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**A Comparative Study of the Conflicts
Between Public Service Broadcasting (PSB)
and Governments
in the UK and South Korea**

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Summary

This paper examines conflicts between the PSBs and governments over critical national agenda focusing on the independence of PSBs from government. In particular, two case studies on the BBC and MBC are carried out as follows:

Case 1

The conflict between the BBC and the British government over the 'Andrew Gilligan Case' in 2003~2004 (prompted by Andrew Gilligan's reporting that the Tony Blair government 'sexed up' the report about Iraq's alleged weapons of mass destruction).

Case 2

The conflict between MBC and the Korean government over the 'PD Notebook Case' in 2008~2009 (prompted by the report in PD Notebook that the Lee Myung-Bak government permitted the import of American beef despite the risk of the Creutzfeldt-Jakob Disease, CJD, otherwise known as 'mad cow disease').

Through the development and the resolution of these two critical conflicts, this paper compares and analyzes how these two governments tried to control the media, and the responses of the respective journalists in the BBC and MBC.

In particular, this paper researches how the BBC is able to maintain its independence from government focusing on its financial security, the characteristics of the BBC culture, the role of the BBC Trust and the editorial guidelines of the BBC.

Finally, this paper seeks answers as to how the case of the BBC can be applied to South Korean PSBs (i.e. MBC and KBS) in securing its independence from government, focusing on efforts of the board of governors, management, financial stability and impartiality.

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Chapter 1 Introduction

1. What is the 'Independence of PSB'?

The 'Independence of Public Service Broadcasting (PSB)' is a very crucial and controversial subject not only in a recently democratised country like South Korea but also in the UK and other Western European countries which have a long history and rich experience of public broadcasting. Then, what is the 'independence of PSB'?

In general, PSB is defined as 'a broadcasting system which operates independently from its government while pursuing the public interest, not commercial benefit.'

However, 'operating independently from government' does not mean that PSB operates without any relationship with government. Since PSB largely depends on the government (or the representative body) for its licensing and funding, PSB is by its nature destined to interact with the government. Broadly speaking, PSB is held accountable in various ways to government, parliament and the public.

Therefore the issue of independence for PSB is that once the government has authorized and funded it, does it allow the PSB to be a) editorially independent, b) free from day to day pressure from the government and other interest groups?

If so, how is the independence of PSB embodied specifically? The British Broadcasting Research Unit, as part of their pioneering study on the role of PSB, conducted in the 1980's describes the independence of PSB as follows.¹

- Universality of appeal: catering for all interests and tastes
- Distance from all vested interests and government

Following the aforementioned points, 'independent PSB' can be defined as a media consisting of journalists who cater for all interests and tastes and are detached from interest groups and government.

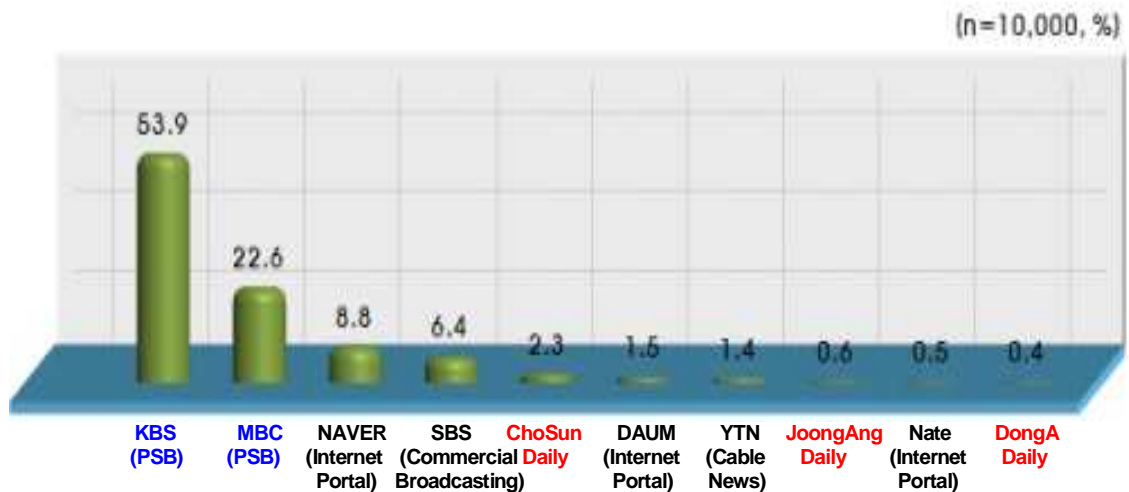
2. Why is the 'Independence of PSB' particularly important in South Korea?

In most countries, whether developed or developing, democratic or authoritarian, Western or Eastern, Public Service Broadcasting has a great influence on its public politically, socially and culturally.

¹ Broadcasting Research Unit, *The public service idea in British broadcasting: Main principles*, 1986

Especially in Korea, PSBs hold more dominant positions than other media in terms of impact and credibility. The following table shows the data from the latest public opinion poll conducted by the South Korea Advertisers Association.²

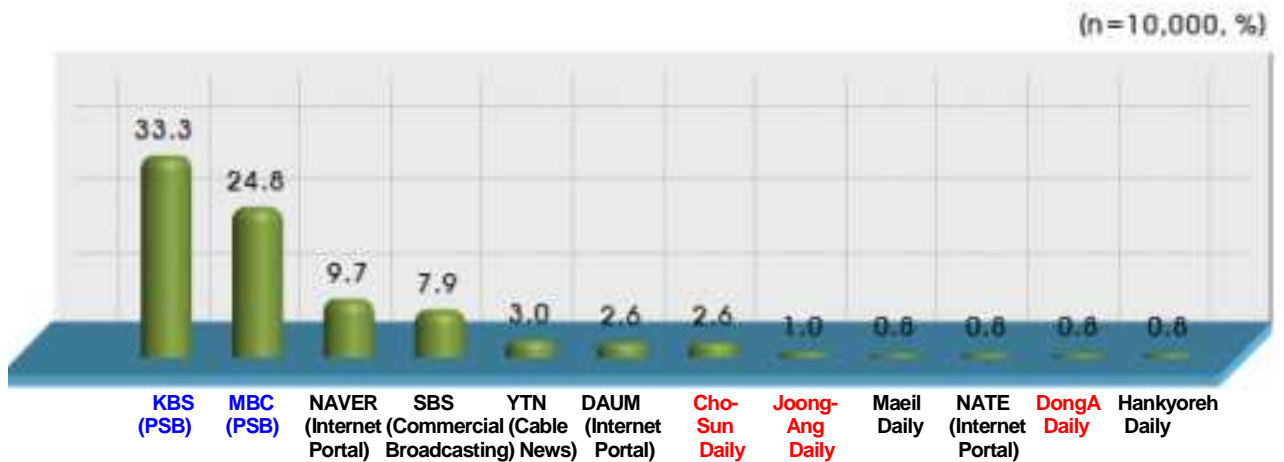
Table 1. The most influential media in South Korea



According to the survey, KBS (Korean Broadcasting System) and MBC (Munwha Broadcasting Corporation), two major PSBs in South Korea, have an aggregated influence rate of 76.5%. On the other hand, the leading daily newspapers such as Cho-Sun Daily, Joong-Ang Daily and Dong-A Daily only show 3.3% influence rate even combined. Based on the result of the survey it could be interpreted that the general public of South Korea is largely affected by PSBs. Then, the next question would be: “Are PSBs trusted?”

² The survey was conducted as individual interviews by Millward Brown Media Research for the Korea Advertisers Association in September 2010 (95% confidence, the sample size of 10,000 civilians in South Korea, the sampling error is $\pm 0.98\%$ p)

Table 2. The most trusted media in South Korea



According to the survey, the aggregated credibility rate of KBS and MBC is very high at 58.1%. The rate for Cho-Sun Daily, Joong-Ang Daily and Dong-A Daily, three major newspapers in South Korea, came out at only 4.4%. Based on these results combined, it looks obvious that the general public has a higher level of trust in PSBs in South Korea.

