

Dear Friends

It gives me great pleasure and satisfaction to be able to write to all members in the Association's first official Newsletter. I feel sure that it will be the first of many, and we are all in debt to those who, following the decision to go ahead taken at the last meeting of the International Council in Budapest, have worked so hard to launch this new venture. It may be invidious to mention names, but I feel we owe a special vote of thanks to Robin Cheesman, Brenda Dervin and Karol Jakubowicz. Costs of production have been kept to a minimum, and the costs of distribution have been generously covered by Robin.

We are also indebted to Slavko Splichal and his colleagues and collaborators in Yugoslavia and, as so often in the past, to my colleague Peggy Gray, for their tremendous efforts, often in the face of considerable difficulties, in preparing for the Bled Conference. The information about the Conference provided elsewhere in this Newsletter gives ample evidence of their industry and efficiency. This, together with the encouraging response from our members, augurs well for a most successful meeting. I look forward to Bled, and to meeting all those who have ensured such a high level of participation.

For many years we have been conscious that we have only been able to help a very small number of our members from the Third World with conference and travel expenditure. For some time UNESCO has been our only source of funds in this connection. UNESCO is again offering assistance for the Bled Conference, as well as contributing towards the costs of interpreting. This continued cooperation is very much appreciated. Fortunately, this year we have received additional grants from SIDA (Sweden), DANIDA (Denmark) and NORAD (Norway) which have enabled us to offer assistance to twenty-five of our members from the Third World. We are most grateful to these agencies, and to Robin Cheesman, Erik Nordahl Svendsen, Olof Hulten and Kaarle Nordenstreng, who were instrumental in making the various arrangements.

Even so, despite this increase in funds, we have not been able to meet all the requests for assistance. I regret this, and I hope that those who were not fortunate this year will fare better on some future occasion. It should be borne in mind that we are not entirely free in making our selections, for some agencies only support people from specific countries, and others require contributions in selected subject areas, or are tied to a particular Section. Within these parameters we try to apply a first come first served policy and, on the whole, do not offer assistance to those who have already received help in the recent past.

Congratulations also to Hamid Mowlana, who was successful in obtaining travel grants that will enable four of his graduate students to participate at Bled.

I am most grateful to those Section Heads who responded positively to my earlier request and proposed some names from amongst those of their members submitting papers who might act as discussants at the opening plenary session at Bled. We can look forward to contributions from Mohd Hamdan Adnan, Oscar Gandy, Robin Mansell, Manjunath Pendakur, Trine Syvertsen and Janet Wasko.

I have just heard from Gunter Heidorn, who is now in Gothenburg, that at Bled he intends to tender his resignation as Head of the History Section, a position he has held since 1970. We are most grateful to him for all that he has done for the Section, and the Association, over the years, and we are pleased to learn that he hopes to continue as an active member of the Association. The whole position with regard to Sections (old and those recently proposed) will be reviewed at Bled.

As mentioned in my last letter, it has been most encouraging since Barcelona to have witnessed a marked increase in the involvement and activity of quite a number of members, particularly those on the International Council. Unfortunately, this has not been paralleled by an increase in general membership. As I have written so often in the past, "the general position remains more or less the same as it has been for some time" - new members being countered by lapsations. If any change can be detected, unfortunately it would appear to be in a downward direction - the lapsations more than countering the new members, and this even in a conference year, when we normally expect an increase. Clearly we shall have to give careful attention to this matter in Bled.

We have encountered a rather strange problem concerning the Seat of the Association. Some months ago Francois-Xavier Hutin drew attention to the fact that there was some confusion as to the location and legitimacy of the Seat. With the help of Cees Hamelink, Jacques Bourquin, Frans Kempers and, above all, David Goldberg from the School of Law at the University of Glasgow, I have looked into the matter very carefully, and I now report what I have found from the material that is available.

BRIEF OUTLINE OF MAIN POINTS

1. The original Constitution stipulated that the Seat of the Association is in Paris - "Le siege de l'association est a Paris". This clause is still included in the current statutes.
2. The "authority of registration" was established and located in Paris at the time of the establishment of the Association. However, when, following the statutory changes taken at the Barcelona meeting, Francois-Xavier Hutin, through his legal agents, sought to register the amended statutes with the Prefecture de Police in Paris, it was discovered that the authority of registration had been cancelled and withdrawn in 1961, when the seat of IAMCR was transferred to the Netherlands. From the evidence available it is not absolutely clear who was formally responsible for the withdrawal, although one might guess; nor what was the lawful source of the underpinning authority for such action. Records are incomplete prior to 1972.
3. The original statutes, in addition to providing that the Seat of the Association was to be in Paris, also provided that the Executive Committee could decide to change this by a two thirds majority. But this clause has never appeared in any version of the statutes valid since 1966 - the date of the first recorded statute change. The clause appears to have been "dropped" or "lost" in the late 50's early 60's. But there is no evidence indicating the authorization for this removal, which should have called for a statutory change (see below).

