, which met every three years, consisted of the four estates of nobility, clergy, burghers, and peasants. Two parties were also established in the Diet – the Hats and the Caps – and when the balance between them changed in the Diet, the councillors were also replaced. Thus, a parliamentary system emerged where councillors could only act if they had the confidence of the Diet. The power of the monarch was, in practice, purely symbolic. This era in Sweden is called the Age of Liberty, which was a contemporary concept.

In a parliamentary system with competing parties, forums for free and open debate are needed. The first proposal to abolish prior censorship was presented to the Diet in 1727 by a member of the burgher estate, Anders Bachmanson (later ennobled under the name Nordencrantz). The inspiration came from another country with a 'free constitution', namely Great Britain, where Bachmanson had spent a few years in the early 1720s. The parallels were obvious: both countries were monarchies with parliaments that balanced the power of the government, which shifted between mainly two parties. In England, prior censorship had been abolished in 1695, which had created a free discussion climate and a vibrant press for its time. Sweden needed something similar, reasoned Bachmanson.

Bachmanson's proposal was buried in bureaucracy, but Sweden continued to use British politics as a point of comparison. In a new parliamentary motion in 1738, a

member of the nobility, Henning Gyllenborg, again proposed freedom of the press, again clearly inspired by Great Britain. This second proposal also did not lead to any decision, but the issue continued to be high on the agenda, and the concept of ‘freedom of the press’ was established in public debate long before the phenomenon itself. Typical was the Chancellery President (equivalent to a Prime Minister) Anders Johan von Höpken’s eloquent defence of freedom of the press. Freedom of speech was one of man’s natural rights, he emphasized in a declaration in 1756. However, when these grand ideas were to be put into practice, Höpken, like many before him, was only a defender of his like-minded friends’ right to make their voices heard, and not of freedom of speech as such.

Tellingly, it was also Höpken who led the harassment against the philosopher Peter Forsskål, who in 1759 published a truly principled defence of freedom of the press and expression in his *Tänkar om borgerliga friheten* (‘Thoughts on Civil Liberty’). Although Forsskål only claimed to defend established ‘Swedish freedom’ in his plea for freedom of the press and strengthened civil rights, his writing was banned and the copies were confiscated. However, he was not personally punished, and the example showed that Swedish censorship, which was largely based on self-censorship, was quite toothless if an author refused to conform.

When the Diet that convened in 1761/62, freedom of the press also became a major issue and a special committee was appointed to prepare the matter. Despite long and thorough work, they did not finish before the parliament was adjourned, but it was clear that freedom of the press would be a key issue the next time the parliament convened.

The drafting of the law

This happened in 1765 and immediately at the beginning of the parliament, a freedom of the press committee was appointed to continue the work. The committee was composed of members from all four estates, and it used eleven months to thoroughly investigate and prepare the issue. They looked at both Swedish and international legislation and early on it became clear that Great Britain was not the model they were looking for. While prior censorship was indeed abolished there, the boundaries of free speech were unclear and the application of the law was arbitrary. The solution that the committee sought required that authors and printers, in accordance with the rule of law, had clear and distinct boundaries to relate to.

The committee’s proposition was to abolish all forms of pre-censorship, but the only way to get the clergy to vote for the law in the Diet was to exclude religious matters. Although the office of censor was abolished, the Cathedral Chapters therefore continued to examine books with religious and theological content. Furthermore, the nobility voted against the law, which was not enough to reject the proposal, but thereby it could not obtain the status of a fundamental law, which would have required full agreement between the four estates. The three non-noble estates tried to smooth over this obvious miscalculation with a cryptic formulation that it would have ‘all the perfect security that a constitutional law is entitled to’.

The four areas that were surrounded by restrictions in the issued Freedom of the Press Ordinance – religion, state security, defamation, and obscenity – are the areas that are commonly regulated in today’s democratic societies as well. For example, the European Convention on Human Rights (Article 10) allows for restrictions and penalties “in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary”.

More remarkable than the limitations, instead, was that the Swedish Freedom of the Press Ordinance was formulated according to an exclusivity principle: only the limitations that were clearly formulated in the law’s criminal catalogue could form the basis for prosecution. If no exception was stipulated, a written work could not be prosecuted. This distinguished the Swedish Freedom of the Press Ordinance from the British common law with unclear boundaries.

The statutory freedom of the press was certainly remarkable, but it should not be denied that relaxed control of the printing presses had already created a lively printing industry in countries such as Great Britain, the Netherlands, and Switzerland – albeit much of the production in the latter countries was intended for export rather than domestic consumption. What really set the Swedish Freedom of the Press Ordinance apart, however, was the far-reaching public access to official documents that was simultaneously established.

Irrespective of the form of government, politics in the eighteenth century was seen as a secretive activity, an *arcanum* that should be handled without public scrutiny. For example, in Britain, it was forbidden to publish verbatim reports of parliamentary discussions in printed form. In Sweden, however, the Freedom of the Press Ordinance made public all documents and records produced by authorities and political assemblies. Exceptions were made for certain documents concerning national security or the affairs of private individuals, but transparency was the norm, and secrecy was the exception. A month before the Freedom of the Press Ordinance was passed, another law was enacted stating that constitutional changes could only be made by two consecutive sessions of the Diet with intervening elections. Both laws together indicate a new view of citizens where the public should not only have insight but also influence over the state’s governance. The expansion of public access and the increased importance of public opinion were visible in many countries and under various forms of government in eighteenth-century Europe, but in few places did they have such a clear impact on legislation before the American and French revolutions as in Sweden.

The publication of the 1766 Ordinance

The Ordinance, consisting of 15 paragraphs on eight pages, was printed by the royal printer, but due to his heavy workload, the publication was delayed several weeks into the following year, 1767. The original document, confirmed with the king’s signature, was

also lost in the process, and today at the National Archives, there is only an earlier draft copy with corrections where the original should have been.

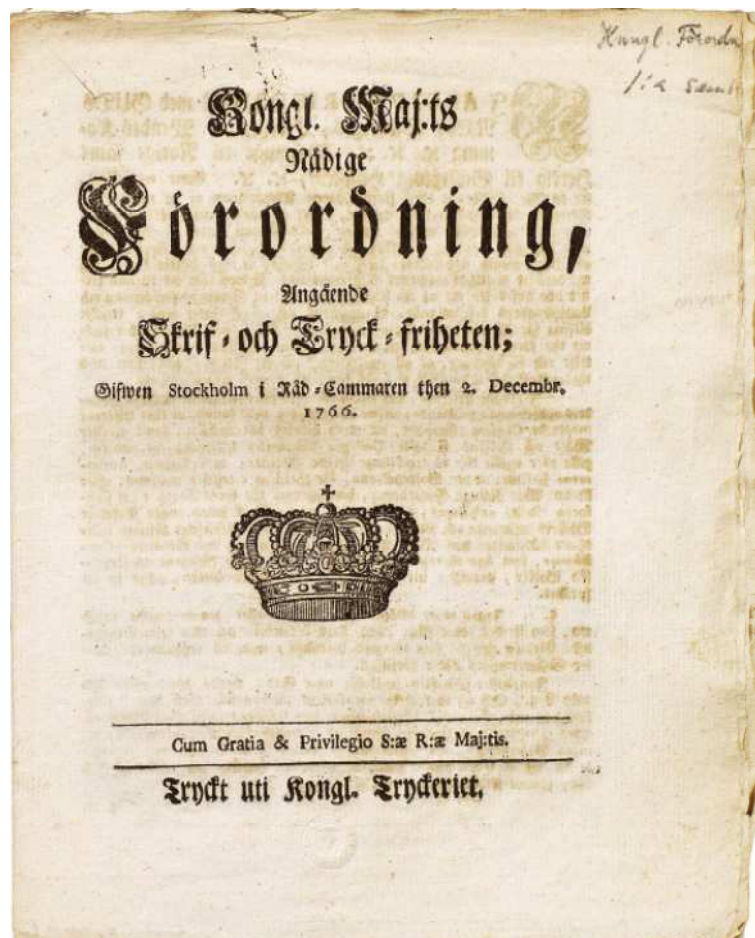


Image 1. The published Ordinance. National Library of Sweden, Stockholm.

Immediate effects of the 1766 Ordinance

Did the Freedom of the Press Ordinance have any practical significance? The answer to that question is unequivocally yes! The effect on political opinion formation was immediate and strong. Pamphlets on political issues poured out in increasing numbers, leading to a rapid radicalisation of politics. A significant portion of the discussions focused on strengthening civil rights, and the privileges of the nobility were particularly targeted. By a historical coincidence, neighbouring Denmark received the world's second state-sponsored freedom of the press legislation a few years later, in 1770, but unlike in Sweden, it was introduced without preparation and under an absolutist form of government that lacked representative political and deliberative bodies. This affected the issues discussed, and the public discourse in Sweden, which was better prepared both institutionally and ideologically, was less wild and more focused on substantive issues than the Danish discourse. As opposed to the Swedish ordinance, Danish freedom of the press was initially without any restrictions whatsoever. This proved less prudent, however, and

after only a year, formal controls were introduced which, in effect, put Danish legislation on par with the Swedish one.

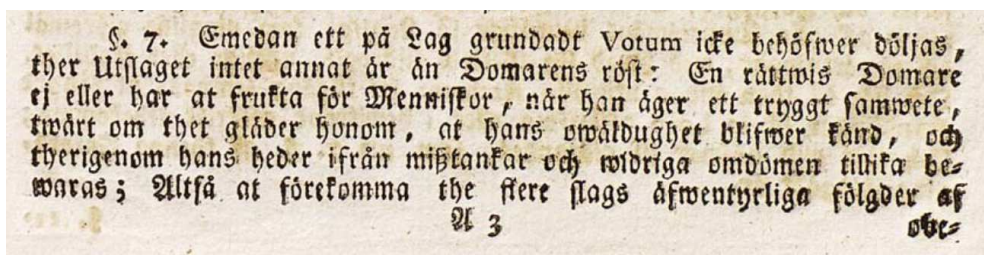


Image 2. The first lines of § 7 of the 1766 Ordinance (see Image 1), p. [5].

One of the most notable features of the Freedom of the Press Ordinance was the extensive public access it gave to official documents and records, including those at the government level. The reason for this ‘principle of public access’ was best explained in relation to court records in § 7:

“A legally correct *votum* does not have to be concealed when the decision is nothing more or less than the vote of the judge: a just judge does not need to fear people when his conscience is clear – on the contrary, he will be pleased that his impartiality is recognised and his honour is consequently protected from suspicions and adverse opinions. Thus, in order to prevent the many kinds of hazardous consequence that result from thoughtless votes, We have graciously found it proper that they should no longer be concealed by an anonymity which is as unnecessary as it is damaging.” (Translation: Ian Giles & Peter Graves.)

Freedom of the press led to rapid political changes that were not liked by everyone. In August 1772, King Gustav III carried out a coup that restored strong royal power with the help of the military and parts of the nobility who had seen their social privileges threatened. Although the king did not immediately and formally abolish freedom of the press, there was a latent threat of violence that muted public discourse. He also banned the previous political parties and restricted the power of the Diet, which eliminated the forums where opposition could arise. Two years later, in 1774, the restriction of free speech was completed by a renewed Freedom of the Press Ordinance. The king claimed that he wanted to curb the ‘abuse’ of freedom of the press, but in reality, he placed the printing presses under royal control. These restrictions were followed by others in the coming years, until freedom of the press remained only in name.

Gustav IV Adolf was deposed and exiled in 1809 after failing to defend the Finnish part of the kingdom against Russia’s attack. The new constitution adopted the same year restored the constitutionally protected freedom of the press and public access to official documents. This principled paragraph was complemented by a new and detailed Freedom of the Press Ordinance in 1810, which was revised in 1812 and remained in force into modern times.

Long-time influence of the Ordinance

How should we view the 1766 Freedom of the Press Ordinance? Was it a six-year parenthesis, or were Gustav III's and Gustav IV Adolf's reigns rather a forty-year interruption? There is no doubt that the Freedom of the Press Ordinance was very popular in broad circles. Gustav III realized this and launched his restrictions of it in Newspeak as a 'reformed freedom of the press'. If the 1766 Act had not existed, there is very little reason to believe that the autocratic king himself would have opened for a broader public sphere, but now he was forced to at least maintain its external forms. Thus, freedom of the press continued to live on as an idea in the collective memory.

The Freedom of the Press Act(s) introduced in 1810/1812 also repeated essential parts from the 1766 ordinance. These included the principle of exclusivity and the public access to official documents. Also included was the sole responsibility, meaning that only one person can be prosecuted in freedom of the press cases: either the author or a certain responsible publisher (for periodicals). The latter provisions, together with the circumstance that freedom of the press is regulated in a particular constitutional law, are specific to Swedish legislation and show the strong position of freedom of expression. It also illustrates that the 1766 Freedom of the Press Ordinance continues to be a benchmark into modern times.

Literature

His Majesty's Gracious Ordinance Regarding the Freedom of Writing and of the Press, translated by Ian Giles & Peter Graves (2016).

Bertil Wennberg & Kristina Örtengren (eds), *Press Freedom 250 Years: Freedom of the Press and Public Access to Official Documents in Sweden and Finland – a Living Heritage from 1766* (Stockholm: Sveriges Riksdag, 2018).

Jonas Nordin, *1766 års tryckfrihetsförordning: Bakgrund och betydelse* (Stockholm: National Library of Sweden, 2015). (Facsimile reprint of the original Swedish text, with commentary in Swedish.)

Jonas Nordin & John Christian Laursen, 'Northern Declarations of Freedom of the Press: The Relative Importance of Philosophical Ideas and of Local Politics', *Journal of the History of Ideas*, 81 (2020), pp. 217–37.

Ulrik Langen & Frederik Stjernfelt, *The World's First Full Press Freedom: The Radical Experiment of Denmark-Norway 1770–1773* (Berlin: De Gruyter Oldenbourg, 2022).

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19th and 20th Century

A Historical Account of Public Debate on Press Freedom in China: The Early 19th Century Macao Newspapers

by Agnes Iok-Fong Lam and Hio-Iong Wong

Introduction

As the first Chinese city opened to the West, Macau was crucial in transmitting Western technology and concepts to China, including the Western printing press and the concept of press freedom.