Taking the aforementioned survey results into consideration, the independence of PSBs in South Korea is a very crucial factor for the protection of its democracy. If they fail to secure independence from the government, commercial pressures, or other powerful interest groups, the PSBs could turn into a dangerous tool that could threaten the nation's democracy and pluralism.

In addition, it is difficult to define PSB which is not independent as 'public service' broadcasting since the word 'public' includes the notion of representing various interests and views. The main role of PSB is agenda-setting for a society by reflecting the diversity of the public.

3. Why the independence of PSB from the 'government'?

The essential subject of this paper is a comparison of South Korean PSBs against BBC focused on their independence from the government.

Why the focus on independence from the 'government'? It is because the birth and the growth of South Korean PSBs are closely related to the government and it still has massive influence on the state of independence of PSBs. This situation mainly results from the political history of South Korea.

After liberation from Japanese colonial rule, from 1945 until the end of the 1980s, South Korea was a society dominated by authoritarian regimes. Journalists who resisted dictatorship had to face being fired from their jobs, tortured and imprisoned. The independence of the press was hard to imagine under such an environment.³ Until the late 1980s when the dictatorship started moving to a democratic system, MBC and KBS also had been operated as national broadcasters completely controlled by the authoritarian regimes.

Since the pro-democracy movement in June 1987, the political independence of the press including PSBs has been recognized as a critical social goal for the South Korean people. Particularly, as the democratic movement of PSB journalists spread, the idea that PSB should be independent from the political power was accepted not only in the PSB but also by civil society.

However, the South Korean government still has a strong influence over PSB. The government even appointed a person as a president of a PSB who participated in the election camp for the President.⁴

The overall situation shows that the independence of PSBs in South Korea is still very vulnerable. In particular, since the launch of Lee Myung-Bak's conservative government in 2008, there has been great concern about independence of the press including PSBs.⁵ In such an environment, the following questions are becoming more and more crucial:

- “What are the main reasons of the vulnerability of the South Korean PSBs in terms of the independence from the government?”
- “How can the South Korean PSBs secure their independence from the government?”

The aim of this paper is to find answers to such questions based on the view that the independence of PSBs is critical for them to function as sound critics, not spokesmen

³ For example, during the regime of Chun Doo-Hwan, 1980 ~ 1987, the government agents used to be stationed in all South Korean newsrooms controlling the contents of the news reports. Almost all media reports were produced in favor of government according to the so-called 'Press Guidelines' set by the authoritarian power.

⁴ The former President Roh Moo-Hyun appointed Seo Dong-Goo, who used to be a press advisor in his camp, as the president of KBS in 2006 and the current President Lee Myung-Bak also appointed Kim In-Gyu, who was his press aide, as the president of KBS in 2009.

⁵ According to a survey conducted by Korea Press Foundation in 2009 for 1,040 journalists, 31.1% responded that the pressure from the government is the major factor which restricts the freedom of the press both in direct and indirect ways. It presents considerable increase compared to a similar survey in 2007 (before Lee Myung-Bak government) in which only 14.7 % answered as such.

of the government, and also for the continuous development of democracy in South Korea.

4. Comparative analysis: BBC “Gilligan case” and MBC “PD Notebook case”

The methodology of this paper is a comparative analysis of the BBC “Gilligan case” and the MBC “PD Notebook case”. The two specific cases are chosen because:

- They had a nation-wide significance.
- They gave rise to serious arguments in the society.
- PSB and government had to go through a massive confrontation with each other.
- Government aimed to limit the independence of PSB.

This research will focus on the dynamics of the BBC vs. British government and MBC vs. the South Korean government around the independence of PSB by conducting a detailed study on the development and the consequences of these two cases.

Furthermore, it will analyze the essential factors and conditions that enabled the BBC to maintain its independence from the government and the major deficiencies in the South Korean PSBs case in respect of the BBC case.

The reason that BBC is chosen as a subject for the comparison is as follows:

- The BBC is considered as an exemplary role model of PSB in terms of financial security and organizational culture accompanied by its long history and rich experience.
- The efforts that BBC has made to secure impartiality and credibility and to protect the people’s right to know provide useful precedents for the South Korean PSBs.

As a result of these case studies, this paper will define the structural and functional problems of South Korean PSBs in the aspect of securing their independence from the government and will seek solutions to improve those weaknesses by benchmarking the BBC experiences.

Chapter 2 Challenge of 'Independence of PSB'

1. BBC: 'Andrew Gilligan Case' (2003-2004)

1) Background and beginnings

On 20 March 2003, the US and the UK started the war in Iraq with the core justification of removing the weapons of mass destruction (WMD). However, public opinion in the UK was not very supportive of the decision of the Tony Blair government to get involved in the war. Public opinion was divided. Thousands of the UK citizens asserted their opposition to the war by demonstrating in London.⁶ The situation in the Parliament was similar. The Conservative Party supported the war, but the Labour Party didn't have one aligned position on it. They were divided like the British people. The whole of the UK society was caught in a whirlpool of controversy and division over the war.

Such a situation could be puzzling to the Blair government which was established with the strong support of the voters. If they couldn't block the spread of the anti-war mood immediately, the popularity, the reliability and the support for the government could collapse. Therefore, the government devoted all their energy to promoting the legitimacy of the war even in the pre-war period. One of the efforts was the report 'Iraq's Weapons of Mass Destruction: The Assessment of the British Government ('the September Dossier')' published on 24 September, 2002.

The key message of the September Dossier was "Saddam Hussein's military planning allows for some of the WMD to be ready within 45 minutes of an order to use them" and it became the core justification of the government to emphasize the urge to participate in the war and to calm down the opinion against it. In the middle of such a situation, Andrew Gilligan's report threw some fundamental questions on the authenticity of the government's evidence.

On May 29, 2003, Andrew Gilligan, a BBC reporter, described the dossier in the 'TODAY' programme of Radio 4 as follows: "The draft (of the September Dossier) prepared for Mr. Blair by the intelligence agencies actually didn't say very much more than what was public knowledge already and Downing Street, our source says,

⁶ On February 15, 2003 anti war protest was organized by 'The British Stop the War Coalition' (StWC). The British police estimated attendance as well in excess of 750,000 people and the BBC estimated that around a million attended. The demonstration was conducted under the slogan "No war on Iraq – freedom for Palestine".

ordered a week before publication, ordered it to be "sexed up", to be made more exciting..."⁷ Furthermore, he emphasized that the government inserted the expression of 'within 45 minutes' in order to give an impression of a closer threat from Saddam Hussein and "the government probably knew that the 45 minutes figure was wrong, even before it decided to put it in."⁸

The Gilligan report that the government overstated and distorted facts about the Iraq war for its own advantage caused a massive controversy in society. It was critical enough to call into question the integrity of the government as well as the legitimacy of the war itself.

2) The reaction of the government

After the BBC's report, the Blair government protested immediately to the BBC and refuted that the contents reported differed from the facts. Alastair Campbell, Director of Communications and Strategy for the Prime Minister, expressed their complaints by sending several letters to Richard Sambrook, Director of BBC News. He complained that the BBC had broken BBC guidelines by the use of a single unattributable source and he wondered why the BBC had guidelines at all, given that they were so persistently breached.⁹

In reaction to this incident, the BBC, led by Director General Greg Dyke, responded that "the BBC guidelines had not been broken."¹⁰ The BBC also maintained its position towards the pressures from the government by stating "the reasons do not exist to apologize for this case".

