

perspectives may have resulted in journalistic practices that vary in their tendencies to promote individualism or to serve the community or broader societal interests.

Some Comparative Examples

Despite the growing body of literature from systematic studies of journalists in Canada and the United States, most of the "evidence" about how journalists and journalistic practices differ between the two countries tends to be anecdotal more than the result of systematic research. There are some exceptions, of course. For example, we already reported how the most recent national survey of journalists in the United States shows a shift toward some of the values articulated by the Hutchins Commission, which advanced the "social responsibility" theory of the press.¹³³ Also, French-language journalists in Canada tend to be more willing than their English Canadian and especially their American counterparts to perceive the press as a public service that can be regulated by the government. As evidence, Langois and Sauvageau found that nearly two-thirds of the French-speaking journalists in their study agreed that the state should intervene in the field of information.¹³⁴ Even before the Kent Commission issued its report and recommendations in 1981, Sauvageau argued that the government might intervene to assure the citizen's right to information, similar to the way it has done in education and health care.¹³⁵ Several examples, based not on research, help explain how the traditions and perspectives of journalists in Canada and the United States vary considerably in terms of tolerance for intervention by government and the courts in ways that limit the media and the practice of journalism.

Kent Commission Recommendations. Following the simultaneous sale of newspapers in Winnipeg and Ottawa by two major Canadian newspaper groups, the federal government established the Kent Commission in 1980 and authorized it to study the new newspaper industry and make recommendations to the government. One of the more controversial recommendations called for the establishment of a Press Rights Panel within the Canadian Human Rights Commission. Response came mainly from representatives and publishers of newspapers owned by large newspaper groups in Canada. The reaction was tempered and mild compared to what one would expect in the United States if similar recommendations were to come out of a government committee that spent more than \$3 million to investigate the daily newspaper industry. Reactions in the United States to any threat of government intervention or control in media affairs tend to be immediate and predictable. Media owners and spokespersons for associations of journalists, particularly in the print media, are quick to call "infringement" and issue charges of improper violations of cherished First Amendment guarantees of freedom of the press.

Media Cooperating With Government. At the same time that *The Washington Post* and *New York Times* were deciding whether to publish the Unibomber's manifesto in the fall of 1995, the Royal Canadian Mounted Police and local authorities were in the midst of a 31-day confrontation with armed Indians at Gustafsen Lake, British Columbia. CBC Radio interrupted its afternoon programming in British Columbia four times on September 13 with a brief message, broadcast in English and in the language of Shuswap Indians. The message was written by RCMP officials, who told CBC that it was what the renegades had demanded to hear. CBC senior management in Toronto endorsed the request by the RCMP to air the message, and defended their decision to accede to such demands "if the public interest is at stake."¹³⁶

CBC's decision to cooperate with the RCMP during this confrontation was generally accepted in Canada as being the responsible thing to do. In fact, following the standoff, political

¹³³ Weaver and Wilhoit, *supra* note 113, at 138.

¹³⁴ Florian Sauvageau, "Main results of the survey of journalists on Québec-language dailies," Appendix in *The Journalists*, Volume 2, Royal Commission on Newspapers (Ottawa: Supply and Services, 1981), at 197.

¹³⁵ Sauvageau, *supra* note 115, at 337.

¹³⁶ Ross Howard, "Paper's action has Gustafsen Lake parallel," *The Globe and Mail*, September 20, 1995, A20.