This article explores the early adoption of the Western printing press in China, specifically focusing on the earliest newspapers published in Macao. It examines the impact of these newspapers in creating a platform for the exchange of ideas during the early 19th century, with a particular emphasis on the political press *A Abelha da China* from 1822 to 1823. The paper provides insights into the historical context and significance of introducing Western printing technology and modern newspaper in China and how it helped pave the way for modern journalism and dialogues on the newspaper's function and press freedom in the region.

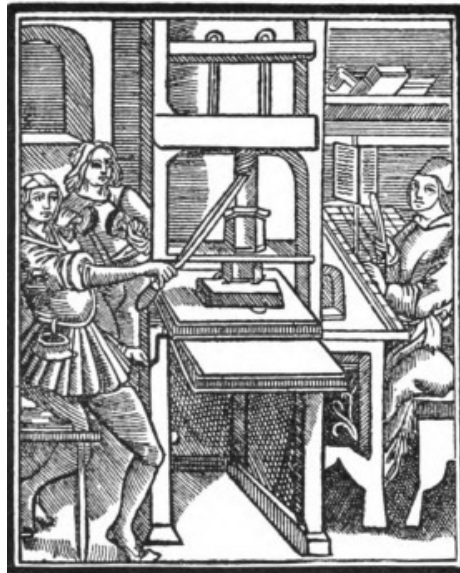


Image 1. The Earliest form of printing (Hoe, 1902, p. 6).

1. The establishment of a political press

Imperial China had a well-established tradition of government gazettes, known as *Dibao* (邸報), *Tang Pao* (塘報), or *Peking Gazette* (京報), that spanned several centuries from the Tang dynasty until the collapse of the Qing dynasty in 1910 (Fang, 2007). While there were occasional newspapers in a story format published by ordinary citizens and sold on the street since the Song dynasty, they were not periodicals and were considered illegal, known as *Xiǎo bào* (小報) (Yang, 2012). In the 16th century, with the arrival of Portuguese and Jesuit missionaries, there were other private or illegal printing of books and religious materials using the printing press they brought to Macau, despite the printing bans exercised in Macau from Portugal and China (Lam, 2015).

In the early 19th century, an expatriate press cluster was financially supported and established by the East India Company (EIC, 1600-1874) and the Protestant Mission to publish dictionaries to learn Chinese for the EIC employers. In 1815, Robert Morrison started using the EIC printing press to print the world's first Chinese-English Dictionary and other monographs while the public circulation of printing materials was still officially banned in Macau. A few years later, the idea and operations of a privately owned, uncensored, and popular press were imported into China via Macau. In 1820, the Liberal Revolution erupted in Portugal, leading to the establishment of a constitutional monarchy. This political movement extended overseas, and in 1822, the constitutionalist and liberal parties of the Portuguese residents of Macao staged an ideological and political riot. This led to the establishment of *A Abelha gda China* (hereafter: *Abelha*), the first journal published by foreigners in the territory of China and also the first newspaper in Macao. It was initially established as a political party press by the constitutional party. Aside from its strong character as a partisan press that was the media mouthpiece of the ruling party, with many of the political debates of the time between the royalists and the constitutionalists, it was a newspaper that served as a source of news, business information, and community contact, and it was necessary for illuminating the interactions between Macao's early 19th century foreign community (Lam, 2015).

2. Example of functions for public debate of the printing press

The *Abelha* contained a variety of public opinion in almost every issue. It served as a platform for the residents to deliver speeches and ideas towards political issues and current affairs. It also provided a forum for various correspondences from readers on both sides of the authority's pros and cons. Furthermore, citizen petitions and declarations, and a broader public discussion on public interests, are published. Additionally, if the editor refused to publish the reader's letter, the reason would have been stated openly in the following issue. This was a rare condition of early readership and printing press because controlling access to publication outlets commonly required circumventing censors and engaging in illegal activities (Eisenstein, 1980: 13).

Abelha established a collaborative space for residents and officials to communicate. As evidence, this two-year publication held a multitude of open requests for opinion and invitations to public debates in the city hall, which were announced in the newspaper in a category titled Government Participation (PARTICIPACAO DO GOVERNO). The announcement would come up with a list of issues for discussion and the announcement of the time and venue. Affairs related to education, political reforms, commerce, military and beyond were open for discussion.

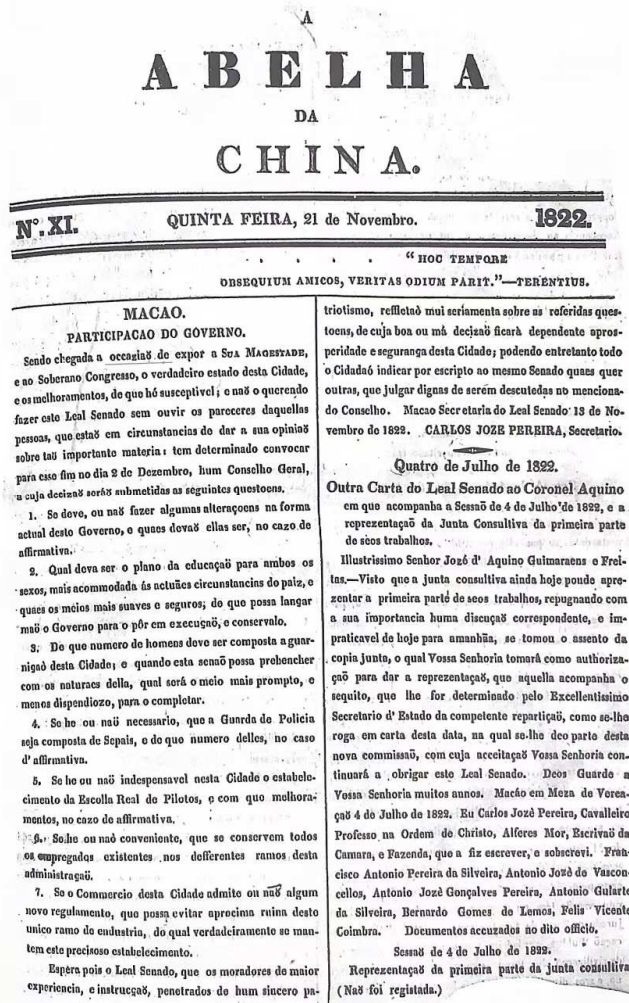


Image 2. PARTICIPACAO DO GOVERNO (*A Abelha da China*: 1822–1823, p. 41).

3. The first idea of a newspaper in Chinese

Although the Portuguese weekly, *Abelha*, introduced the concept of an uncensored popular press into China, its instant effect was limited because of the language barrier. However, five years later, Robert Morrison expressed his position on press freedom in the *Canton Register*, founded in Canton in 1827. It is the first English-language newspaper in China; Morrison stated, “All Frenchmen have the right to publish and print their own

opinions; censorship is forever abolished!” (Morrison, 1839, p. 481). Consequently, Morrison, with his attempt to publish the first Chinese newspaper using his printing house, Albion Press, *A Miscellaneous Paper* was launched in Macau in 1833. In an article published in *A Miscellaneous Paper* introducing the concept of a modern newspaper in the Western world, Morrison introduced the concept of a modern newspaper to the Chinese audience in their native language for the first time (Lam, 2015). Lin Zexu, a prominent figure in the Chinese Opium War, later described foreign newspapers as “our Tang Pao (塘報),” as he collected information about foreign countries through news outlets in Macau. This was the Chinese scholars’ immediate understanding of the concept of a newspaper. Decades later, as Chinese publishers began to establish their own uncensored popular newspapers, discussions on press freedom and the functions of newspapers became more prevalent (Lam, 2015).

4. Access to documentaries from the past to the present

In 2005, the Historic Centre of Macao was inscribed on the World Heritage List by UNESCO. This city was under Portuguese administration from the mid-16th century until 1999 and is now as a special administrative region of the People’s Republic of China. Macao provides a unique culture of influences from East and West (UNESCO World Heritage Centre). Today, we can reach the above archives and records in Senado Library, inside the Municipal Affairs Bureau Building, the building originally built in 1784, we can now access the aforementioned archives and records in Senado Library, an elaborately carved convent-style building (Macao Special Administrative Region) with a rich collection of rare books from the 17th to mid-20th centuries, particularly the documentation of Portugal’s presence in Africa and the Far East, a collection of approximately 20,000 foreign historic texts (Macao Public Library. *Digital Collection*). Moreover, early Portuguese newspapers from the late-19th and early-20th centuries, including the *Abelha*, which was published in 1822 and 1823, are among of these rare treasures.



Image 3. “Senado Library”.
(Cultural Affairs Bureau of the Macao Special Administrative Region, 2021).

Furthermore, the Macao Public Library established a digital collection platform containing three dedicated databases. Firstly, the Database of Periodicals Collection, where we can have online access to roughly 60,000 pages of newspaper collection from 13 Portuguese and British newspapers published in the 18th and 19th centuries. Secondly, two onsite databases of posters collection and Macao Newspaper clippings during the Second Sino-Japanese War (Macao Public Library. *Digital Collection*).

5. Conclusion

Hence, the fundamental role of documentary heritage strives to develop and grow an understanding of press freedom. For example, we may use *Abelha*, a printed newspaper from the early-19th century Macao, to demonstrate the freedom of the press and its long historical track.

From this first printing press and many other attempts, we may observe the evolution of freedom of the press and speech from a small city on the South China coast. It preserves this serialized documentary that sheds light on international press freedom today, showing how it has not only been a distant ideal but a long-term development in human history by numerous recorded and unrecorded, multicultural contributors.

References

- A Abelha da China: 1822–1823, Edição do exemplar original do Instituto da Biblioteca Nacional e do Livro*. Macau: Universidade de Macau, Fundação Macau, 1994.
- Eisenstein, Elizabeth L. (1980). *The Printing Press as an Agent of Change*. Cambridge: Cambridge University Press..
- Fang, HanQi (2007). “Chinese newspapers began in the Tang Dynasty”, in Fang, HanQi (ed.), *Self-Selection of Academic Papers*. Beijing: Renmin University Press, pp. 31-65.
- Gunaraten, Shelton A. (2001). “Paper, Printing and the Printing Press, a Horizontally Integrative Macrohistory Analysis.” *Gazette*, vol. 63(6): 459-479.
- Hoe, Robert (1902). *A Short History of the Printing Press and of the Improvements in Printing Machinery from the Time of Gutenberg up to the Present Day*. New York.
- Lam, Iok Fong (2015). *The Begining of the Modern Chinese Press History*. Beijing: Instituto Cultural de Macau, Social Sciences Literature Press.
- Morrison, Eliza (1839). *Memoris or the Life and Labours of Robert Morrison, D.D.* London: Longman.
- Yang Ling (2012). *The Publishing Culture of Song Dynasty*, Beijing: Wenwu Chuban She (Cultural Relics Publishing House).

Online sources

Macao Public Library. *Digital Collection*. Retrieved on March 27, 2023, from <https://www.library.gov.mo/en/library-collections/e-resources/digital-collection>

Macao Special Administrative Region. *The Historic Monuments of Macao* (Application to UNESCO for Inscription on the World Heritage List), supplementary document,

p.10. Retrieved on March 27, 2023, from
<https://whc.unesco.org/uploads/nominations/1110.pdf>
UNESCO World Heritage Centre. *Historic Centre of Macao*. Retrieved on March 27, 2023,
from <https://whc.unesco.org/en/list/1110/>
Cultural Affairs Bureau of the Macao Special Administrative Region, 2021. Online source
Retrieved on March 27, 2023:
[https://www.gcs.gov.mo/detail/en/N21BVoPn3d;jsessionid=327BB00EB45360F8BF2CB
F5FC80DD12C.app01?1-1.IBehaviorListener.0-confirmDialog#images](https://www.gcs.gov.mo/detail/en/N21BVoPn3d;jsessionid=327BB00EB45360F8BF2CBF5FC80DD12C.app01?1-1.IBehaviorListener.0-confirmDialog#images)

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Liberté de la presse et patrimoine documentaire : cas du Niger

par Seyni Moumouni

Le Niger est situé au sud du Sahara, en plein cœur du Sahel et de l’Afrique. Le Niger actuel est un ensemble constitué de part et d’autre des portions des différents empires médiévaux (empires Bornou, Songhay, Sokoto). Ancienne colonie française, le Niger devint une république en 1958 et accéda à l’indépendance le 3 août 1960. L’état de la liberté d’expression et de la presse est intimement lié à l’évolution politique et sociale d’un pays.



Image 1. Les manuscrits anciens du Niger. Photo ©MARA.

1. Aperçu sur la liberté de production de livre-manuscrit au temps des empires

Au temps des « grands empires » la censure était une constante dans les grands centres historiques (Tombouctou, Gao, Bornou, Djenné, Sokoto) de production du livre manuscrit. Le texte « prose et poésie », la littérature (religieuse et populaire) avaient une vie difficile. Les savants auteurs et leurs œuvres furent la cible des différents régimes impériaux qui se sont succédés au Soudan à travers les siècles. Ainsi, le règne de Sonni Ali Ber fut celui auquel faisaient souvent référence les textes historiques. Son attitude vis-à-vis des érudits fut impitoyable. Sous son règne (1464-1492), des savants et des jurisconsultes furent condamnés et leurs œuvres censurées, contraints à l’exode, beaucoup d’entre eux s’installèrent plus au Sud. De même, les conditions dans lesquelles le *Târikh al-fattath des Kâti*²¹ nous est parvenu montrent les contraintes qui pèsent sur les auteurs, le texte dans sa forme actuelle est l’œuvre de trois auteurs, mais quels auteurs ? Mahmoud Kâti, Alfa Kâti et Ibn al-Mukhtâr. L’action des auteurs sur le texte montre bien le souci de préserver avant tout le texte en le reproduisant et en modifiant l’orientation politique afin qu’il puisse échapper à la censure.