An unexpected incident occurred in the middle of this battle between the government and the BBC which could have a critical impact on the whole situation. Dr. David Kelly, the anonymous informant who gave the source to Gilligan, killed himself.¹¹ The BBC had tried not to expose Dr. Kelly's identity. However, the government suspected Dr. Kelly and started an investigation into the issue. He committed suicide on July 17, 2003 while he was being investigated by the Foreign Affairs Committee of the House of Commons. The death of Dr. Kelly who was the core source for the BBC and the core witness for the government became a serious turning point in strengthening the offensive of the government against the BBC.

The Prime Minister, Tony Blair established the 'Hutton Inquiry' with the aim of

⁷ BBC, *Full text: Gilligan's 'Today' reports*, (http://news.bbc.co.uk/1/hi/uk_politics/3090681.stm), 2003

⁸ *Ibid*

⁹ Greg Dyke, *Inside Story*, London, Harpercollins, 2004, p.265

¹⁰ *Ibid*, p.266

¹¹ Dr. Kelly was a British scientist and expert on biological warfare, employed by the British Ministry of Defense, and had worked in UN as a weapons inspector in Iraq.

investigating the death of Dr. Kelly and clarify the truth of the Gilligan report. The Hutton Inquiry continued until January 28, 2004 examining the witnesses of the government and the BBC. The government and the BBC clashed sharply during the inquiry. The results concluded by the Hutton Inquiry can be summarized as follows:¹²

- The contents of Gilligan's report were unjustified.
- The editorial system of the BBC which was responsible for the Gilligan report was defective.
- The BBC management was at fault in the following respects in failing to investigate properly the Government's complaints.
- The Board of the Governors is to be criticised for failing to make more detailed investigations into whether this allegation reported by Mr. Gilligan was properly supported by his notes and for failing to give proper and adequate consideration to whether the BBC should publicly acknowledge that this very grave allegation should not have been broadcast.

But the Hutton Inquiry didn't confirm clearly whether the government key personnel like Campbell participated in editing the September Dossier or not, and whether the Ministry of Defense and the intelligence agency were under pressure from the government or not. The Hutton Inquiry was seen to exonerate the government while dealing a fatal blow to the BBC.

3) Consequences

The BBC was shocked. Immediately after the release of the Inquiry conclusions, Gavyn Davies, the Chairman of the BBC Board of the Governors announced his resignation. It was followed by the departure of Greg Dyke, the Director General of the BBC and thousands of BBC employees across the UK demonstrated.

Although the direct cause of the demonstration was the resignation of Greg Dyke, in fact, it displayed their resistance to the conclusions of the Hutton Inquiry, and furthermore, to the government. In addition, public opinion generally questioned the results of the Hutton Inquiry.

Soon after the Hutton Inquiry and the departure of Greg Dyke, the BBC announced the 'Neil Inquiry' led by Ronald Neil, the BBC's former Director of News and Current Affairs. After thorough investigation of the prose leading up to the Gilligan report, he produced the 'Neil Report'. Neil Report suggests the ways to improve BBC journalism. The core contents are as follows:¹³

¹² *The Hutton Inquiry: Chapter 8, Summary of conclusions relating to the BBC*, (www.the-hutton-inquiry.org.uk/content/report/index.html), 2004

¹³ BBC, *Press Release: Neil Report recommends how to strengthen BBC Journalism*,

- Truth and Accuracy - BBC journalism should be rooted in the highest possible levels of accuracy and precision of language, well sourced, based on sound evidence and thoroughly tested
- Serving the Public Interest - prioritizing and reporting stories of significance and relevance to audiences, being well informed when explaining stories and robust, but fair and open-minded in asking searching questions of those who hold public office
- Impartiality and Diversity of Opinion - reporting facts in their context, not opinion, practicing openness and independence of mind and testing a wide range of views with the evidence
- Independence - striving to be an independent monitor of powerful institutions and individuals, making judgments for sound editorial reasons, not as the result of improper political or commercial pressure
- Accountability – the BBC’s first loyalty is to its audiences and their continuing trust in the BBC’s journalism is a crucial part of the BBC’s contract with them. The BBC will be open to admitting mistakes when they are made, unambiguous about apologizing for them, and must encourage a culture of willingness to learn from them.

The significance of the Neil Report is that the BBC analyzed its own problems and suggested the areas for the improvement on its own initiative rather than being forced to do so by external pressures.¹⁴ In the other words, the BBC response should be considered as positive as it improved the measures for strengthening the independence and the credibility of the BBC itself.

2. MBC ‘PD Notebook Case’ (2008-2009)

1) Background and beginnings

In February 2008, the Lee Myung-Bak government of South Korea came to power, based on the Grand National Party, the conservatives. The political power shifted to the right from the past two left regimes, i.e. the Kim Dae-Jung and Roh Moo-Hyun governments. The Lee government started to drive conservative policies in all areas of South Korea under the slogan of “Hard-working government and an economic President”. Business-friendly and growth-oriented economic policies were their core beliefs.

In March, 2008, President Lee announced the candidates for several ministerial

(www.bbc.co.uk/pressoffice/pressreleases/stories/2004/06_june/23/neil.shtml), 2004

¹⁴ “In considering how the BBC might learn from Hutton’s conclusions, we were clear that we were not about establishing blame, but about discovering what lessons the BBC might learn from the events of last year.”, *The Neil Report : Introduction*, 2004

positions but three of these candidates failed to go through the screening process due to some moral defects, and finally stepped down.¹⁵ This incident led to criticism of the new president and the government that they dealt with national affairs too naively and impatiently only to achieve shallow quick wins.

In such an environment, in April 2008 the Lee government agreed with the US government to fully open the South Korean market to the imports of American beef. The government thought that the people would eat good beef at a cheaper price if they imported the US beef, but they only considered the economic aspect of the issue.

'PD Notebook', the MBC's investigative programme, produced a report criticizing the beef negotiation from a perspective of 'quarantine sovereignty'. The title of the program was 'Is U.S beef safe from mad cow disease?' The report was televised for about 50 minutes twice from April 29, 2008. The contents of the programme can be summarized as follows:

- (Showing unhealthy US cows falling over) those cows had a high possibility of catching mad cow disease.
- If Korean people eat beef infected with mad cow disease, the probability of those Korean people catching CJD (Creutzfeldt - Jakob disease) is 94%.
- Due to the government's insufficient knowledge of the US slaughter system, they might not have understood the risk of mad cow disease or have understated it even if they knew it.

The report of the PD Notebook set off the fuse of a huge demonstration nation-wide and provoked anti-government resistance. The 'candlelight demonstration' of citizens continued for two months in all major cities in South Korea after April 2008. They requested the government to 'stop the import and re-negotiate with the US'.¹⁶ The scale of the protest was the biggest since the 'June Democratic Movement' in 1987 which demanded the resignation of Chun Doo-Hwan's authoritarian regime. Demonstrators encountered a direct conflict with aggressive police actions. Many citizens were injured and taken to the police station during the course of the demonstrations.

Although the resistance started from the report of the PD Notebook and the anxiety among the people about the risk of the US beef, in fact, the deeper aspect of it was to express opposition to the Lee government for their decision-making process which ignored the basic democratic values such as a persuasion through conversation and

¹⁵ They resigned because of their children's double nationality, real estate speculation, and illegal fake resident registration.

¹⁶ The demonstration time was in the evenings and at nights. Tens of thousands of candlelight presented a strong image visually and symbolized strong anti-government resistance.

negotiation.

The initial slogans of the demonstrators were 'Oppose the US beef import', however, as the rally went on the demonstrators showed the anti-government slogans such as 'Resign Lee Myung-Bak'. It was a heavy blow to the Lee government which was just established and intended to drive their new policies actively.

2) The reaction of the government

At the early stage of the demonstrations, the Lee government maintained their position that 'the US beef is safe' through press interviews by the Minister of Agriculture. The presentation of the government was as follows:¹⁷

- No case of mad cow disease has been reported in the US since 1997 when they prohibited the use of the animal feed.
- All the Americans eat American beef (therefore, it is safe).
- We only import the beef that are slaughtered in facilities where our authorities have confirmed its safety.

In spite of the government's announcement, the candlelight demonstrations kept spreading and the complaints arose inside the government that the MBC misled the public opinion with its partial report. The government view was that the huge protest was caused by the MBC, and also had a perception that MBC televised it with an intention of damaging the government.¹⁸

The reaction of the government was firstly taken through its subordinate office, the Korean Communications Commission. They confirmed that PD Notebook violated article 9 (on fairness) and the article 14 (on objectivity) of the Regulation on the Broadcasting Standards and forced the MBC to make a public apology for breaking the regulations. MBC apologized to their audience on the main news program. They explained "we implied that all falling down cows might have mad cow disease and broadcasted the one-sided opinion only while dealing with a controversial social issue."¹⁹

¹⁷ *The Joint Press Conference : Jeong Woon- Cheon, the Minister of Agriculture and Kim Seong- Hee, the Minister of Health and Welfare*, May 2, 2008

¹⁸ The Lee Myung-Bak government was already in discord with MBC before the broadcasting of PD Notebook. As MBC has strong tradition of investigative reports denouncing corruptions, MBC intensively reported suspicions on the property of Lee Myung-Bak and the corporations that he managed before he has been elected as president. At that time, the report criticizing candidate Lee has been broadcasted intensively through News Desk, the main news program of MBC. Since then, Lee Myung-Bak and his staffs have expressed publicly the discontent on MBC. Although the pressure against MBC exploded due to the report of PD Notebook, the conditions making the explosion possible were met even before the report of PD Notebook.

¹⁹ MBC, 'News Desk', August 12, 2008

Furthermore, the government put pressure on the MBC using legal methods. The Ministry for Food, Agriculture, Forestry and Fisheries claimed that their reputation had been damaged by the report of the PD Notebook which exaggerated the risk of the US beef, and prosecuted the MBC journalists engaged in the report. The journalists were investigated by the prosecutor's office.

The journalists of PD Notebook and the MBC Labour Union protested heavily against the government for those actions. The Democratic Party – the opposition party – and many NGOs also joined this opposition criticising the government for its 'pressure on the freedom of the press'.²⁰

It was followed by a serious social controversy over the independence and the impartiality of the press and PSB. Headed by the conservative newspapers like Cho-Sun Daily, Joong-Ang Daily and Dong-A Daily the right insisted "the MBC was not impartial, and overstated and twisted the facts intentionally." The left-wing medialike Hankyoreh Daily and Ohmynews disputed this, saying "the government hurt the independence of the public broadcasting (i.e. MBC) seriously and the attitude MBC held in the report was rightly positioned on the people's right to health". The confrontations between the pro-government and the anti-government, the right and the left rose to a climax.

3) Consequences

The conflict between the government and the anti-government resistance didn't diminish and finally the Lee government had to announce a statement to the public. The president apologized "although this national issue was very important and emergent, I should have thought seriously how the people would receive it and what they thought the government should do. The government and I have reflected about it bitterly."²¹ And he announced that the government will not import the meat of cows aged over 30 months about which the people have major anxieties of mad cow disease. The report of PD Notebook brought the change on the government's policy and the candlelight demonstrations diminished.

But the conflict between the government and the MBC continued in the court. On the case that the prosecutor indicted the journalists of PD Notebook for damaging the reputation of government, the Court initially decided that 'PD Notebook is innocent'.²² The Court explained "all contents including the report on falling down cows, the comment that the Korean genes were vulnerable to mad cow disease and

²⁰ NGOs such as the Association of Physicians for Humanism hold a press conference in Seoul on June 19, 2009 and stated "Prosecutor's Office is destroying our democracy and the freedom of the press".

²¹ *The President Lee Myung-Bak Special Press Conference*, June 19, 2008

²² *The Ruling of the Korean Court in the First instance*, January 20, 2010

the statement that the government did not know the slaughter system of the US very well were not untrue.”²³

The prosecutor appealed against the decision immediately. The High Court also declared PD Notebook “innocent” even though some false facts (i.e. the report on Downer cows, and the comment on Korean genes) could be acknowledged.²⁴ Particularly, the High Court explained “for the issues that have critical social implications the limit for the freedom of speech should be relaxed, and not be made hesitant on the expression by the criminal restrictions.”²⁵

The legal decision on the report of PD Notebook has been ‘not guilty’ for all accusations and the final decision of the Supreme Court is still awaited.

²³ *Ibid*

²⁴ *The Ruling of the Korean Court of Appeals*, December 2, 2010

²⁵ *Ibid*

Chapter 3. BBC and MBC after the two incidents

1. Similarities and differences between the two cases

1) Similarities

The similarities of both cases can be considered from two perspectives, 'interaction between PSB and government' and 'social impact and controversy.'

First, the similarities in terms of 'the interaction between PSB and government' are as follows:

- Government pressure on the PSBs (BBC and MBC)
The British government placed pressure through the 'Hutton Inquiry' and 'the criticism of the BBC management' and the Korean government placed pressure through 'the accusation of PD Notebook producing team' and using methods such as insisting on a 'broadcast apology'.
- The PSBs (BBC and MBC) partially accepted the government's pressure.
The Governors of the BBC decided to sack the Director General Greg Dyke and made an apology from the Acting Chairman, Richard Ryder. The BBC then established the Neil Report eventually which gradually accepted the conclusion of the Hutton Inquiry and made recommendations to avoid future editorial problems of this kind. The MBC partially accepted the Korean Communications Commission's decision and broadcasted apologies to the audience.

The similarities in terms of 'the social impact and controversy' are as follows:

- Both reports amplified civil resistance to a specific government policy.
The BBC's Andrew Gilligan Case backed up the public opinion against the Iraq war while putting the Blair government in a difficult situation. The MBC's PD Notebook case severely hurt the credibility of the Lee Myung-Bak government provoking nationwide anti-government protest.
- The controversy within the media
After the report of the BBC, the right-wing press like The Sun and Daily Mail which were standing on the side of the Blair government, attacked the BBC. On other hand, the Guardian and The Independent supported the BBC while criticising the Blair government. After the report of the MBC, the conservative media such as Cho-Sun, Joong-Ang, Dong-A Daily attacked the MBC while supporting the Lee Myung-Bak government. On the contrary, the Hankyoreh, Ohmynews and other progressive media backed MBC and criticized the Lee Myung-Bak government.

These kinds of controversies and confrontations seemed to follow the general political tendency of the media itself whether it is British or Korean. In other words, those who have a conservative tendency were pro-government and anti-PSB, whereas the progressive were anti-government and pro-PSB. The controversies within the media around the reports of the BBC and the MBC spread into the civil society. The conflicts were escalated into social confrontations between the pro-PSB/anti-government vs. the anti-PSB/pro-government.

2) Differences

The differences can be summarized in three parts: 'the form of the report', 'the conclusion of the governmental institution', and 'the characteristics of the social impact.'

- The difference in the form of the report

The BBC's Andrew Gilligan report was broadcast through live news on radio. The problem here was the 'two-way interview' talk that Gilligan carried out with the newscaster. Gilligan asserted that the September Dossier was 'sexed up'. Although this comment didn't deviate from the content of the report, it was true that his superiors couldn't exert suitable editorial control in advance. The Blair government emphasized this part and criticized the BBC accordingly. The BBC admitted the error and rectified it by announcing the Neil Report and implementing the new editorial guideline.²⁶

The MBC's PD Notebook was not live. It was pre-produced and recorded, which means that some controversial scenes such as continuous demonstration of 'cows falling over' could have been revised through the editorial process. However, it was not properly done and as a result the report could have misled the viewers into a conclusion that all cows that fall over had mad cow disease. For this reason, a criticism arose even within the MBC that even though the intention of the report was to protect the food safety for the public, the production team didn't take careful steps in delivering the 'facts' using appropriate words and not exaggerating them.