Dans cette partie de l’Afrique, le Soudan central au temps des empires, le texte manuscrit fut un élément important dans la vie quotidienne au point qu’elle devint un refuge pour certains auteurs par rapport à la situation de surveillance accrue dont il faisait l’objet. Les réactions proviennent toujours du côté du palais royal, celui qui défendait le

²¹ Madina LY, « Mahmud Kâti, l’Alfa kâti et Ibn al-Mukhtâr : quelques remarques sur le *Tarih al-Fattah* », *Bulletin de l’I.F.A.N.* T. xxxiv, série B. n°3, 1972.

conservatisme. Situation devant laquelle il arrive que des auteurs comme Osman dan Fodio fassent figure de rival du roi Bawa Yan Gorzo pour avoir dénoncé dans ses écrits l'injustice, les abus du pouvoir et les conditions de vie du peuple. Le roi interdisait les prêches et imposa aux Oulèmas un système d'autorisation préalable pour les prêches, les scribes et les lectures publiques.

Les grandes fêtes étaient pour le roi l'occasion de renouer et d'entretenir des relations avec les érudits en leur offrant des présents. A cette occasion, le roi Bawa offrit des cadeaux aux Oulèmas lors de la grande fête dite « 'îd al-kabîr » en 1788 à Magami. Osman dan Fodio refusa le cadeau, il lui demanda en échange une autorisation de poursuivre son œuvre dans la quiétude. La demande du Osman dan Fodio d'échanger son cadeau annuel contre une autorisation de publier montre combien la censure pesait lourd à l'époque sur l'activité des érudits. Le roi en tout cas savait qu'il devait, autant que possible, traiter les Oulèmas avec respect. Il était bien conscient de cela.

Il faut aussi signaler l'écriture en langues locales à partir de l'alphabet arabe. Ce type d'écriture souvent destiné à fixer la poésie et les chants populaires a favorisé l'usage des langues locales et la littérature populaire. L'écriture ajami était moins surveillée que celle en langue arabe. Ainsi, le recours à l'écriture dite ajami (langue locale) par les Oulèmas pourrait être considéré comme un moyen d'échapper à la surveillance.

2. La liberté de la presse au temps de la colonisation

Au milieu du XIX^e siècle, les opérations coloniales obligèrent les populations à se soumettre. La répression qui suivait les redditions prenait des formes multiples. Durant ces opérations, les guides spirituels, des érudits et juristes furent arrêtés, condamnés, déportés et contraints à l'exil, leurs œuvres furent détruites et confisquées. Ce fut le cas des émigrés Peul et Haoussa qui ont fui, à partir de 1900, l'occupation britannique du Nigeria et se sont installés au Soudan, notamment au Sennar, au Dar-Four, au Kordofan et en Djaziré. Leurs descendants – les Fellâta – étaient estimés à un million en 1956. De tendance mahdiste, ces émigrés avaient emporté avec eux ce qu'ils pouvaient de leurs manuscrits. La circulation des manuscrits et des livres manuscrits a fait l'objet d'une haute surveillance de la part de l'administration coloniale. Exemple de texte visant à renforcer le contrôle de la presse et des ouvrages arabes:

« Plusieurs des Gouverneurs m'ont demandé dans quelles conditions pourrait s'effectuer le contrôle de ces documents, qui ne sont pas toujours animés du meilleur esprit à notre égard. La loi sur la liberté de la presse du 29 juillet 1881, promulguée en A.O.F. par un arrêté du 20 août suivant, porte notamment en son article 14 : - La circulation en France des journaux ou écrits périodiques publiés à l'étranger, ne pourra être interdite que par une décision spéciale, délibérée en conseil des ministres. J'ai l'intention de demander au gouverneur de me déléguer ses pouvoirs en cette matière spéciale et de m'autoriser à contrôler, et au besoin à interdire, les importations de presse et de librairie arabe. Mais pour arriver à ces fins, il me faut

étayer ma requête de faits précis, établissant soit les propos pernicieux, excitations au trouble, relations tendancieuses de certains journaux, opuscules et livres arabes... ».²²

Les manuscrits, pour échapper au contrôle soit du palais royal au temps des empires soit de l'administration coloniale, circulent sous les boubous et les turbans ou cachés au fond d'une case avec les objets intimes. Ceux qui les copient y ajoutent de nouveaux traits, les traduisent dans des langues locales, modifient parfois la position idéologique de l'auteur, la rendent plus ou moins explicite. On peut concevoir le texte comme l'expression d'un groupe social et la modification progressive des textes comme l'histoire vivante des idées dans leur contexte social, sous la pression de la censure. Cette lettre montre bien que la censure dont furent objet les livres arabes était pratiquée couramment. Toute cette période a donc été une période de très grande surveillance de la presse et du livre arabe :

« J'ai l'honneur de vous rendre compte que je viens de faire saisir sur un marabout originaire de Djougou, le nommé Idrissou Al-hadji, revenant de la Mecque, une charge de 40 kilos de livres et brochures en langue arabe, exactement 64 brochures ou recueils, la plupart très vieux, une dizaine seulement en bon état et paraissant dater de peu... ».²³

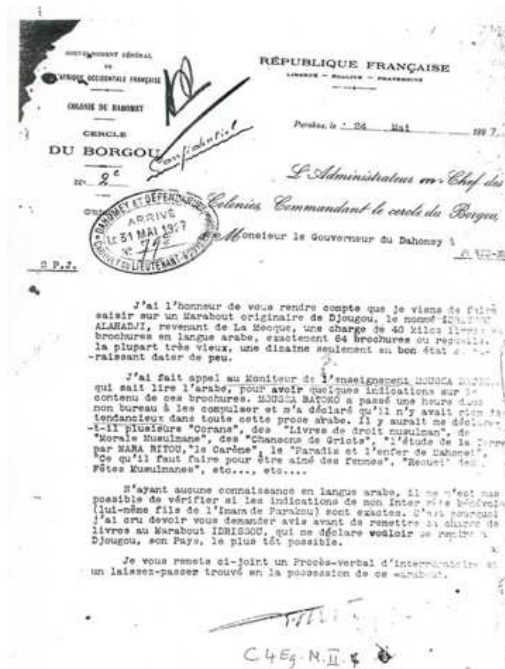


Image 2. Document administratif, Archives Nationales du Benin.
Source : C4 Eg.MII.7 Porto-Novo.

²² Lettre adressée par le gouverneur général de l'A.O.F. M. Merlin à Messieurs les Lieutenants - Gouverneurs des Colonies et commissaire du Gouvernement en Territoire du Niger et à Monsieur le Commissaire de la République au Togo, Dakar, le 29 mars 1921.

²³ Lettre adressée par l'administrateur en chef des colonies commandant le cercle du Borgou à Monsieur le gouverneur du Dahomey à Porto-novo, Parakou, le 24 Mai 1927.

3. Aperçu sur l'évolution de la liberté de la presse au Niger

Au lendemain de l'indépendance, seuls les médias d'État ont subsisté à la décision du Parti (PPNRDA) au pouvoir, de mettre fin au multipartisme et d'interdire les journaux d'opposition. *La Radio-Niger*, *Le Temps du Niger*, le quotidien gouvernemental, et l'hebdomadaire *Le Niger*, étaient tous liés au Parti au pouvoir. La Constitution du 8 novembre 1960 proclamait son attachement aux principes de la démocratie et des droits humains tels que définis par la Déclaration universelle des Droits de l'Homme et du citoyen et la Déclaration universelle des Droits de l'Homme de 1948. Cependant, le gouvernement de la 1^{ère} République du Niger s'est montré peu soucieux du respect des droits et libertés fondamentaux de ses concitoyens. Les quelques rares textes législatifs consacrés à certains droits fondamentaux tels que la liberté de la presse et la liberté d'association n'avaient qu'une portée purement théorique. Dans son premier numéro en date du 17 novembre 1961, l'hebdomadaire *Le Niger* s'exclamait : « rien n'est plus dangereux pour un pays que la presse dans des mains sales et l'État dans des mains propres ». Les journalistes sont tenus d'œuvrer et de soutenir la politique du gouvernement. Le Conseil Militaire Suprême (CMS) qui a pris le pouvoir, le 15 avril 1974 procéda au changement de dénomination des médias gouvernementaux : *La Radio-Niger* devint *La Voix du Sahel*, le quotidien le *Temps du Niger* prit le nom de Sahel-Dimanche et la télévision, lancée en 1978 sur les cendres de la télévision scolaire, est dénommée Télé Sahel. Les journalistes, qui recevaient des instructions des hautes instances dirigeantes, étaient tenus de donner une orientation politique aux informations. Les contrevenants à la politique du régime s'exposaient à de sévères sanctions disciplinaires, voire pénales. Dans *Le Sahel Hebdo* n°1 du 20 mai 1974, on peut lire : « Il ne saurait être question pour nous d'agir d'une manière qui serait contraire aux intérêts de la Nation et à la dignité de notre peuple ».²⁴

Il a fallu attendre les années 1990, à la suite du vent de démocratisation, pour assister la fin du monopole d'État sur les médias et l'ouverture du paysage médiatique. Ainsi le paysage médiatique nigérien connaîtra dès lors un nouveau visage avec la naissance en mai 1990 de l'hebdomadaire privé *Haské* le premier journal d'informations et d'analyses. Ce journal, par son ton libre et critique, rompait avec la pratique d'un certain journalisme aux ordres. Les médias d'État n'échappèrent pas à ce vent de changement. Pour la première fois, les agents de l'Office national d'édition et de presse (ONEP), éditeur des deux organes gouvernementaux avaient observé en avril 1990, une grève de trois jours pour protester contre la censure officielle dont ils sont victimes.

²⁴ *Le Sahel Hebdo* n°1 du 20 mai 1974.



Image 3. Les déplacés victimes de l'insécurité. Photo ©AFP.

La presse privée en état d'ébullition, sans expérience, sans grands moyens matériels et financiers et respectant peu la déontologie sera tolérée dans ses excès par les régimes démocratiques. Cependant, la proclamation du respect de la liberté d'expression et d'opinion s'est accompagnée de dispositions restrictives prévoyant des peines d'emprisonnement pour les délits commis par voie de presse et des sanctions pécuniaires.



Image 4. Les Journaux privés du Niger. Photo ©ONEP.

La première condamnation d'un journaliste, sous l'ère démocratique, a été enregistrée le 30 novembre 1992. Ce procès a ouvert la porte à une série d'autres procès qui porteront atteinte à la liberté d'expression. Toutefois le gouvernement de transition (1991-1993) va marquer sa volonté de faire de la liberté d'expression une des libertés essentielles. Le régime du général Barré (1996-1999), dont la légitimité a été fortement contestée, a mené une lutte acharnée contre toutes les voix discordantes : enlèvements et molestations de citoyens, emprisonnements et menaces de mort contre des journalistes. La destruction de matériel procédait également de la stratégie d'intimidation du régime. Le retour à une vie constitutionnelle normale en 1999 verra l'élection de Tanja Mamadou à la présidence. Le président Tanja a poursuivi et intensifié la politique d'étouffement des libertés individuelles et de répression contre les professionnels des médias. Le gouvernement de transition de Salou Djibo (2010-2011) a adopté en 2010 le code de la presse qui a été une

avancée majeure pour la protection des journalistes, mettant fin aux peines privatives de liberté pour les délits de presse.

Cette loi était régulièrement contournée, sous le régime de Mahamadou Issoufou, des journalistes sont arrêtés (Kaka Touda Mamane Goni), condamnés, emprisonnés (Ali Soumana, Samira Sabou) et expulsés du territoire nigérien (Baba Alpha) pour leurs enquêtes dans le cadre de leurs fonctions. La loi de 2019 sur la cybercriminalité révisée en avril 2022 pour l'harmoniser avec l'ordonnance 2010-035 portant régime de la liberté de presse est régulièrement utilisée pour faire taire les journalistes qui publient en ligne en les exposant à des peines d'emprisonnement et des amendes lourdes. Le contexte régional marqué par la lutte contre le terrorisme a aussi impacté sur la sécurité des journalistes et leurs proches et sur l'accès à l'information.

Selon Reporters Sans Frontière (RSF) le Niger comme en 2021, occupe en 2022 la 59ème place sur les 180 pays classés, avec un score moyen de 67.80 points. Par rapport au contexte politique, le rapport note que le poids de l'ingérence gouvernementale dans la ligne éditoriale reste très important.

Aujourd'hui, le Niger compte 67 radios privées, 15 chaînes de télévision privée et 16 sites de presse en lignes. Le droit positif nigérien est, au regard des droits humains et particulièrement de la liberté d'expression, en harmonie avec les principes universels régissant la matière. La question du respect des droits et libertés et de la loi en général au Niger est beaucoup plus liée aux appréhensions des hommes qui exercent l'autorité publique qu'au contenu des lois elles-mêmes. La liberté de la presse au Niger est régie par un cadre juridique et institutionnel à même de garantir aux citoyens la libre expression à condition que les institutions notamment le Conseil Supérieur de Communication (CSC) et la justice jouent leur rôle de régulateur et de garant des libertés individuelles, conformément à la Constitution.

Au Niger, la liberté de la presse a évolué à travers les siècles du moyen âge à nos jours en dents de scie. En effet, les empires autoritaires précoloniaux et coloniaux ont manié avec force la censure et les atteintes à la liberté de la presse, de même que l'État indépendant « moderne » n'a pas hésité à les pratiquer.

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The Panadura Controversy: Sri Lanka 1873

by Udaya Cabrol

The island in the Indian Ocean Sri Lanka had been conceived of as a Buddhist nation in the 3rd century BCE. The civilization of the island gradually progressed under the influence of Buddhism. The country became the centre of Theravadin Buddhism in the eastern world at the beginning of the 1st century BCE as the Tripitaka, the sacred canon of Theravada Buddhism, was documented in the central part of Sri Lanka during the reign of king Wattagamani Abhaya (29 BC-17 BC). The well-established Buddhist culture was challenged first by the Portuguese invaders between 1505 and 1658, then by the Dutch (1658-1796), and finally by the English (1796-1948) during the colonial era of Sri Lankan history. It was Portuguese colonialism that opened the door for Roman Catholicism in the island nation.

King Vira Parakramabahu VII invited the Portuguese to Sri Lanka, which was then known as Ceylon, as part of a commercial arrangement. Later, in 1505, the Portuguese occupied the island's coastal area and defeated the local kingdom. They introduced Roman Catholicism to Sri Lanka. The Dutch expelled the Portuguese and surrendered the island in 1658. Roman Catholicism was spreading across the island as a result of St. Joseph Vaz's missionaries. The period of Dutch rule over Ceylon would soon come to an end due to changing events in Europe. In 1792, the French Revolutionary Wars broke out between Republican France and a coalition of European nations, which included the Dutch Republic. In 1794, a French invasion force conquered the Dutch Republic, and Prince William V, the Dutch stadtholder, fled into exile with his family to Great Britain in order to escape the French. The British took full advantage of the political instability and established power in Sri Lanka by defeating the Dutch ruler in 1796.