- The different characteristics of the social controversy stimulated by the report

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The Gilligan report was broadcast after the war had started and after views about the war had already polarized. In other words, the report lubricated the already existing

²⁶ "The BBC should not normally break stories making serious allegations in live two - ways" *The Neil Report: The summary of main points*, 2004

public opinion against the Iraq war. On the contrary, the PD Notebook report was an initial catalyst for the public protest against the Lee Myung-Bak government.

These differences resulted in different reactions from the governments of the two countries. The Blair government has already experienced the anti-war opinion before the Gilligan report and has successfully developed its way to handle the issue in the same context as they dealt with the anti-war opinion.

In other words, the flow of the events, i.e. anti-war mood -> Gilligan report -> amplification of the anti-war mood -> Hutton Inquiry -> Neil Report, shows that although the government was engaged in a conflict with the BBC, it has evolved step by step toward the settlement of the issue.

On the other hand, the Lee Myung-Bak government didn't anticipate the controversy that the PD Notebook report would bring into the society. The government was not prepared with a systematic solution to deal with the situation and was just busy trying to blame the report. As a result, the civil resistance became more and more fierce.

The overall flow of the events took place in Korea, i.e. PD Notebook report -> beginning of the candlelight demonstrations -> prosecution of the PD Notebook journalists -> expansion of the candlelight demonstrations -> apology statement from the president to the public, portrays that the government didn't have any constructive plan to solve the problem except for just criticizing MBC. It only worsened the situation while putting the government in a very difficult position. The situation evolved into the aggravation of the conflict rather than the settlement of it.

- The different characteristics of the controversy within the media

After the Hutton report there was a sense that all the newspapers should defend the BBC against the government. Even those conservative newspapers which criticised the BBC for the Gilligan Report expressed the opinion that the independence of the BBC should be protected.²⁷ Likewise, regardless of different political inclinations, the British press showed consensus on the freedom of the press and the independence of PSBs.

On the contrary, the conservative newspapers in Korea still continue attacks on MBC after the PD Notebook incident. They are taking the issue solely from the political position without serious consideration of the independence of PSBs.

²⁷ "This kind of government pressure on the BBC is totally out of order.....So the BBC is absolutely right to stand up for its independence." Melanie Phillips, *The BBC is our cultural jewel in the crown*, Daily Mail, April 28, 2004

2. Evaluation of the impact of these cases on the independence of the BBC and the MBC

After the incidents, the BBC and the MBC went through significant internal changes. Have the changes weakened the independence of the BBC and the MBC from their governments? It could be said 'no' for the BBC case whereas 'yes' for the MBC case.

1) The BBC case

The biggest change for the BBC were the resignations of Gavyn Davies, Chairman of the Board of Governors and Greg Dyke, Director General of BBC. Both were known to be pro-Labor party figures. There is an interesting paradox that Gavyn Davies and Greg Dyke, who were both supporters of the Labor party, were made to resign as a result of the conflict with the Labor government.

In conclusion, Greg Dyke stood firmly to protect the BBC with regard to the Gilligan case and in Gavyn Davies' case, he confronted the Labor government which had appointed him to his position in the BBC.

This implies that in order to maintain the independence of PSB it is very crucial that the top management firmly stands for the sake of the value of the journalism itself while keeping substantial distance from the government.

Then, what changes had the BBC undergone after the resignation of Greg Dyke?

Mark Byford, the temporary successor to Greg Dyke, carried out an internal investigation on the Gilligan case for 5 months working as the acting Director General. These actions brought a strong discomfort within the BBC. An anonymous BBC staff member said to *The Independent* "there is a huge skepticism about Mark. People are scared that he is leading a witch-hunt."²⁸

Nevertheless, during the unstable period of Mark Byford the BBC produced the Neil Report. The purpose of this report was to reinforce the accuracy and impartiality of the BBC journalism. In other words, the Neil Report stressed that accurate and impartial journalism was the only way to keep the independence of PSB from the government.

²⁸ *The Independent*, 'The Battle for the Soul of the BBC', March 9, 2004

The fact that Michael Grade and Mark Thompson were appointed as the Chairman and the Director Generals respectively is very important in terms of political impartiality. They were seen as professionals and politically independent.

In conclusion, although it was argued that the BBC journalism became “too cautious” after the Gilligan case, it is hard to find any assessment that the BBC became subordinate to the government.

2) The MBC case

The most noticeable changes within the MBC after the PD Notebook incident were that the board of the governors of the MBC was filled with pro-government figures and the frequency of critical reporting on the government reduced.

In 2008, the Lee Myung-Bak government changed the members of Foundation for Broadcast Culture (the board of the governors of the MBC) with pro-government people. During this process, Eom Ki-Young, the president of the MBC at that time, who still had a year left for his term had to leave the company due to a conflict with the new governors. In February 2010, the new board of governors elected Kim Jae-Chul as the new president.

The criticism arose within the MBC that the independence of its journalism has declined seriously. The MBC Labour Union conducted a survey with its 2,000 members and announced the result, “88% of the survey participants responded that our news and current affairs programmes are getting more and more partial after the arrival of the president Kim Jae-Chul”.²⁹ The MBC Union also highlighted that “the MBC journalists think our news does no longer deal with complicated issues which would cause discomfort for the government”.

In response to this kind of feedback on the MBC journalism, the top management of the MBC maintains that the MBC is still independent of the government. They also stress that they should depend on the impartiality of the journalism.

Regardless of the suitability of the opinion of both sides, the situation that the management and the journalists of MBC confront with each other internally represents the instability and vulnerability of the independence of the MBC from the government.

²⁹ MBC Labor Union, *Bulletin of MBC Labor Union*, January 24, 2011

Chapter 4. How can BBC maintain its independence from government?

Mark Thompson, the current Director-General of the BBC, speaks proudly about the independence of the BBC as follows:

“Independent governance and management. Strong institutional values. Strong public consensus. A hypothecated and independent source of funding which the public understand and support. And the result? Well, many results – not least quite a few good programs and services. But the main result is public trust.”³⁰

In this chapter, we will specifically examine the factors that enable BBC to maintain its independence.

1. Financial independence - securing financial stability

The key to the BBC’s independence is its financial independence. Over 70% of the BBC’s budget consists of the license fees that the people of the UK directly pay to it. According to the BBC, “everyone in the UK who watches or records TV as it is broadcast needs to be covered by a TV license.”³¹ For colour television, a household pays around £ 145.5 (about KRW 300,000) a year as license fee. Through this, the BBC can operate a £ 3 billion (about KRW 6 trillion) annual budget. This stable structure for license fee collection is the basis on which BBC can make its broadcasts committed to “public service” in terms of the people of the UK, but independently from the government, enterprises, or interest groups.

Of course, the BBC has continuously undergone challenges related to license fee collection. Such challenges have come both from the citizens who pay the fees and the government which determines the amount of the fee. For example some citizens of the UK have raised the issue that the fee is too expensive, and have even campaigned against paying the fee.

The BBC is responding to these challenges mainly in two ways: by emphasizing its financial transparency, and by emphasizing its independence in the conduct of PSB.

First, to emphasize its financial transparency, BBC releases *BBC Trust Review and*

³⁰ Mark Thompson, Director-General of the BBC, *Smith Institute Media Lecture*, October 11, 2006

³¹ BBC, *The licence fee* (<http://www.bbc.co.uk/aboutthebbc/licencefee/>),2011

Assessment yearly, as an annual report. This annual report explains very specifically and in detail how and where the license fees collected from the UK people for the applicable year were spent.³² This means that the annual report is a self-certification of the BBC that it would complete its task of PSB, and is also an effective way of telling the UK people that the fees they are paying are being spent worthily.

Second, the BBC primarily emphasizes that the stability of its license fee collection is critical for the maintenance of its independence as a PSB. Mark Thompson makes the following claims against the government's move to change its license fee:

"I want to turn next to the independence of the BBC and to try to answer this question first: many of the BBC's stronger supporters worry generally about the independence of the BBC – are they right to do so? Yes, they are."³³

He also stresses "the foundation of that editorial independence also requires an appropriate level of institutional and financial independence."³⁴ Announcing proactive responses to the government's move to change BBC's license fee, he reveals the following reasons for the need to retain it:

"The BBC is an independent public broadcaster – not a state broadcaster or an arm of the Government. That is why the British public trusts it so much."³⁵

The BBC has a belief that the financial stability is the key to its independence. And, they are making constant efforts to reinforce this belief in the public and the political powers seeking their consensus. These two factors can be regarded as the basis of the BBC's financial stability.

2. Characteristics of the BBC culture

The basis of BBC's organizational culture is the immense pride of its members as 'the BBC journalists'. According to Daily Mail, Gavyn Davies, the former Chairman of the BBC Board of Governors "came out fighting when the corporation came under fierce attack from the Government over the war in Iraq. He blames the bitter battle of wills on Downing Street's spin machine. His priority is to protect the BBC's independence."³⁶

³² BBC, *BBC Trust's review and assessment for 2009/10*, 2010

³³ Mark Thompson, Director-General of the BBC, *The BBC and the new Settlement – speech to the Voice of the Listener and Viewer (VLV)*, November 24, 2010

³⁴ *Ibid*

³⁵ *Ibid*

³⁶ Daily Mail, "Chair of BBC governors Gavyn Davies", January 27, 2004

This article can be seen as representing the overall sentiment of the BBC's journalists, and can be regarded as an expression of the confidence in the BBC's values and independence. The protest that was launched by the members of the BBC right after the resignation of Greg Dyke, the BBC's former Director-General, showed one of the characteristics of the BBC family: its internal unity against pressure from outside. Greg Dyke has been praised for his effort to improve the organizational culture of the BBC during his term. He focused on overcoming the bureaucracy that was put in place by the previous Director-General, John Birt, and on increasing the pride and confidence of the BBC's employees by bringing creativity to forefront.³⁷

It was when the organizational culture of the BBC was soaring that it came in conflict with the Blair government. It can be said that the government, after the resignation of Greg Dyke, faced intense protest from the BBC journalists and wider press criticism and suffered severe political damage.

The BBC's organizational culture of resisting pressure from outside, particularly from the political arena, is an important empowering factor for the BBC that enables it to keep its political independence.

3. The role of the BBC Trust (the former Board of the Governors of the BBC)

The lawful ground for the foundation of the BBC is the Royal Charter that the Queen issues every 10 years. To receive the Royal Charter, the BBC has to enter into an agreement with the government. This means that the BBC is controlled through the Royal Charter and its related agreement with the government. The Royal Charter, however, stipulates the independence of the BBC as follows:

*The independence of the BBC: The BBC shall be independent in all matters concerning the contents of its output, the times and manner in which this is supplied, and in the management of its affairs.*³⁸

The BBC Trust is the top decision-making body in BBC, which is founded on the basis of the Royal Charter. The BBC Trust consists of 12 Trustees, including a chairman and a vice-chairman. The members of the BBC Trust are formally appointed by the Queen but in practice by the Prime Minister. The main powers of the Trust include the supervision of the BBC's programs, making strategic decisions about the BBC's broadcasting services, overseeing the operation of the license fee, and appointing the Director-General and the members of the Executive Board.

³⁷ June Woong Rhee, *The Hutton Inquiry and the Crisis of the BBC's Journalism*, Korean Society for Journalism & Communication Studies, October 2008, p.91

³⁸ *Royal Charter for the continuance of the British Broadcasting Corporation*, 2006, p.3

In short, the BBC Trust is a regulating body that exerts powerful control on the overall broadcasting performance of the BBC. Therefore, there is a concern that if the Trust operates inappropriately responding to the government's demand, it can severely damage the independence of the BBC.

The present BBC Trust sees its mission as being to secure the independence of the BBC from external pressures.

*The Trust and the Executive Board are to act separately and the Trust must maintain the independence of the Executive Board.*³⁹

This principal mission is believed to have been maintained and to have not undergone critical changes throughout the history of the BBC. As stated above, Gavyn Davies was appointed by the Labour government and was pro-Labour Party, but he strictly spoke for the BBC when it confronted the government due to Gilligan's report. The existence of the BBC Trust is a fundamental element of the BBC's independence, by which it is protected from the pressures from the government or other political powers.

4. Editorial independence

The editorial guidelines of the BBC specify the following editorial values, which are the foundation of the BBC journalism:⁴⁰

1. Trust
2. Truth and accuracy
3. Impartiality
4. Editorial integrity and independence
5. Harm and offence
6. Serving the public interest
7. Fairness
8. Privacy
9. Children
10. Transparency
11. Accountability

Among these, '4.editorial integrity and independence' is the most valuable provision regarding the independence of the BBC. It says:

³⁹ *An Agreement Between Her Majesty's Secretary of State for Culture, Media and Sport and the British Broadcasting Corporation*, July 2006, p.5

⁴⁰ BBC, *BBC Editorial Guideline, Section 1: The BBC's Editorial Values*, 2011

*The BBC is independent of outside interests and arrangements that could undermine our editorial integrity. Our audiences should be confident that our decisions are not influenced by outside interests, political or commercial pressures, or any personal interests.*⁴¹

Meanwhile, the BBC's editorial guidelines also cite '1.trust', '2.truth and accuracy', and '3.impartiality' as very important elements of the BBC journalism, together with '4.independence'.

*Trust is the foundation of the BBC: we are independent, impartial and honest. We are committed to achieving the highest standards of due accuracy and impartiality and strive to avoid knowingly and materially misleading our audiences.*⁴²

This can be interpreted that 'independence' can only be meaningful when it is combined with 'trust', 'truth and accuracy', and 'impartiality'. The BBC's editorial guidelines imply that if media overlooks truth and impartiality and only emphasizes its independence, it can be seen arrogant for the public and thus can lose the people's trust.

5. The UK government and the independence of the BBC

For the BBC to retain its independence, it must take into account the behavior of the UK government, which is a particularly important external influencing factor, along with internal influencing factors such as its financial stability, the role of the BBC Trust, and its editorial guidelines.

Historically, the BBC has come into intense conflict with previous governments, due to its news reports on sensitive issues of national interest, such as the reports on the Suez crisis, the Northern Ireland troubles, the Falklands War, and the Iraq War. As mentioned earlier, the Royal Charter guarantees the independence of the BBC, but at the same time, in the following provisions, it guarantees that the UK government always has the right in a time of emergency to order the BBC to broadcast government announcement or not to broadcast certain categories of programming. In both cases request must be made in writing and the BBC can say that the government has requested this action:

Approvals and directions:

- (1) Where, under this Charter, any act or thing is required to be done with the approval of any Government Minister.*
- (2) Where, under this Charter, any Government Minister has power to give a*

⁴¹ *Ibid*

⁴² *Ibid*

*direction to the BBC.*⁴³

It can thus be said that the UK government has been guaranteed by law the right to force the BBC not to broadcast specific programs, whenever it decides to do so. The UK government, however, has not forbidden the BBC to air news reports about the Suez crisis, the Falkland War, the Iraq War, etc., except in 1988, when it prohibited the BBC from airing the voices of leaders of the Northern Ireland terrorist group.

Although the past UK governments have tried to influence the BBC's news reports in various ways, they seem to have had the common sense that news reports must basically not be prevented. This may mean that the UK government recognizes freedom of speech or expression as an important democratic principle.

⁴³ *Royal Charter*, 2006, p.20

Chapter 5. Why is the independence of Korean PSBs vulnerable?

The reasons for Korean PSBs not being fully independent from the government unlike the BBC will be reviewed in this chapter.