The English government spread Christianity in the country by establishing Catholic schools. Native people embraced Christianity to get different advantages from the English government. Buddhist temples are scattered and isolated throughout the island. During the mid-nineteenth century, the situation deteriorated. As a result, a large public debate was organised between Buddhist and Christian religious leaders. Reverend Migettuwatte Gunananda Thero led the Buddhist community, and Reverend David de Silva led the Christian community. The debate took place on the 26th and 28th of August 1873 in Panadura, south of Colombo, about the two religions of Buddhism and Christianity. According to the facts, about 8,000 Buddhists and 1,000 Christians came to watch the debate between two religious leaders.



Image 1. Mural Painting: A great debate between Reverend *Migettuwatte Gunananda Thero* and Reverend *David de Silva* in front of the Buddhist and Christian communities in the image house of the Deepaduttaramaya temple, Kotahena.

Courtesy: <https://www.budusarana.lk/budusarana/2022/09/03/tmp.asp?ID=fea01> and <https://dailynews.lk/2017/01/03/features/103609>

The debate was reported, and published in the *Ceylon Times* by John Capper, editor of the newspaper. Dr. J.M. Peebles, an American scholar who was in Sri Lanka at that time, had gathered these proceedings from the press and published them as a book named *The Great Debate: Buddhism and Christianity Face to Face* at the end of the 1870s and distributed thousands of copies within America (Image 2). This book contained eight lectures delivered by either party in the Panadura controversy, which took place on August 26 and 28, 1873, at Panadura, Sri Lanka.

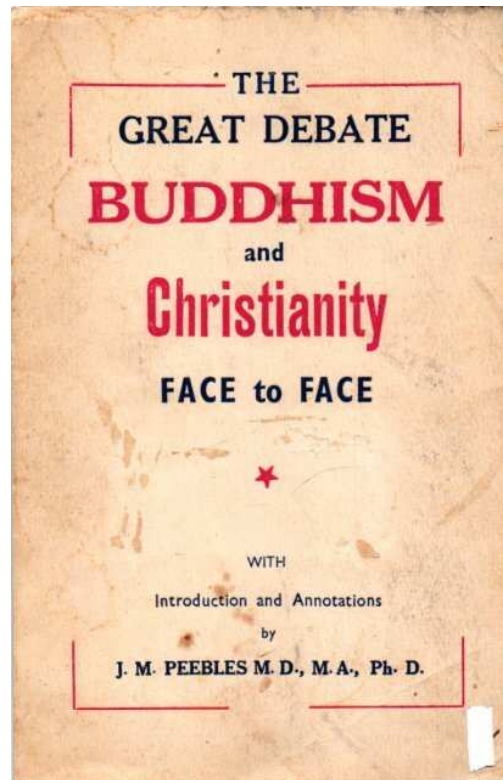


Image 2. The cover of the 1955 reprint of the original publication deposited in the national collection of the National Library of Sri Lanka under accession no. 81070.

Colonel Henry Steel Olcott (1832-1907), an American military officer and co-founder and first president of the Theosophical Society, and Helena Petrovna Blavatsky (1831-1891), a Russian mystic and author who co-founded the Theosophical Society in 1875, were both able to read this historical account and curiously visited Sri Lanka to study Buddhism. Later, they launched a campaign to awaken the native Buddhists in the country. Buddhist schools and societies to safeguard Buddhism had emerged in the country. Everyone agrees that the great debate between Buddhism and Christianity was the unavoidable reason for the Buddhist people to awaken and spread Buddhism throughout the country.

This great public debate and publication set a wonderful example for the rest of the world in terms of press freedom. According to the facts, both parties expected victory in the debate, and they listened quietly to lectures given by scholars from both parties without any violence. The *Ceylon Times* reported facts constructively in order to raise awareness of the debate. People of both religions who lived on the other side of the country learned about the incident. Every human being has the right to follow any religion or belief that he accepts according to his knowledge. No one has the right to force a belief on any other person. Even though Sri Lanka is the centre of Theravadin Buddhism, the native people accept Christianity, and both parties had freedom to express their own ideas through different mass media.

As a result of the great debate and publication of *The Great Debate: Buddhism and Christianity Face to Face* by Dr. J.M. Peebles, great scholars in the world came to Sri Lanka. In 1880, Colonel Henry Steel Olcott (America), together with Helena Petrovna Blavatsky (Russia), and Damodar Mavalankar (India), came to Sri Lanka. The native Buddhist community welcomed them with open arms. Later, they embraced Buddhism. Olcott embarked on one of the most pivotal periods of his life by embracing the Buddhist cause. His contribution towards the revival of Buddhism in Ceylon is of great significance, as is his movement for popular education. Olcott's contribution towards the betterment of Sri Lanka, the nation, religion, justice, and good conduct has been appreciated. Olcott employed a three-pronged strategy to arrest the prevailing decadence: Buddhist education, well-planned propaganda, and sound organisation. He compiled "The Buddhist Catechism", whose Sinhalese and English versions appeared on July 24, 1881. The hand presses found it difficult to meet the demand. The book has undergone many editions in a number of languages and is still in demand. Thus, the Panadura Controversy publication was the reason for several nations to gather together for the goal of achieving the revival of Buddhism in Ceylon. Hence this great debate and publication of *The Great Debate: Buddhism and Christianity Face to Face* have high significance for press freedom in the world.

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The Murder of Karolos Ogle, Correspondent of *The Times* of London in Greece

by Maria Arvanitaki

Charles Chaloner Ogle, a young British architect, arrived in Athens in 1875 and began working for E. Ziller. In addition to his professional occupation, he began to send reports to *Builder* magazine about the rebuilding of Athens. A year later, captivated by the war climate of the time, he became a war correspondent for *The Times* of London.



Image 1. Lithographic portrait of Karolos Ogle based on the photograph of Petros Moraitis. *Πανελλήνιον ημερολόγιον* (1880), έτος Α', εκδοθέν υπό Σωκράτους Α. Παρασυράκη, Λονδίνο: Williams and Norgate, χ.χ., σ. 138–139. [*Panbellenic calendar* (1880), year A, published by Sokratous A. Parasyrakis, London: Williams and Norgate, χ.χ., σ. 138–139]. Photo: MIET-ELIA Library.

In 1878, the Greeks raised the flag of revolution in the Greek provinces that were under Turkish occupation. As a war correspondent for *The Times*, Ogle traveled to rebellious Thessaly to cover the Greek uprising there against the Turks. He sent constant reports, published almost daily in *The Times*, in which the plight of the civilian population prevailed. He writes incessantly, protests vehemently and clearly takes the side of the Greeks. In addition, he took action himself to relieve and protect the civilian population by doing everything in his power to help. British public opinion was shocked by his responses. The harsh description of brutality that pervades his texts, his attempt to protect civilians and his philhellenic attitude caused reactions. The Ottoman government officially expressed to *The Times* its displeasure with the content of his responses.

On March 17, 1878, after the Battle of Makrinitza, which ended with the defeat of the revolutionaries and essentially led to the end of the revolution, Karolos Ogle was assassinated. He was found decapitated at the Halasmata site, near Mega Rema. His body was identified by a scar on his wrist and a bloody telegram to *The Times*, which was found in his wallet. The body was transported from Volos to Piraeus by the British warship *Wizard*, which was in the area at the time.

The murder of Charles Ogle shocked Greece. It made headlines in all European countries, while in Great Britain the case reached the House of Commons. His murder

was certainly carried out by Turkish soldiers, it is not clear whether they acted voluntarily or under orders. The moral perpetrators were never discovered, and the investigative investigation by the British consul Blunt (Blunt) and Recep Pasha remained fruitless, since no one familiar with the assassination dared to testify to the truth. The official conclusion was that Ogle fought in the Battle of Makrinitza, illegally entered Ottoman territory, defied Ottoman authorities, was biased in favor of the Greeks, did not carry out his journalistic duty objectively, and was probably killed by Turkish soldiers.

TURKEY—MURDER OF MR. OGLE.

RESOLUTION.

MR. H. SAMUELSON, in rising to call attention to the failure of Mr. Consul General Fawcett to ascertain the circumstances under which Mr. C. C. Ogle, the "Times" Correspondent in Thessaly, was murdered by Turkish soldiers; and to move—

"That, in the opinion of this House, Mr. Consul General Fawcett's Report upon Mr. C. C. Ogle's death is inconclusive, and that a fresh Commission of Inquiry ought to be instituted, composed of Englishmen only, who should be specially empowered to assure the witnesses of the protection of Her Majesty's Government,"

said: I must say that I feel some compunction in obtruding myself upon the House at this late period of the Session, and I also feel bound to apologize to the House for the length to which, in all probability, my remarks will extend. The Under Secretary of State for Foreign Affairs (Mr. Bourke) told me, when I complained on a former occasion that we had not had the Papers as soon as I thought we might have expected them, that the delay of which I complained was due to the fact that the

studious, and able. The King of Greece made him Knight Silver Cross of the Order of the Redeemer, in recognition of the thorough knowledge which he had acquired of every branch of the social and political affairs of Greece. Probably, His Majesty hoped that Mr. Ogle would make use of his knowledge in dispelling certain mistaken opinions, prevalent in some quarters of England, upon the present state of Greece, and upon the wonderfully rapid progress which that deservedly rising country has made of late years. Well, Sir, that Mr. Ogle was held in the highest esteem by all classes in Greece is proved at once by referring to the circumstances that attended his funeral. On that occasion the shops were spontaneously closed. A vast concourse of people followed him to the grave, including representatives of every class, from the President of the Council of Ministers, and other Members of the Cabinet, the members of the Holy Synod, a gentleman-in-waiting of the King, and the Mayors of Athens and Piræus, down to the pretty weeping child of 12, who, at the last moment, placed on the top of the pile of memorial wreaths of flowers that hid his coffin,

Image 2. The Parliamentary Debates. Authorized Edition, London: Wyman, 1878, p. 1956 (2004).

The Greek State awarded Charles Ogle with the Order of Saint George and held his official funeral in Athens. Ogl's family and The Times entrusted the organization of the funeral to Charilaos Trikoupis, then Greek foreign minister (later prime minister) and Ogl's friend.

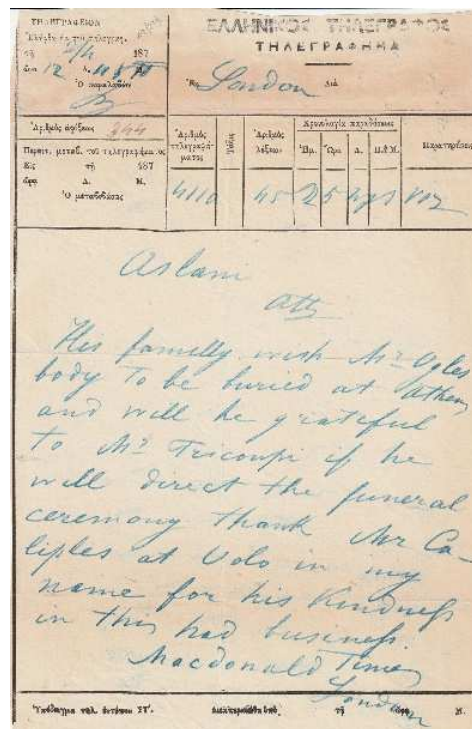


Image 3. The MacDonald telegram about the assignment of the organization of the funeral to Charilaos Trikoupi by the family of Ogl Archive of Harilaos Trikoupi, file 17 (17/27/e). (Photo: MIET-ELIA Archives).

On March 29, 1878, the funeral of Karolos Ogle was held at the First Cemetery of Athens. It was preceded by a popular pilgrimage to the Catholic Metropolitan Church of Agios Dionysios, while the procession then crossed Panepistimiou, Aiolos, Ermou and Philhellenon streets. The shops were closed that day, and spontaneously the Greeks showed their love and esteem for him, as well as their great sorrow for his murder, by attending his funeral. The day after his funeral, the photograph of Ogl, which he had taken in the photography studio of Petros Moraitis in Athens, was sold in thousands of copies. A tombstone was erected on his grave, which in 1984 was moved and placed in Makrinitsa, at the entrance of the village, where it is still today.

Sources from the MIET-ELIA Library and Archives

Μιχαήλ Λ. Ροδάς, *Έγκλημα χωρίς τιμωρία: Βρετανοί πολεμικοί ανταποκριτές στη Θεσσαλία (1875–1883) και η δολοφονία του Καρόλου Ογλ*. Βόλος: Ταχυδρόμος, 2010. [Michael L. Rodas, *Crime without Punishment: British War Correspondents in Thessaly (1875–1883) and the Assassination of Charles Ogl*. Volos: Thachydromos, 2010].

Β. Κ. Ανδρονόπουλος, *Δολοφονία Καρόλου Ογλ εν τη μάχη Μακρονίτσης: δράμα εθνικών εις πράξεις δύο μετ' αποθεώσεως*. Εν Τρικιάλοις: τύποις Γ. Μαρινοπούλου, 1890. [V. K. Andronopoulos, *Assassination of Charles Ogle in the battle of Makrynitsis: a national drama in two acts with deification*. In Trikkalois: type G. Marinopoulou, 1890].

Πανελλήνιον ημερολόγιον (1880), έτος Α΄, εκδοθέν υπό Σωκράτους Α. Παρασυράκη, Λονδίνο: Williams and Norgate, χ.χ., σ. 138–139. [*Panhellenic calendar (1880), year Α΄*, published by Sokratous A. Parasyrakis, London: Williams and Norgate, χ.χ., pp. 138-139].

Γεώργιος Ν. Αντωνικόπουλος, *Κάρολος Ογλ: ο φιλέλληνας ανταποκριτής της εφημερίδας The Times του Λονδίνου και η δολοφονία του στην επαναστατημένη Θεσσαλία το 1878*. Βόλος: Πανεπιστημιακές Εκδόσεις Θεσσαλίας, 2020. [Georgios N. Antonakopoulos, *Karolos Ogle: the Philhellenic correspondent of The Times of London and his assassination in revolutionary Thessaly in 1878*. Volos: University Press of Thessaly, 2020].

Ο επίορκος Ραγκαβής / ο υπεύθυνος καπετάν-Καρατάσος. Εν Αθήναις: τύποις Νικολάου Ρουσοπούλου, 1878. [*The regent Ragavis / the responsible captain-Karatasos*. In Athens: type of Nikolaos Roussopoulos, 1878].

Εθνικόν Πνεύμα (21.3.1878, 22.3.1878, 27.3.1878, 29.3.1878, 30.3.1878). [National Spirit, (21.3.1878, 22.3.1878, 27.3.1878, 29.3.1878, 30.3.1878)].

Αρχειο Χαρίλαου Τρικούπη [Archive of Harilaos Trikoupi].

Other sources

The Parliamentary Debates. Authorized Edition, London: Wyman, 1878, p. 1956 (2004). *Parliamentary Papers*, vol. 82, Great Britain. Parliament. House of Commons, London, H. M. Stationery Office, 1878.

Maria Arvanitaki is the head librarian of the MIET-ELLA Library (MIET-ELLA stands for Hellenic Literature and Historical Archive of the Cultural Foundation of the National Bank of Greece). The Library's material covers the publishing activities of the 19th-21st centuries in Greece.

“To Write Freely”:

Libraries and Archives Documenting Croatian Historical Press Censorship

by Tamara Štefanac

Introduction

While it is common to invoke George Orwell's famous anti-totalitarian novel, *Nineteen Eighty-Four*, when advocating for the freedom of the press, it is perhaps less common to cite his words verbatim. One apt sentence for our theme is this one: “The past was erased, the erasure was forgotten, the lie became truth.” Powerful as this is and as simply stated, the line expresses complexity and three separate forms of active obfuscation. Within the project “To Write Freely: oIA Thematic Portal on Newspapers' Censorship at the End of 19th and Beginning of 20th Century in Croatia” [Pisati slobodno – tematski portal o cenzuri periodike krajem 19. i početkom 20. stoljeća u Hrvatskoj], we examine factual gaps precipitated by press censorship. But because these gaps have far-reaching consequences for how we understand our past, we look at much more than the stories not told. We also look at the absence and erasure of newspapers due to the censorship process, unconsciousness about these absences in public discourse, and how cultural heritage institutions have addressed these absences. This project also reassesses instances of representational deception on documentary heritage as they have materialized in newspapers and archival records. To Write Freely shows how documentary heritage can be activated to reflect not just the status of freedom of the press during certain historical periods, but can also support the critical social role of cultural heritage institutions as major purveyors of and stakeholders in information and knowledge systems.

The project was initiated in 2022 as a joint effort of the National and University Library in Zagreb together with the Croatian State Archives and Zagreb City Libraries as co-organizers and funded through the Ministry of Culture and Media of the Republic of Croatia's public programmes for cultural heritage institutions. While the project focuses on the historical censorship of newspapers in Croatia, it not only presents censored material but tries to document censorship of Croatian newspapers by using archival records to secure the missing counterparts; collectively, these illuminate the process of censorship and its final results. At the same time, the project implicitly advocates for the freedom of the press by accounting for what press freedom has been, how it unfolded and was then suppressed in territories of what is today Croatia. The project showcases the fingerprints of press oppression that reside in archival records. Additionally, it posits questions about how to document the censorship of text and images in a trustworthy manner. That in itself is both a great challenge for cultural heritage institutions and also their societal responsibility. Besides documenting instances of censorship, this project shows how the strength of cultural heritage material resides in the collection as a whole, not exclusively in separate items. By engaging in this virtual reunification and creating new digital and virtual collections, this project manages to cross institutional borders of

archives and libraries, including those that materialize through different approaches to description. It addresses the elemental issue of the truth in our catalogues and asks to what extent is the information that we provide users through our catalogues correct and accurate? Hopefully, we are opening a productive debate about the reception of sources to our users and reassessing historical narratives.

Overview of the censorship process in Croatia from 1875 to 1918

The process of censorship was regulated by legal statutes on press crimes and offenses that originated in Vienna, the power center of Austria-Hungary, and were enacted by Croatian authorities (Croatian Parliament and viceroy [ban]). It began with the Law on the Press in 1875 that defined (with several alterations) the limited freedom of the press for the next few decades and continued in that form until 1918 with the extinction of the Austro-Hungary Empire. According to the 1875 regulations, publishers were obliged to obtain permission from the authorities to publish newspapers and to also deposit financial guarantees. In the period from 1875 to 1884 the jury was able to rule on press conflicts, but that provision changed in 1884 leaving rulings to the sole discretion of judges who had the authority to confirm or dismiss the particular case brought by a state attorney. The court regularly affirmed the confiscation of newspapers and required that its ruling should be printed on the cover page of the subsequent newspaper issue. If somehow a non-censored copy of the newspapers made it to the public (and it often did) the police were authorized to confiscate these copies to prevent further distribution. The law dictated what was to be considered its violation, meaning what crimes were especially offensive. The first group of crimes were those crimes of disturbing public order and peace via text or image. Those could include inciting hatred for the emperor, or undermining the union of states, or the government, or questioning court decisions. The second group of violations concerned derision, mockery and untruthful assertions through text and image that led to protest and incited hatred toward public authorities. The third group of crimes included incitement of hatred toward different ethnic groups, classes, or religions as well as turning citizens of one state against citizens of another state in the Monarchy. Usually, the main target of censors was political content that included satire expressed through caricature. What was defined as a crime in the law in 1875 cannot, of course, be measured by our present standards of media communication. Perhaps in our contemporary world these articles and images would be considered benign, but at that moment in history, these satires were considered the obvious targets of a censor. Although a newspaper's first "censor-print" was not officially intended for public distribution, publishers often managed to distribute copies via illegal channels and through the hand-to-hand method. Some copies found their way even to local public libraries and reading rooms, and police found them there and would report the incident to the state attorney. Some copies were found in coffee houses and taverns, and police confiscated these also, and filed reports about their confiscation. Stories about newspapers, the agents involved, and subsequent actions undertaken are preserved in

archival records in several fonds kept in the Croatian State Archive, such as Royal Land Government and State Attorney. As items within a dossier, there often are preserved copies of newspapers, as evidence and addition to the file, with censor's markings on them (customarily with blue or red lead pencils). First "censor-print" and records about their subsequent censorship and/or confiscation are therefore preserved in the Croatian State Archive. Some of the copies ended up in the National and University Library in Zagreb, due to the regulation of legal deposit, but more often the library holds second, censored copies of the newspapers because it was these that were dispatched and circulated as the official copy.

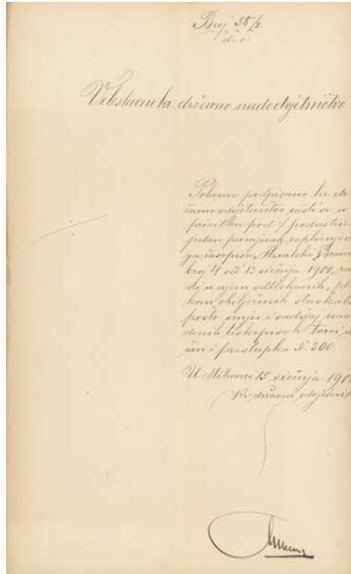
De-censoring the Press: project activities and future goals

Newspapers included in the first phase of the project were printed in various towns in Croatia, Slavonia and Dalmatia. Published in Zagreb were: *Bič*, *Brana*, *Hrvatski narod*, *Hrvatska sloboda*, *Sloboda*, *Stršen*, *Tries*, *Trn*; in Sisak: *Hrvatski radnički glas*; in Varaždin: *Hrvatska straža*; in Zadar: *Hrvatska*, in Srijemska Mitrovica: *Hrvatski branik*; in Virovitica: *Hrvat*; in Slavonski Brod: *Posavska Hrvatska*; in Bakar: *Vragoljan*, and in Vukovar: *Sriemski Hrvat*. With the newspapers listed above, we have only scratched the surface and are continuing the project in depth and at length. These newspapers were chosen for the project initially because of their relatively clear censorship processes, and because their preserved archival records in expected places (fonds and collections) were tantamount to evidence of the censorship process. The censorship of these newspapers was more a rule than an exception. For example, in 1898 out of 24 issues of *Sloboda* a total of 21 were censored and confiscated. Editors-in-chief were regularly sentenced to prison and newspaper publishers suffered financial loss constantly. In fact, financial ruin was the reason that so many newspapers only managed to survive for a few years. The path of auto-censorship was a common escape.

In many cases researchers have not been aware that the copy of the newspaper that they consult is a copy that was printed before the process of censorship, meaning the copy that was never distributed as an official copy intended for public consumption; that, in fact, what they read is a copy that was intended for the inspection of censorship authorities. Without detailed research of complete serial publication and research into records produced during the juridical process, the cataloguer cannot be sure which copy is in fact on their desk waiting to be processed and catalogued. As a result of this confusion, absences in catalogue records occurred, especially in earlier periods and with "first" / "pre-censored" editions. However, at least in the case of Croatian newspapers of the late 19th and early 20th century, if a reader has a second, censored copy in their hands, that will be immediately clear. The censored copy has white blanks in the sections where text or image had been printed; sometimes, instead of white blanks, there are capital letters writing out the words "censored" or "confiscated".



1a



1b



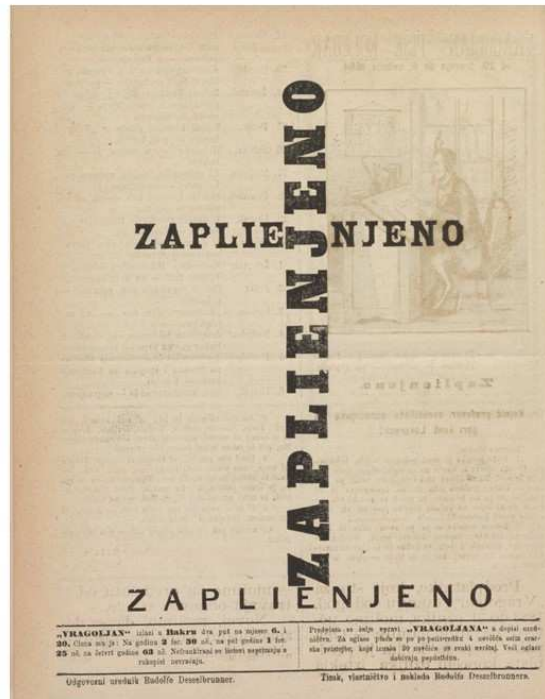
1c

Image 1. *Hrvatski branik*, VIII (4), January 13, 1900.

1a. Copy of the newspapers with censor's markings, preserved in Croatian State Archive together with (1b) Order for the confiscation issues by State Attorney in Croatia. In the National and University Library a censored copy is preserved (1c).



2a



2b

Image 2. *Vragoljan*, IV(8), April 20, 1884.

2a. Copy of the newspapers with censor's markings, preserved in Croatian State Archive; 2b. Censored copy preserved in the National and University Library in Zagreb.

Clearly, such a copy tells the researcher that there might be a preserved copy of the pre-censor version of that newspaper edition, but the first non-censored edition is impossible to notice without additional context. We were able to locate some of pre-censored copies in the archives of several public bodies that had previously been in charge of the censorship process.

An important and dynamic aspect of this project is the digitisation of newspapers and records. Since newspapers were mostly printed on low-quality paper, their degradation is inevitable. They were previously microfilmed but since these titles contain lots of images (that were, in fact, the targets of censors) it was decided not to scan from microfilm but to instead digitise originals. Hence, digitisation for preservation purposes is immensely valuable. Even if the material cannot be published at the moment due to the copyrights, cultural heritage institutions in Croatia may digitise their holdings for preservation purposes, and in that way continue to document censorship and create digital surrogates that will be available to the public at some point in the future. At this moment all newspapers and records included in the first phase of the project are digitised, processed, described and are being uploaded to the virtual portal that was created as a part of the project. The free access online portal that will include both pre- and post-censored newspapers and records about them presents material that is copyright free and hence available for the library to publish online. Looking ahead to the future, the copyright issue will affect further decisions.

In addition to suppressive censorship, in Croatia from the 1880s to the end of Austro-Hungary in 1918, the institution of preventive censorship was also practiced thoroughly. By acting as a preventive censor, Austro-Hungary banned the import and postal distribution of newspapers that were perceived as a threat. Hence, many newspapers printed by Croats living outside Croatia, such as the Croatian emigrant press, were banned across the whole Empire. By a court decision those were forbidden to be dispatched via postal service or in public spaces within the Monarchy. Therefore our research continues and expands, including newspapers printed by Croat emigrants and stored in foreign cultural heritage institutions and private holdings.

We hope this new digital content will enable a deep dive into the history of the press in Croatia and provide evidence of censorship as well. By documenting the censorship, we hope to help clarify the societal roles of archives and libraries not only as repositories of documentary heritage but as active stakeholders in free and democratic societies. Cultural heritage institutions in such societies enjoy the right or the privilege to engage with issues of press censorship. We should not forget our colleagues who still cannot publish or write freely.

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It All Ended with a Thank You.

***Päivälehti* – a Newspaper Banned by Censorship in 1904 is Today Open for Digital Research and Citizen Science**

by Tuula Pääkkönen and Minna Kaukonen

The last issue of the *Päivälehti* newspaper on 3rd July 1904 was significant in Finnish newspaper history. The governing officials banned the publication of the newspaper title based on having too nationalistic and revolutionary content. The editors started to publish under a new title after only a couple of days, and it turned out to be the biggest newspaper in Finland, *Helsingin Sanomat*. In connection to the single issue of *Päivälehti*, we can inspect the development phases of digital cultural heritage and its access. The issue and the title can today be used in a digital form by researchers and citizens alike. In addition, archives related to the editors and publisher are digitally available. It has been a long path from the era of censorship to the culture of open research and citizen science.

From censorship to freedom of speech

Finland was a part of the Russian Empire in 1904. At this time Russia was aiming at unifying governmental policies, e.g., by increasing censorship.