1. Direct control of government to PSBs

The Korean government has the biggest influence on the independence of PSBs such as MBC and KBS. Past authoritarian regimes regarded PSBs as their propaganda tools until South Korea adopted the democratic political system in 1987. Therefore, PSBs were not at all independent under those regimes.

Even after the country democratized in 1987, PSBs were not fully independent from the government. Under authoritarian dictatorship, government inspectors stayed in the newsrooms of TV stations to censor every news article. After democratization, such direct censorship was scrapped and made illegal. However, the government adopted various direct and indirect measures to control PSBs. PSBs were subject to such controls under both right-wing and left-wing governments though their influences were slightly different from each other.

The direct control exercised by government will be examined first. The most representative way for the Korean government to control PSBs was to appoint pro-government people to be president and members of board of governors of PSBs. For this reason, the presidents who were appointed by the previous governments have been often replaced by new people when there is a change of regime regardless of their official terms. The sequence of 1) Change of regime → 2) Replacement of governors of the MBC and KBS → 3) Replacement of presidents of the MBC and KBS has been repeated several times. The following reviews several such cases.

1) MBC

The conservative government of Lee Myung-Bak, which took office in 2008, appointed pro-government people to be governors of 'the Foundation for Broadcast Culture (the board of the governors of the MBC)' which is in charge of the nomination of MBC president in 2009. Former MBC president Eom Ki-Young, who was appointed by the previous Roh government, resigned from his office in 2010 though he still had a year left of his term. The Foundation for Broadcast Culture appointed Kim Jae-Chul as MBC's new president at February 2010. The government and ruling party argued that this replacement was a 'legitimate' shift in management

'without any external pressure.'

However, Kim Woo-Ryong, Chairman of the Foundation for Broadcast Culture which has spearheaded the replacement, said in an interview with a magazine that he appointed a "docile person" to be the new president of MBC. He also said that "80% of left-wingers in MBC were kicked out of the company", which prompted widespread protest.⁴⁴ Kim Jae-Chul, the president of MBC and other governors of the MBC claimed that the remarks of Kim Woo-Ryong were not true, but the disputes over his interview continue.

2) KBS

Former President Roh Moo-Hyun appointed Seo Dong-Koo, his media counselor, as the president of KBS in 2003. However, Seo could not take his office because of severe oppositions from the KBS labor union. The following Lee Myung-Bak government dismissed the KBS president Jung Yun-Joo in 2007, who was appointed by the Roh government, though Jung has not been termed out of office yet. Instead, Kim In-Kyu, former media counselor for President Lee, replaced Jung.⁴⁵

The governmental control of KBS has taken a similar form to that for MBC. New directors for PSBs were appointed after the change of regime, and those new directors led the shift in management.

2. Vulnerability of financial security

1) MBC

Although MBC is a PSB, its broadcasts are financed by the commercial advertising revenue of around 1 trillion won annually without any TV license fee. It means that the company has a commercial financial structure though it is officially a public broadcaster. Thanks to such a financial structure, the company is relatively independent from the governmental control compared to other PSBs financed by license fee income.

However, a decline in advertising revenue can also damage the financial stability of MBC. Whenever the big companies, the major advertisers, cut their advertising expenses due to economic crisis, MBC suffered from financial instability.

⁴⁴ Shin Donga, April 2010

⁴⁵ Jung Yun-Joo, the former president of KBS, strongly refused to step down, citing that he still had the "remaining term". He was prosecuted for 'dereliction of duty', so he was forced to resign himself afterwards. Jung cited the legal procedure as "the government's conspiracy to enforce the resignation". (See the article, *Testimony of Jung Yun-Joo*, Ohmynews in 2010). The court of first instance found Jung not guilty of his charges.

Big companies in Korea can use their commercial advertising as a tool to control PSBs. In addition the Korean conglomerates have been particularly vulnerable to governmental pressure due to the deep-rooted influences of past authoritarian regimes. There have been suspicions that the government sometimes is likely to use 'indirect' control to put pressure on MBC such as forcing big companies to cut their advertisement expenditure, even if the government and the big companies are denying it strongly.

2) KBS

About 40% of KBS's operations are financed by TV license fees while advertising revenue accounts for about another 40%. KBS is relatively less dependent on TV license fees compared to PSBs in other countries. According to KBS, the BBC of U.K., ZDF of Germany, FT of France and NHK of Japan earn 75%, 86%, 64%, and 96% of their total revenues from license fees, respectively.⁴⁶

Therefore, KBS currently requests the government and congress to raise its license fee from 2,500 won (£1.20p) to 3,500 won (£1.80) per month. The company claims that it will reduce its dependence on advertising revenue and expand public interest programming, which means that it will cut entertainment shows and dramas and invest more in high-end programs such as news and documentaries.

The government has the legal authority to raise the license fee for KBS. This means that the government has the power to permit the rate increase. KBS must abide by the decision of the government. The government can have more control on KBS with its authority to adjust license fees.

MBC broadcasts programs for public interests only on the basis of advertising revenues, and the government has the authority to adjust license fees for KBS. As a result both broadcasters are financially vulnerable to the influences of government and major companies.

3. Vulnerability of the board of the governors of MBC and KBS

The 'Foundation for Broadcast Culture' for MBC and 'KBS Board of Directors' for KBS are equivalent to the BBC Trust. As described in the Gilligan case, the Board of the Governors of the BBC (currently the BBC Trust) was deemed to have taken the side of the BBC or a neutral stance when the company was in conflict with the government. However, the boards of Korean PSBs are criticized for representing only the government's stance.

⁴⁶ KBS, *TV license fee and service*(<http://www.kbs.co.kr/susin/faq/faq.html#flo03>), 2011

1) MBC : ‘Foundation for Broadcast Culture’

The Foundation for Broadcast Culture is the largest shareholder and top decision maker of MBC, so it nominates the members for the management of MBC and supervises the overall management.⁴⁷ The Foundation for Broadcast Culture consists of 9 governors including the chairman who are appointed by the Korea Communication Commission, a state agency. This means that the government has the legal authority to appoint governors. The government has placed MBC under its influence by appointing the governors of Foundation for Broadcast Culture and letting them appoint the president of MBC.

2) KBS : ‘KBS Board of Directors’

KBS Board of Directors consists of 11 directors including the chairman and it is the top decision maker of KBS. As all the directors are appointed by President of the Korean government, most of them are pro-government.⁴⁸ The president of KBS is also appointed by the President. Therefore, the government can have more control on KBS than the Foundation for Broadcast Culture has on MBC.

3) Drawbacks

As the board members of MBC and KBS are under the direct control of government, the management of MBC and KBS cannot be independent from the control of board and, more fundamentally, government as well. It is inevitable for PSBs to be under a certain level of governmental influence. If the programs and fiscal operations of PSBs are not in line with their original objectives, they are supposed to be checked by the government (and congress). However, it is a serious problem if the freedom of the press is curbed. The boards of Korean PSBs are criticized for overly controlling PSBs and restricting the freedom of the press.

The Foundation for Broadcast Culture was publicly requesting the management of MBC to control PD Notebook strongly as it aired reports on mad cow disease and gave a severe blow to the public confidence in the Lee government. Kim Woo-Ryong's interview mentioning that he "kicked out 80% of left-wingers at MBC"⁴⁹ is also criticised for reflecting political bias and curbing freedom of the speech. The KBS Board of Directors is also criticized by many KBS journalist for damaging the independence of KBS.

The biggest reason for the boards of MBC and KBS to act as the messengers of

⁴⁷ *Foundation for Broadcast Culture Act, Article 5*

⁴⁸ *Broadcast Act on the Composition and Management of KBS Board of Directors, Article 46*

⁴⁹ Shin Donga, April, 2010

government instead of the protectors of PSBs is that the status of PSBs were not established through the long-running democratic discussions among government, civil society and PSBs. The government still has considerable influence on PSBs as it did under authoritarian regimes

The controlling mechanism from government through the boards of PSBs to pro-government managements of PSBs strengthens the governmental influences on news and current affairs programs and weakens the independence of PSBs.