The Finnish newspaper *Päivälehti* published a small news article on a chilly summer Sunday on 3rd July 1904: “*Päivälehti* - suppressed for good”. In this message on the fourth page, the paper thanked its writers, assistants and readers for their support for fear that it might be the last appearance of the newspaper in the public sphere. The liberal and nationalist-minded newspaper had been constantly in trouble with censorship and one editorial in late June was the last straw for the officials censoring news. However, in less than one week, the editors had come up with a new title, *Helsingin Sanomat*, which spread its wings and has flown ever since.

The *Päivälehti* newspaper in 1904:

Print run: 5,800

4,300 outside Helsinki

Staff of 75

10 journalists, 3 editors (or proof-readers)

20 typesetters, 1 printer

3 assistants, 3 office ladies

4 mail assistants

7 errand boys

24 newspaper deliverers

Image 1. The staff and roles in figures of the *Päivälehti* newspaper in 1904 – according to the writing style of the period.

The editors-in-chief during the first years of *Päivälehti* were Eero Erkko (1890-1900) and Santeri Ivalo (1900-1904). The paper intended to support liberalistic views and promote the removal of social injustices. The first editor-in-chief Eero Erkko was fired due to publishing articles supporting the constitution and exiled from Finland in 1903. (Tommila, 1985, pp. 285-286). At the time, journalists were regarded as the most dangerous professionals against the regime, as they actively spread information against the Russian rule (Hänninen, 2023).

During his exile, Eero Erkko moved to the United States, where he lived in New York. There he set up a new American-Finnish newspaper, *Amerikan Kaiku*, which took a stand on topics important to immigrants (Kulha, 2022). In 1905 he returned to Finland after things had calmed down a bit. His career led to politics and to high positions, eventually becoming a cabinet minister.



Image 2. Eero Erkko (1860 – 1927), editor-in-chief, MP, Minister, party leader. Photograph: Daniel Nyblin, courtesy of the [Helsinki City Museum](#) (CC BY 4.0).

Censorship influencing the content of newspapers

At the time, newspapers were targets for pre-censorship in order to find revolutionary material in them, and it was common practice to forbid newspapers to be published. This led to a constant influx of new newspapers starting (Hänninen, 2023). After the newspapers have been digitised, it is possible to find empty spots and complaints about pre-censorship in the newspapers. If an article was rejected from publishing, there might not have been anything to put in the place of the rejected article. *Even the usual criticism of society was seen as rebellion against the foundations of government by the officials* (Hänninen, 2023, p. 309).

The editors of *Päivälehti* created a new title, *Helsingin Sanomat*, which still exists today and is the biggest newspaper in Finland. The first sample issue was published only four days after the final issue of *Päivälehti* (ISSN 1458-2619).

The Legal Deposit Right ensures the preservation of newspapers

The National Library of Finland has received legal deposit copies of newspapers since the beginning of Finnish newspaper history. The Library has digitised all newspapers published in Finland from 1771 until 1939, Swedish language titles until 1949 and some selected titles even longer or through their whole history. Newer titles have all been digitised since 2017. The out-of-copyright newspapers are available online on <https://digi.kansalliskirjasto.fi> and the in-copyright titles are in the legal deposit libraries around the country.

The successor of *Päivälehti*, *Helsingin Sanomat*, has been digitised until 1979, in companionship with the Helsingin Sanomat Foundation and the National Library of Finland. The newspaper is available online until 1939 and the content that was published after 1940 in legal deposit libraries and for research via selected universities based on contracts.

The Päivälehti Archives have digitised private archives of the editors and publisher of *Päivälehti*. These are available online (<https://yksa.disec.fi/Yksa4/public/PLA/>). The digital archives offer a remarkably broader context for the newspaper, enabling access to the editors' world.

Optical character recognition for improved usability

The *Päivälehti* newspaper was printed in the Gothic font until the year 1898. The digitised version was made available to the public in the year 2009. Optical character recognition is the key to searchability, but this does not come without problems when processing Gothic text. A couple of years ago, The National Library of Finland decided to tackle the optical character recognition quality problems and started a re-OCR process (Kettunen et al., 2016). The old image and page text files were reprocessed to improve their text recognition quality, which is visible when comparing the old and new OCR text visually.

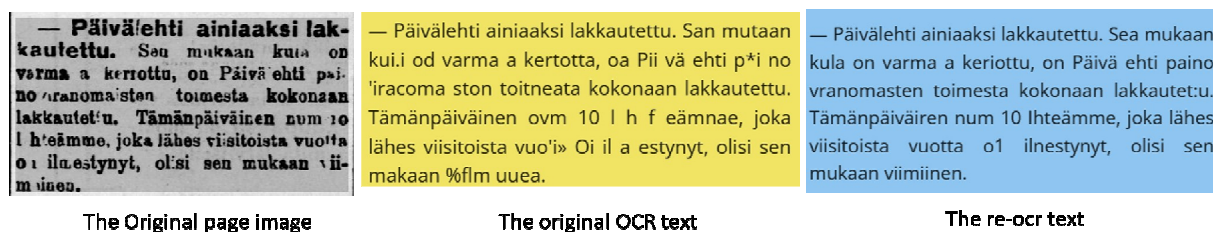


Image 3. The announcement of suppressing the *Päivälehti* newspaper in three formats.

Crowdsourcing in the form of digital clippings

The small article about the end of *Päivälehti* has also been a target for digital users' interest. In the crowdsourcing clippings, the same article has been clipped four times,

which is exceptional. The total number of clippings from *Päivälehti* is over 1,600. All in all, there are nearly 400,000 clippings made by users since the arrival of the clipping feature in 2013. Some users have vast collections of clippings, but there is also a large number of users who have found only one astounding work which they have stored for themselves. For example, the Translocalis project utilised the clipping feature in creating their own research dataset. This clipping collection consists of nearly 72,000 clippings of so-called local letters sent to newspapers by Finns from home and abroad.

Enabling research use as part of a scientific infrastructure

Currently, the last issue of *Päivälehti* is on its way to becoming part of the Finnish research infrastructure called FIN-CLARIAH. In a high-performance computing environment, the resource material of the National Library is stored as data in a common data pool, in collaboration with the CSC (IT Center for Science Ltd) and researchers from multiple universities. It will soon be possible to utilise this newspaper data in the data pool, with modern digital humanities text and data analysis tools, and conduct new research across different material types and cultural heritage organisations.

Future development ideas

One way towards a scientific infrastructure could be to improve digital resource usability with artificial intelligence in automated subject indexing. For that, the National Library of Finland has a service called Annif, which could enhance the usability of clippings in the future. Clippings, selected by users and researchers, could also ease the way for creating learning material for machine learning e.g., for article extraction. This would enable even more fine-grained search queries than earlier.

Conclusions

The historically important single issue of *Päivälehti* – and all volumes of this newspaper – have been digitised in 2009. Over the years its optical character recognition has been improved, and the digital content has been made available for crowdsourcing in the form of digital clippings. Finally, this year, the newspaper title has been integrated into a national digital humanities research infrastructure. From both a content and technology point of view, the path has been long from a banned analogue newspaper to digital resource material for open research and citizen science.

References

- Annif – Tool for automated subject indexing and classification, <https://annif.org/>
Helsingin Sanomat, 7.7.1904, issue 0. [Kansalliskirjasto](https://digi.kansalliskirjasto.fi/sanomalehti/binding/750491?page=1),
<https://digi.kansalliskirjasto.fi/sanomalehti/binding/750491?page=1>
Hänninen, R. (2023). *Kapinaa ja kiinsantekoa: Venäjän sortokoneiston vastustus Suomessa*. Helsinki: Otava. ISBN 9789511460206.

-
- Kettunen, K. T., Pääkkönen, T. A., & Koistinen, J. M. O. (2016). *Between Diachrony and Synchrony: Evaluation of Lexical Quality of a Digitized Historical Finnish Newspaper and Journal Collection with Morphological Analyzers*. In *Human Language Technologies – The Baltic Perspective* (pp. 122–129). Netherlands: IOS PRESS.
<http://doi.org/10.3233/978-1-61499-701-6-122>
- Kokko, H. (2023). *The Translocalis Database*. National Library of Finland's digital data.
<https://digi.kansalliskirjasto.fi/collections?id=742> .
Kotkan Uutiset, 07.07.1904, no. 54, p. 3
<https://digi.kansalliskirjasto.fi/sanomalehti/binding/656969/articles/81549319?page=3>
- Kulha, Keijo K. (2022). *Erkko, Eero*. Kansallisbiografia-verkkójulkaisu. Studia Biographica 4. Helsinki: Suomalaisen Kirjallisuuden Seura, 1997–, <http://urn.fi/urn:nbn:fi:sks-kbg-000746>
- Päivälehti*, 3.7.1904, issue 128 A, p. 4. [Kansalliskirjasto](https://digi.kansalliskirjasto.fi/sanomalehti/binding/680104?page=4),
<https://digi.kansalliskirjasto.fi/sanomalehti/binding/680104?page=4>
- Tommila, P. (Ed.). (1985). *Suomen lehdistön historia 6*. Kuopio: Kustannuskiila.

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Minna Kaukonen, MSocSc, Head of Planning, National Library of Finland, has a work history of 20 years in library sector development, including international cooperation in organisations like IFLA and LIBER. Participation in many European digitisation-related projects funded by the European Union, e.g. NewsEye, Europeana Newspapers and Europeana Travel.

Indonesia Raya (‘Greater Indonesia’) Newspaper and Freedom of the Press

by Frial Ramadhan Supratman

Indonesia Raya (‘Greater Indonesia’) newspaper was published in Indonesia between 1949-1959 and 1968-1974. Founded in 1949, the newspaper was widely read by Indonesians to obtain news, information and knowledge about daily life, politics, economics and cultural life of Indonesia in the early independence period. Published in the era of development after the bloody revolution period (1945-1949), the newspaper disseminated the idea of “development” (*Pembangunan*) based on democratic and liberal values. Nowadays, *Indonesia Raya* has become a national treasure for the future generations of Indonesia. The National Library of Indonesia is an Indonesian institution which holds the *Indonesia Raya* newspaper collection in its Division of Rare Newspapers.



Image 1. *Indonesia Raya* newspaper (Collection of National Library of Indonesia).

Indonesia Raya was inseparable from the renowned Indonesian journalist Mochtar Lubis. He was born in Padang, West Sumatra, on March 7, 1922. Like other Indonesian modern elites in colonial era, Mochtar was educated in a newly-opened Dutch Native School (Hollandsch Inlandsche School, HIS) (Hill 2010). In early twentieth century, Dutch colonial regime introduced opportunities for children of Indonesian elites to gain contemporary education through the Ethical Policy programme (Niel 2009). Accordingly, like Mochtar Lubis, many children of Indonesian elites could obtain education in several

modern schools – even university – in Indonesian big cities, especially Batavia, Bandung and Surabaya. The modern education shaped Mochtar Lubis to be a master in journalism.

The *Indonesia Raya* newspaper proclaimed itself to be an independent newspaper in the middle of the extreme politicisation of media in 1950s. According to David Hill, the newspaper remarked that,

“In this publication are gathered Indonesian journalists of independent stance, journalists who are not tied to party standpoints or those of a particular group...[F]undamentally *Indonesia Raya* stands apart from all political parties or political streams...We will avoid the political biases of unbalanced news reports, which advantage one group and disadvantage another.” (Hill 2010, 36).

The claim of ‘independent press’ in 1950s Indonesia was remarkable because the majority of Indonesian newspapers at the time were affiliated with political parties and their ideologies, such as *Pedoman* (Socialist Party of Indonesia, PSI), *Harian Rakjat* (PKI), *Abadi* (Masjumi Party), *Merdeka* (PNI). *Harian Rakyat* (‘People’s Daily’) especially was a rival of *Indonesia Raya* because of their two opposing ideological values. The former was a communist mouthpiece, while the latter was an anti-communist medium.

Since *Indonesia Raya* was independent from political parties, it was often critical of the policy of the government and parliament. The newspaper was also critical of government officials, openly accusing Foreign Minister Roeslan Abdulgani of being involved in corruption (Hill 2010). The sharp conflict between *Indonesia Raya* and the communist-affiliated newspaper *Harian Rakyat* was worsened by the openly anti-communist opinion of *Indonesia Raya*’s journalists. Between 1950 and 1958, the newspaper raised a voice against communism in Indonesia, Southeast Asia, and worldwide. A journalist of *Indonesia Raya*, for example, wrote an article entitled, “New shape of communism is a great colonialism”. In the article, he/she emphasized that the Asian African Conference had to be aware of “the danger of communism” (*Indonesia Raya* 1955, 1).

On the contrary, *Indonesia Raya* promoted democratic and liberal values in its news, reports, features, and opinion pieces. The newspaper, for example, wrote enthusiastically about the victory of Ramon Magsaysay in the election as president of the Philippines, who was known as a liberal and anti-communist figure in Southeast Asia. The editorial optimistically writes, “hopefully, Magsaysay will endeavor to bring social justice to Phillipines people” (*Indonesia Raya* 1953, 3).

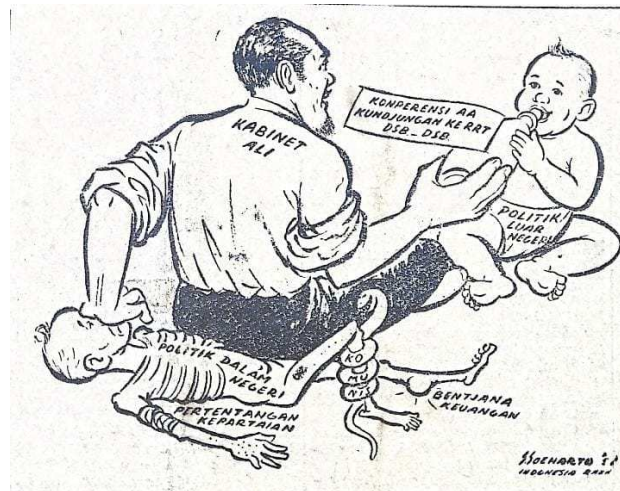


Image 2. Caricature published in *Indonesia Raya* on June 11, 1955. The caricature criticizes Ali Sastroamijoyo government which prioritised foreign affairs, such as the Asian African Conference, rather than domestic affairs. (Source: *Indonesia Raya*, June 11, 1955, National Library of Indonesia).

Information in the *Indonesia Raya* newspaper was not merely about political and economic reports. The newspaper also promoted culture and freedom of expression through literature and movie reviews, culture essays, short stories (*cerita pendek*), art and so on. On November 14, 1953, the newspaper, for example, promoted the Western movie entitled *Merchant of Venice*. Adopted from Shakspeare’s work, *Merchant of Venice*, directed by Pierre Billon, “was highly interesting and that showing good technical of photography as well” (*Indonesia Raya* 1953, 3). Mochtar Lubis also often wrote several themes about culture and literature in *Indonesia Raya*. On March 9, 1955, Mochtar reported on the Freedom of Culture Conference in 1955. Accordingly, Mochtar argues that:

“The conference recognizes that Asian nations are the supporter of high culture during its long history, however, due to several factors, in the last of hundreds of years, the value becomes freezing, losing its dynamic value. It must be recognized that the poverty of Asian people (*kemlaratan rakyat*) commonly becomes the threats of freedom of culture because the poverty insists Asians deal merely with daily life problems” (Lubis 1955, 3).

Indonesia Raya’s critical journalism created resentment from several parties. On December 21, 1956, Mochtar Lubis was arrested because he had relations with Colonel Zulkifli Lubis. According to David Hill, “Cabinet suspended Colonel Zulkifli Lubis, accusing him of attempting an unsuccessful coup” (Hill 2010, 48). Mochtar was accused of being involved with the Dewan Banteng (“The Council of Bull”) movement in Sumatra. Therefore, *Indonesia Raya* was strictly censored by the military. The arrest of Mochtar Lubis also divided *Indonesia Raya* into two factions, namely ‘Mochtar Lubis Group’ and ‘Hasyim Machdan Group’. On January 2, 1959, *Indonesia Raya* was closed (Wibisana 2021).

After the fall of the Old Order (*Orde Lama*) led by President Sukarno, *Indonesia Raya* newspaper was opened once again on October 30, 1968. The re-emergence of *Indonesia Raya* coincided with the anti-communist campaign in Indonesia during the early New Order under the reign of President Suharto. *Indonesia Raya* was regarded as an anti-communist newspaper, obtaining freedom of press after the fall of the Old Order in 1967. However, the newspaper did not lose its independence and criticism. Between 1968 and 1974, *Indonesia Raya* also still exposed corruption in early New Order reign. In January 1974, the newspaper also “supported students’ and intellectuals’ criticism of corruption and government economic policies, which they saw as exacerbating the gap between rich and poor..” (Hill 2010, 106). According to its criticism, *Indonesia Raya* was banned by New Order reign.

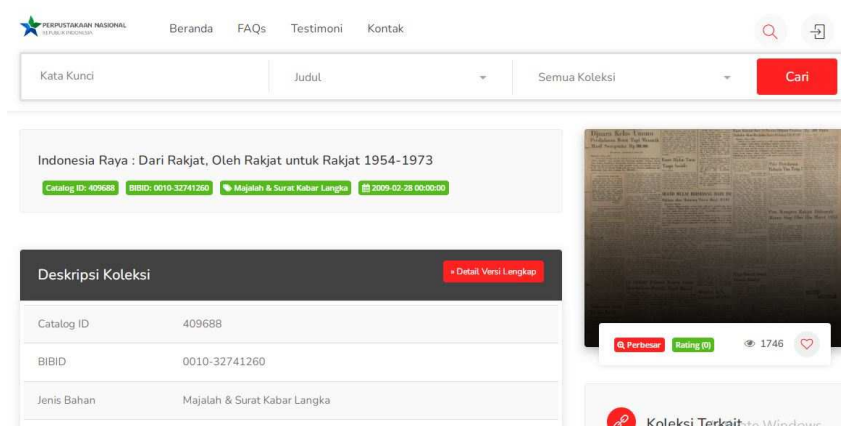


Image 3. Khastara (Khasanah Nusantara) is a website containing digital newspapers of National Library of Indonesia. A digital version of *Indonesia Raya* newspaper can be accessed for free through the website.

Indonesia Raya newspaper is a useful source for researchers, academics, students, and people who want to observe Indonesian history in the postcolonial period. The newspaper contains much information on the political, economic, social and cultural life of Indonesia. The newspaper can be accessed for free in the Division of Rare Newspapers, National Library of Indonesia. The library supports freedom of information, encouraging people, regardless of religion, ethnicity, and race, to access information in the rare newspapers. For those who cannot travel to Jakarta, Indonesia, the National Library of Indonesia provides a digital version of the *Indonesia Raya* newspaper through the Khastara website (khastara.perpusnas.go.id). Accordingly, *Indonesia Raya* can be accessed for free from the website by anyone who needs information in the newspaper.

References

Indonesia Raya. “Meneropong perkawinan Sukarno dengan Hartini.” *Indonesia Raya*, 10 January 1953.

-
- . “Komunisme bentuk baru merupakan kolonialisme jg dahsyat.” *Indonesia Raya*, 20 April 1955.
- . “Kemenangan Magsaysay.” *Indonesia Raya*, 13 November 1953.
- . “Pilem, sandiwara dan kesenian.” *Indonesia Raya*, 14 November 1953.
- Lubis, Mochtar (1955). “Kebebasan kebudayaan di Asia.” *Indonesia Raya*, 9 Maret 1955.
- Feith, Herbert, and Lance Castles (1988). *Pemikiran politik Indonesia 1945-1965*. Jakarta: LP3ES.
- Niel, Robert van (2009). *Munculnya elite modern Indonesia*. Jakarta: Dunia Pustaka Jaya.
- Hill, David (2010). *Journalism and politics in Indonesia: A critical biography of Mochtar Lubis (1922-2004) as editor and author*. Abingdon, Oxon: Routledge.
- Wibisana, Chris (2021). *Jalan pedang "Indonesia Raya", koran jihad yang dibunuh dua rezim*. 29 December 2021. <https://tirto.id/jalan-pedang-indonesia-raja-koran-jihad-yang-dibunuh-dua-rezim-gmDp> (accessed March 06, 2023).

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Press Freedom vs. Constitutional Autonomy. A Case Study in Curaçao 1957-1959

by Max Scrimaneke

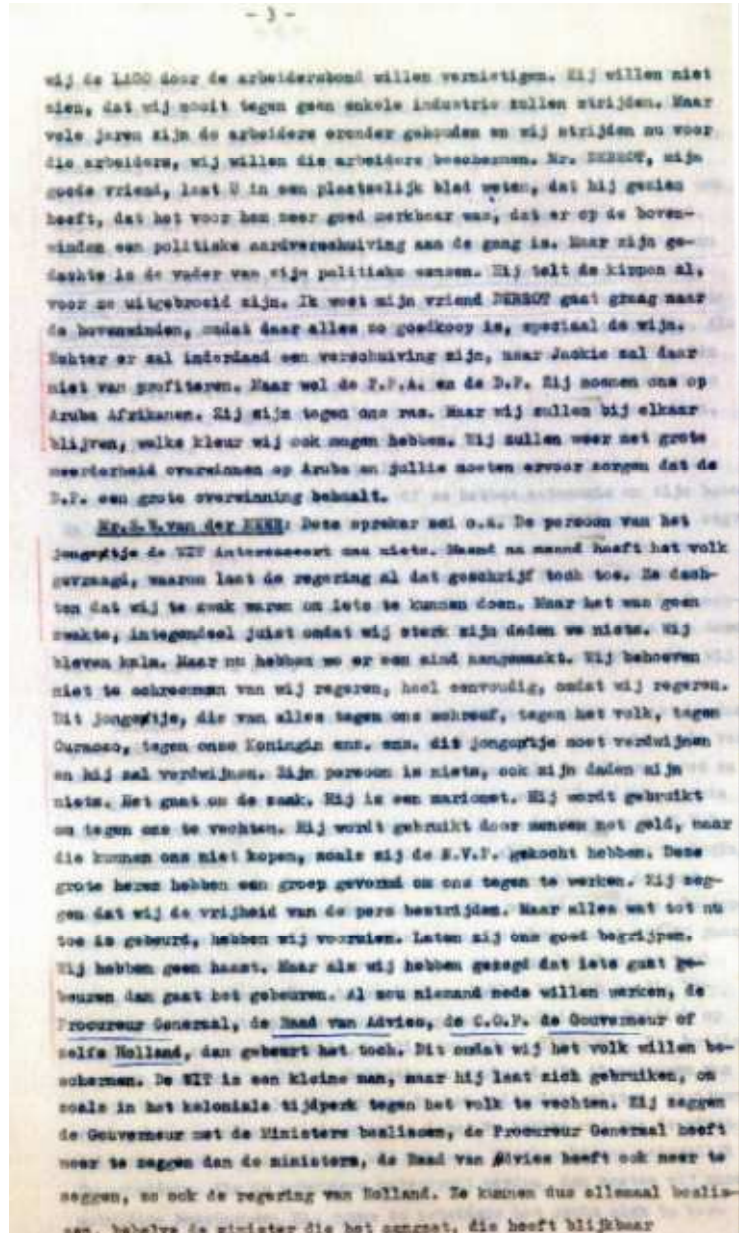


Image 1. Police report, June 15, 1957.
National Archives Curaçao, Kabinet van de Gouverneur, inv. 735.

The document above is a police report of a party meeting in Curaçao, dated June 15, 1957. The party rally is of the Democratic Party in Curaçao and is a public propaganda rally in a community center, Coral Sadek, on the Penstraat, in the city of Willemstad, Curaçao. Speaking is the Minister of Justice S. van der Meer. He is one of the protagonists in this saga that has become notorious as a test case for freedom of the press versus the delineation of newly won autonomy (1954), at the end of the colonial era in Curaçao. The

other protagonist is a Dutch journalist, Adriaan de Wit (born in Amsterdam, 20 Sept 1923), who had lived in Curaçao since 1940. He wrote very critical articles in an unorthodox manner on the local government in the Curacao newspaper Beurs en Nieuwsberichten, of which he was also editor-in-chief.



Image 2. Article of A. de Wit in the local newspaper Beurs & Nieuwsberichten, February 11, 1957. National Archives Curaçao, Kabinet van de Gouverneur, inv. 735.

The Minister of Justice, Van der Meer, who was tired of the critical writings, had declared the journalist a “persona non grata” and ordered him to be expelled from the country:

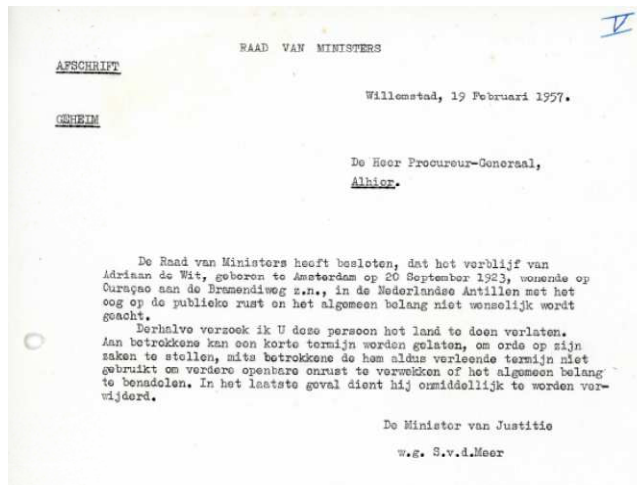


Image 3. Eviction Order from the Minister of Justice S. van der Meer to the Attorney General Van Binsbergen to expel journalist A. de Wit from Curaçao, dated February 19, 1957. National Archives Curaçao, Kabinet van de Gouverneur, inv. 735.

Attorney General Van Binsbergen refused to follow up on this order. The governor, who had to 'countersign' the laws and decrees as the head of the government, also refused to do so. He claimed that guaranteeing fundamental rights, such as freedom of the press, was a task of the Kingdom, to which the autonomous country Netherlands Antilles belonged.

Minister of Justice Van der Meer, according to the police report, said at the June 15, 1957 meeting:

“The person of little boy De Wit does not interest us. Month after month, the people have asked why the government allows such writings. They thought we were too weak to do anything. But it was not a weakness, on the contrary precisely because we are strong we did nothing. We remained calm. But now we've put an end to it. We need not shout "we rule" simply because we rule. This little boy, who wrote all sorts of things against us, against the people, against Curaçao, against our Queen, etc., etc., this little boy must disappear and he will disappear. [...] They say we are fighting freedom of the press. [...] Let them understand us. [...] Even if nobody wants to cooperate, the Attorney General, the Advisory Council, [...] the Governor or even Holland, it will happen anyway. This is because we want to protect the people. De Wit is a petty person, but he allows himself to be used [...] people; forget the colonial era. That no longer exists. We are masters of our own house and we remain masters of our own house [...]. If the governor wants to do something against our autonomy, then one of the two must disappear, either the governor or the autonomy.”

What resulted was an explosive situation, in which the Minister of Justice wanted to protect the newly acquired autonomy of the country and the Governor wanted to guarantee the fundamental rights of the new country. In an interview with a Dutch newspaper, the Minister puts it less sharply: “guarding against legal certainty is not the same as guarding against injustice... It is not law but policy that determines our actions”.

Reading all the documents from the extensive file in the archives of the Cabinet of the Governor on this subject, which have been transferred to the National Archives of Curaçao since 1996, it appears that a 'compromise' was diligently being sought behind the scenes, but that some pressure was being exerted to withdraw the 'eviction order'.

The case “De Wit” also served as a test case on how the Statute, which was to regulate the new legal order within the Kingdom of the Netherlands, should be interpreted and the role of the Governor within that legal order.

Again the case: the articles by De Wit from February 8th and 11th, 1957 were actually taken from an article in the American magazine *Time*, dated October 8th, 1956, in which he wrote critically about the Venezuelan trade union movement.

According to the Antillean government, through Minister of Justice Van der Meer, this would jeopardize friendly ties with Venezuela. That was in the interests of the country, as the entire economy of the Netherlands Antilles depended on good relations with Venezuela due to the Venezuelan oil supply to the Curaçao refinery.

In May 1957, Minister of Justice Van der Meer ordered Attorney General, W.C. van Binsbergen to expel De Wit. This was possible because the journalist resided in the Antilles on the basis of a residence permit. The Attorney General refused to follow up on

this and De Wit lodged an administrative appeal with the governor, but the cabinet rejected this.