4. Controversy on impartiality and accuracy

1) The outcomes of labor union movement of Korean PSBs

The reporters and program directors of Korean PSBs established powerful labor unions against authoritarian regimes in the midst of the democratization movements in 1987. Their main agenda was the 'democratization of broadcasting'. While general labor unions worked to improve labor conditions for their members such as wage increase and larger benefits, the unions of Korean PSBs sought to expand the independence of broadcasters and democratize their governance.

The labor unions of MBC and KBS forced the pro-government presidents to resign and gain more independence in producing critical reports on government through the 3 to 4 month-long strikes for the democratization of broadcasting in the early 1990s.

The labor unions of Korean PSBs have played and are playing critical roles in securing the democratization and the independence of Korean PSBs. The labor unions of Korean PSBs are the spearhead to defend the independence of PSB against the government.

2) The political disposition of PSB journalists and unions

As the labor unions have fought against authoritarian regimes, those unions became increasingly aligned with the left of the political spectrum. Some observers pointed out that the unions are politically opposed to the Grand National Party, Korea's ruling conservative party, and maintain friendly relations with the Democratic Party, a liberal opposition party.

More than 90% of reporters and program directors at MBC and KBS are members of unions. The labor unions represent the characteristics of their members. The progressive and anti-conservative unions demonstrate that most of reporters and program directors, who are union members, are also anti-conservative and progressive.

3) The debates on partiality and inaccuracy of PSB journalists

This stokes another dispute. The ruling Grand National Party claims that the PD Notebook reporting on U.S. beef imports was 'an exaggerated and false reporting by politically biased journalists at PSBs aimed at causing damage to the government.' Such a claim leads many conservative voters to doubt the neutrality of the broadcasts of PSBs. This is also likely to make the public regard the pursuit of journalists at PSBs for the independence of PSBs as reflecting an anti-conservative political agenda.

Although the unions and the journalist members of the unions have contributed greatly to the independence and the democratization of PSBs, they are criticized for a lack of impartiality by the conservatives.

From the perspective of the unions and their members, these accusations might feel unfair. They might argue that they have fought only for the universal values of the independence and democratization of PSBs and criticizing it as anti-conservatism represents a political attack from the conservatives.

Whatever the merits of the case, political arguments about impartiality of the PSBs risk damaging trust in the organizations.

In case of PD Notebook, the overall intention of the report on mad cow disease was reasonable but some part of it could be seen inaccurate and partial. For example, critics point out that PD Notebook wrongly depicted and edited 'all falling down cows' as mad cows. And such mistakes and carelessness may provide the government with a justification for intensifying the control on PSBs. Strictly fact-based and accurate reporting is necessary to alleviate such a dispute.

Chapter 6 Conclusion: What can Korean PSBs learn from the BBC case?

1. Efforts of board of governors and management

By observing the case of Andrew Gilligan of the BBC and the case of PD Notebook of the MBC, it appears there is a tendency of both governments to attempt to stop or otherwise constrain the program when a PSB criticizes the government's core policies. The propensity of the government (or state power) is to strengthen and maintain its own power, so this may be inevitable.

On the other hand, the role of PSB, the media, is to hold power to account and criticise it where necessary. Therefore, relations between government and PSB are always inclined to be conflicting at worst and complicated at best.

Because of this, it is very difficult to expect government to protect the independence of PSB. The effort of protecting the independence of PSB should generally be done by board of governors and managements of the PSB itself rather than by the government.

In the Gilligan case, the action the Board of the Governors and Directors of the BBC took is worth referring to as a role model for the governors and managements of the Korean PSBs.

Although the Chairman of the Board of Governors of the BBC and the Director General of BBC had historic links with the governing Labour party, they thoroughly represented the position of the BBC when the government had a conflict with the BBC. The way the governors and directors of the BBC handled the issue throughout the whole process of the Gilligan case reflected the confidence that public broadcasting is not the possession of any particular political party but is the property of the people of the U.K.

On the other hand, the governors and managements of PSBs in Korea are not free from the criticism that they are playing the role of conveying and accomplishing the interests of the government (or a certain group in power) in PSBs. In the Korean case, there hardly exist cases of the governors and managements of PSB having confrontations with the government when there is a conflict between the government and reports carried by PSB. The enhanced credibility of PSB itself and the healthy agenda setting within society will be possible only when the governors and managements of PSB consider reflection on and commitment to the independence of

PSB as their most important priority.

In addition to this, in order to appoint a figure as the president who can protect the independence of PSB, it is worth considering a new approach of forming an independent committee where politicians, civic groups, and broadcasting professionals are represented equally and appoint personnel who have been proven through different ways, instead of the present method by which the government unilaterally appoints the board of the governors of PSB and the governors appoint the president of PSB.

For example, an organization like a 'Presidential election advisory committee for PSB' could be proposed. This could be composed of equal numbers of members recommended by the ruling party and the opposition party. The committee shall publicly recommend the candidates for president of PSBs and elect the position through transparent discussion and voting. And it is necessary to reform the media law guaranteeing the president or the minister to appoint the elected person to a president of PSBs.

2. Financial stability

The BBC's independence depends on its financial stability and impartiality. Even though the BBC has had conflicts with the government not only over the Gilligan Case but also over other issues, these didn't lead to operational or financial problems and they were able to continue to produce well funded programs thanks to the stable license fee paid by the citizens of the U.K. In other words, the BBC is not a structure whose financial stability can be threatened because of political pressure.

On the other hand, the financial stability of MBC and KBS is relatively weaker. MBC operates based on commercial advertising and there is always a possibility of having fewer advertisements due to economic and political pressure. KBS is funded by the license fee and ads but the government holds the key to the license fee increase and most Korean citizens are against any increase in the fee.

In order for the BBC to achieve their financial security, it took several decades of consistent persuasion and effort to win over governments and the audience. Financial stability was not obtained easily or quickly. Particularly, KBS, which depends on the license fee as an important financial source, should examine in detail what are the reasons that the British people are willing to paying a high license fee for the BBC.

It should be said that the image of the BBC - independent and impartial broadcasting - is the key factor for such support from its audience. Independence and impartiality are the reasons which make the audience open their wallets.

3. ‘Impartiality’ and ‘Accuracy’: editorial guideline

Through consistently impartial and accurate coverage, the BBC has built the trust with the citizens of the UK and implemented an image into the society where people believe that the BBC is credible. In other words, there exists a “trust-relationship” between the BBC and the UK citizens. This trust relationship ultimately forms the foundation of independence of the BBC.

On the other hand, MBC and KBS are still not free from the criticism that they were “sycophantic towards the administration” during the authoritarian regimes. Even after democratization, Korean PSBs have been criticized for being “partial” by being favorable towards the ruling political power (regardless of their political inclination). In other words, between the Korean PSBs and the citizens of Korea, there is not the “trust relationship”.

If so, what are the ways to secure impartiality and accuracy? As we can see in the BBC case, it is critical for the management and the journalists of PSBs to agree on the editorial guidelines and comply with them thoroughly.

Currently, Korean PSBs are under a structure of consistent conflict on every important issue by the management speaking for the conservative ideologies while the unions representing the liberal (or progressive) ideology. Particularly, the conservative management of PSB is facing criticism that it tends to reflect the intent of the government in the news and the other current affairs programs.

In order to overcome such conflicts, objective and impartial editorial guidelines should be made through discussions between the management and the journalists and the ethos of complying with those guidelines should be established across the organisation.

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Interviewees

David Levy, former Controller of Public Policy of the BBC, Director of Reuters
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Ric Bailey, Chief Political Adviser of the BBC

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