The Governor then refused to ratify the decision because he considered it contrary to fundamental rights, the safeguarding of which was a matter for the entire Kingdom. The Governor has a dual role in the country's constitution: on the one hand, he is the head of government and cannot simply refuse his ratification of government decisions; on the other hand, he is also the representative of the head of state in the Netherlands Antilles (Curaçao) and must guarantee the Kingdom's tasks. The Antillean government did not consider the Governor – as head of government – authorized to refuse this decision.

However, the case became a “Kingdom case” (concerning the relations between all countries within the Kingdom of the Netherlands) in which Dutch mediation ultimately ensured a de-escalation of the heated positions.

In the end, the Antillean government called early elections to “put the matter to the people”. However, the election results did not give a clear picture of favor or disapproval of this matter. Minister Van der Meer resigned in 1959 because of this affair, and journalist A. de Wit left the country of his own accord shortly after the elections. Attorney General van Binsbergen was offered another position by the Netherlands, but refused to accept it. He did not remain Attorney General after this affair.

More clarity was obtained about the role of the Governor following this situation. Indeed, the Governor could not refuse to sign decisions of the Antillean government. In his role as the representative of the head of state, the Governor began to exercise extreme restraint –, and never again was a journalist ordered to leave the country because of his editorial work.

Max Scriwanek is Director at the National Archives Curacao, Vice-president of the Caribbean Branch of the International Council on Archives (CARBICA), co-chair of the Caribbean Heritage Emergency Network (CHEN) and presiding the Blue Shield Curaçao Committee. The National Archives of Curaçao has collection items inscribed into the UNESCO Memory of the World Register.

The Windhoek Declaration on Promoting an Independent and Pluralistic African Press. Africa's Documentary Heritage Bequeathed to the World

by Fackson Banda

The institution of the 3 May as *World Press Freedom Day* was influenced by the 1991 Windhoek Declaration on Promoting an Independent and Pluralistic African Press, adopted following a conference held in Windhoek, Namibia, from 29 April to 3 May 1991.



Image 1. The conference in Windhoek, 29 April to 3 May 1991.
© The Namibian.

Not many of us realise this important fact. The Windhoek Declaration thus represents a significant item of African documentary heritage within the larger scheme of global media freedom.

For Africa, the 1990s heralded the emergence of political pluralism, with most post-colonial states coming to terms with the need to open political space to opposition political parties, civil society organisations, the intelligentsia, and other civic stakeholders. Therefore, the adoption of the Windhoek Declaration was a world-significant event, assuming even greater global significance in the wake of two key events:

- In 1991, UNESCO's General Conference, at its twenty-sixth session, endorsed the Windhoek Declaration.
- In 1993, the United Nations General Assembly, at its 85th plenary meeting, proclaimed 3 May as World Press Freedom Day in order to give practical effect to the Windhoek Declaration.

In many ways, this piece of documentary heritage has become a rallying cry for linking free, independent and pluralistic media to development, ranging from the Millennium Development Goals (MDGs) to Sustainable Development Goals (SDGs).

Over the years, and no order, the Windhoek Declaration has spawned such topical issues as:

- Press Freedom is a Cornerstone of Human Rights (London, England, 1998).
- Reporting the News in a Dangerous World: The Role of the Media in conflict settlement, Reconciliation and peace-building (Geneva, Switzerland, 2000).
- Media and Good Governance (Dakar, Senegal, 2005).
- Freedom of information: the right to know (Brisbane, Australia, 2010).
- Let Journalism Thrive! Towards Better Reporting, Gender Equality & Media Safety in the Digital Age (Riga, Latvia, 2015).
- Journalism without Fear or Favour (The Hague, Netherlands, 2020).
- Critical Minds for Critical Times: Media's role in advancing peaceful, just and inclusive societies (Jakarta, Indonesia, 2017).
- Keeping Power in Check: Media, Justice and the Rule of Law (Accra, Ghana, 2018).

From the range of themes above, the world-significance of this item of documentary heritage is well established, at least in terms of the linkage of the themes to the most important issues confronting media and society. In addition, however, the Windhoek Declaration, along with its associated World Press Freedom Day, has become a public sphere for achieving the following issues:

- Informing citizens of violations of press freedom around the world, including online media.
- Encouraging and developing initiatives in favour of press freedom, and to assess the state of press freedom worldwide.
- Serving as a reminder to governments of the need to respect the right to freedom of expression, press freedom and access to information.
- Encouraging media professionals to reflect on issues of press freedom and professional ethics.
- Supporting journalists who are targets of attacks, harassment or arbitrary detention for exercising press freedom.²⁵

Furthermore, the Windhoek Declaration joins other world-defining documents in the annals of history in reaffirming the idea of freedom of expression and freedom of

²⁵ A celebration of press freedom: World Press Freedom Day. Available [O]: https://en.unesco.org/sites/default/files/wpfd_brochure_en.pdf

information as fundamental human rights. For example, Article 19 of the 1948 Universal Declaration of Human Rights states: “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”²⁶

This is also taken up by Article 19 of the International Covenant on Civil and Political Rights (ICCPR) as well as in the three regional human rights treaties that are, Article 10 of the European Convention on Human Rights (ECHR), Article 13 of the American Convention on Human Rights, and Article 9 of the African Charter on Human and Peoples’ Rights.



Image 2. Reports on the Windhoek conference, 30 April 1991. © The Namibian.

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²⁶ Universal Declaration of Human Rights. Available [O]: <https://www.un.org/en/about-us/universal-declaration-of-human-rights#:~:text=Article%2019,media%20and%20regardless%20of%20frontiers.>

Activities of NGOs

IFLA Supporting Human Rights and Fundamental Freedoms

by Claire McGuire, IFLA

The principles of freedom of expression and freedom of access to information, ideas, and works of imagination, embodied in Article 19 of the Universal Declaration of Human Rights, are among the core values of the International Federation of Library Associations and Institutions (IFLA).²⁷

IFLA's activities are informed by the belief that people, communities, and organisations need universal and equitable access to information, ideas, and works of imagination for their social, educational, cultural, democratic, and economic well-being.

The delivery of high-quality library and information services for all people helps to guarantee that access. IFLA works internationally, representing close to 1,800 members and affiliates in over 140 countries, to unite the global library field under these principles. Bringing together professionals for international cooperation and exchange, advancing professional practice, and advocating for more supportive environments in which libraries can serve their communities are among the key activities of the organisation.

Shared values on Press Freedom

IFLA's vision is a strong and united global library field powering literate, informed, and participatory societies. If information is to be freely accessible and sharable, freedom of the press is a necessity. Libraries share these values with others who view press freedom, alongside all freedoms of expression and information access, as being essential to protect, defend, and uphold.

The library field and news media are affected by similar external trends and threats. For example, governments inclined towards censorship will work both to influence the stories and perspectives being reported in the news, as well as the materials available through libraries. This can be seen today in growing trends towards book banning aligned with political ideologies.

Through advocacy and professional work on fundamental freedoms of expression and access to information, IFLA contributes to an environment in which a free and independent press thrives.

Engagement in advocacy

IFLA works with partners and contributes to international processes that uphold these shared values. For example, IFLA works with UNESCO across its areas of competency

²⁷ International Federation of Library Associations and Institutions (2021). IFLA Statutes and Rules of Procedure. <https://www.ifla.org/statutes/>

to support access to information, culture, and lifelong learning for people around the world.

The 2022 IFLA-UNESCO Public Library Manifesto, developed in partnership with UNESCO's Information for All Programme (IFAP), is a cornerstone of IFLA's public library advocacy work. This joint publication upholds the public library as a living force for education, culture, inclusion and information, and as an essential agent for sustainable development. It states that public libraries underpin "healthy knowledge societies through providing access to and enabling the creation and sharing of knowledge of all sorts, including scientific and local knowledge without commercial, technological or legal barriers".²⁸

The Manifesto highlights the following elements of the mission of public libraries which closely align with press freedom:

- Providing access to a broad range of information and ideas free from censorship;
- providing services to their communities both in-person and remotely through digital technologies allowing access to information, collections, and programmes whenever possible;
- ensuring access for all people to all sorts of community information and opportunities for community organising, in recognition of the library's role at the core of the social fabric.

IFLA, with the help of its volunteers and partners, has been promoting this Manifesto and raising awareness of its use as an advocacy tool, with the goal of integrating its ideas into library missions and supportive policy at national and subnational levels. Such policy also aligns with the principles of a free and independent news media.

The Manifesto also touches on the critical role of libraries in helping to promote media and information literacy for learners of all ages. People face an onslaught of information, including mis- and disinformation. IFLA works with partners like UNESCO to raise awareness on key topics and celebrate progress achieved towards media and information literacy for all.

The current information landscape requires adequate critical thinking skills to navigate. A free press has enormous implications on the generation of quality, objective, and fact-based information. Likewise, a media and information literate population is better placed to identify bias and censorship.

The digital environment has dramatically changed the news media landscape. Recently, IFLA has provided input on the process led by UNESCO on creating Guidelines for

²⁸ IFLA & UNESCO (2022). *2022 IFLA/UNESCO Public Library Manifesto*. <https://www.ifla.org/public-library-manifesto/>

Regulating Digital Platforms.²⁹ IFLA encouraged UNESCO to adopt an approach to access to information that recognises the importance of press freedom and open government, while also ensuring broader access, given that the range of information necessary to support development is wide.

IFLA is engaged in preserving and providing access to documentary heritage, together with UNESCO's Memory of the World Programme. IFLA was among the authors of the Commemorative Statement for the 30th Anniversary of the Memory of the World Programme, released in October 2022.³⁰ IFLA strongly supported the call to enlist documentary heritage to promote inclusive, just and peaceful societies. IFLA helps raise awareness of the way documentary heritage can illuminate the development of fundamental rights and freedoms, and preserve the memory of those who contributed to and defended them.

IFLA Advisory Committees

IFLA monitors and reports on the status of fundamental freedoms in part through the work of its Advisory Committee on Freedom of Access to Information and Freedom of Expression (FAIFE).

The committees led dialogue within IFLA on the impact of national and international political issues and crises on librarians, libraries, and access to information. Recently, these include issues related to censorship, manipulation of information, misinformation, and information pollution.

IFLA's Advisory Committee on Copyright and Legal Matters (CLM) also engages on these topics. It is currently working to monitor and express concern regarding cases where copyright enforcement is being used as a tool to silence or chill discussion.

IFLA's advisory committees help inform and position the library field to respond to emerging issues that affect library values and services. For example, IFLA, together with the International Council on Archives, released a Statement on Archiving and Privacy in 2020.³¹ This statement welcomed the trend towards privacy laws that enable the right to be forgotten, but raised concerns about the negative impacts of such laws on freedom of the press and freedom of expression.

Overly restrictive privacy legislation can be used to block news stories of legitimate public interest and remove content from the shelves and servers of libraries and archives. The statement stresses that privacy laws should never block the acquisition, or mandate the destruction of, archived documents.

²⁹ IFLA (2023). *IFLA comments on the draft UNESCO Guidelines on Platform Regulation*. <https://repository.ifla.org/handle/123456789/2544>

³⁰ UNESCO. (2022) The 30th anniversary of the Memory of the World Programme: a commemorative statement - UNESCO Digital Library. CI/DHE/2022/34. <https://unesdoc.unesco.org/ark:/48223/pf0000383472>

³¹ IFLA & ICA (2020). IFLA-ICA Statement on Privacy Legislation and Archiving. <https://www.ifla.org/publications/ifla-ica-statement-on-privacy-legislation-and-archiving/>

Enhancing the profession

IFLA works to enhance professional practice across the field of librarianship through our volunteer-led professional programme. For example, IFLA's News Media Section focuses on the role of libraries in preserving and providing access to the news through a variety of media.

This Section brings professionals from around the world together to explore and share best practices for the capture of, access to, and preservation of news media, including digitised and born digital news. They consider legal deposit and copyright issues, development of user-oriented services for news media, marketing and promotion of news library services, and collaboration between news producers/aggregators and libraries, among other topics. IFLA's Professional Programme likewise engages in professional development and capacity building for the conservation and preservation of documentary heritage to support ongoing access to the world's memory.

Through engaging in both advocacy and programme work in support of access to information and freedom of expression, libraries can be partners in realising the value of a free press. Libraries and library professionals act as information hubs and verifiers of information. Their place in diverse communities can enable future dialogue on ways to democratise and reinvent how news media is produced and distributed.

IFLA continues to work to grow the contribution of libraries in society, and advocate for supportive policies and strategies that enable libraries to achieve their mission. This is a shared mission, as literate, informed, and participatory societies are societies in which a free and independent press thrives.

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INTERNATIONAL COUNCIL ON ARCHIVES SECTION ON ARCHIVES AND HUMAN RIGHTS

The Section on Archives and Human Rights (SAHR) of the International Council on Archives invites archivists, record keepers and professional archival associations to be a part of the observance of the United Nations' World Press Freedom Day celebrated every year on the 3rd of May. This year marks 30 years since the Day was proclaimed by the UN General Assembly in 1993.³²

The defense of the rights of the press is crucial to the promotion and protection of human rights and democracy, as is the need for reliable and trustworthy sources of evidence. Archives are fundamental resources for independent journalists, who can use them to uncover and document human rights violations, hold governments and individuals accountable and present a diversity of opinions.

A prime example of the importance of archival evidence is the work done on preserving and locating archives of Truth Commissions around the world. The Section on Archives and Human Rights of the International Council on Archives is now creating an overarching tool, identifying the extent and location of these special archives.

The right to freedom of expression and the right to seek, receive and share information play an essential role in countering disinformation. Journalists depend on access to information held by public bodies in order to challenge false statements and manipulated data. Being able to point to authentic, reliable records that backup the journalism provides an element of safety for journalists, who too often are at risk of harassment and violence. At the same time, independent investigative journalism is essential for collecting, analysing and publicizing recorded contextual information, in particular on human rights violations.

We call on journalists, record keepers and archivists to come together to promote press freedom and the fight against disinformation. It is crucial that the public, journalists and media workers are aware of the important role of archives and archivists in supporting freedom of the press.

³² Following a Recommendation adopted at the twenty-sixth session of UNESCO's General Conference in 1991: <https://unesdoc.unesco.org/ark:/48223/pf0000090448>.