4. In the Netherlands, the IAMCR was never formally registered with the Chamber of Commerce by act of notary, or without act of notary, but apparently this need not be regarded as surprising, since Dutch civil law does not require such registration. The IAMCR, therefore, would be a legal person in the Netherlands, with the restriction that the association could not receive legacies, and that in financial matters the individual Board members and not the GA would be held accountable.
5. To the best of our knowledge there have been no other formal registrations, but apparently these would not have been necessary, either in Switzerland or England. Quite simply, until the last year, the matter has never even been considered. The question has not arisen during my more than 20 years membership of the governing bodies of the Association.
6. The information which follows, gleaned from various papers and documents, is of interest and might possibly throw some light on the matter.
 - a) Fernand Terrou (France) was President from 1957 presumably till October 1959/January 1960 when Raymond Nixon (USA) took over. There is no mention of a secretariat in these two years but granted the composition of the 'governing body' I think we can assume that Paris was very definitely both the Seat and Secretariat/Headquarters - it was certainly regarded as such by the French, and remained very firmly so, even when Nixon first became President because Terrou was Secretary-General, and Kayser was Deputy Secretary-General. I doubt if Nixon would have considered it practical to have the day-to-day administration centred at his base in Minnesota. The official note-paper at the time carried a French address.
 - b) Nixon certainly caused some disturbance when he proposed the separation between Seat and Secretariat/Headquarter, and advocated Martin Rooy (Netherlands). Nixon obviously saw nothing unconstitutional about this, and his proposal was carried at Vevey in 1961, apparently with a simple, but overwhelming vote from the floor of the Assembly. Apparently it was not considered that there was a need for a change in Statutes.
 - c) There followed a period of controversy and confusion, and the rejection of the Vevey decision as unconstitutional by the French members, and finally the acceptance of Bellanger's compromise in February 1962.

d) By November 1961 (probably from July 1961) the Secretariat was clearly located with Rooy in Amsterdam (the note-paper testifies to this). It was also clear in November 1961 that the distinction between Seat (Paris) and Secretariat (Amsterdam) was still recognised, at least by Rooy. But before the end of 1961 "the withdrawal of authority of registration" from Paris had been accomplished. Who was responsible for this? When, precisely, was it done? Why was it done? On what authority was it done? However, in February 1962, in considering the possibility of Statute changes for 1963, it still seemed to be assumed that the Seat (siege social) had to be in Paris (which by that time it wasn't), and that a provision should be added that the Secretariat General should have its 'seat' in the country of the Secretary General in office. But we don't know what became of this proposal. I have no evidence that it was ever included in the Statutes. I doubt if it could have been, for the first recorded Statute changes (minor, I believe) were not until 1966 in Herceg Novi. By that time, as far as I can ascertain, the clause providing for the possibility of the Seat being moved from Paris appears to have disappeared. It must have been there or accepted (despite different interpretations) in 1961. But we don't know what happened to it thereafter.

e) What actually happened in the administration of the Association may be more important. Rooy was not in office for too long, and Bourquin was elected President in 1964. Klimes from Czechoslovakia was elected Secretary General at the same time. However, according to Nixon, when Rooy relinquished office (around 1964) "Bourquin took over the Secretariat de facto". This makes sense to me, coming on the scene for the first time shortly after this, for the Association was administered in every way from Bourquin's office in Lausanne, Switzerland. This is the arrangement I inherited when I became President in 1972, and the centralized form (apart from some recent modifications) has been maintained, more or less, to the present day.

The headquarters were moved to Leicester from Lausanne, informally, without any registration, although there are appropriate references in the minutes of the International Council and General Assembly. I think that we might also assume that something similar happened around 1964, when Bourquin took the Presidency, and de facto the Secretariat, to Lausanne. There is no evidence of anything being formally registered there, or earlier in Amsterdam.

As will be obvious, I am not in a position to provide a complete picture of the history of our Statutes, nor am I competent to pronounce on the legal niceties involved, although David Goldberg will do this, should it be considered necessary.

In a way, although it is interesting to look back at the early days of the Association, perhaps the complexities and peculiarities of the past are not all the relevant for the future, particularly as it is possible to interpret differently in different legal systems. I am assured by David Goldberg that there need be no single solution, for the answer to the question as to the location of the Seat could vary, depending on what national legal framework of interpretation was used. It is up to the Board, Council and General Assembly at Bled to discuss the matter and decide where the Seat should be located. Naturally, I would like to have the matter settled before I depart. To make a firm decision is probably more important than what particular decision is taken. I wouldn't like Cees Hamelink to inherit my illegitimacy!!!

It should be noted that the statutory changes agreed at Barcelona are not affected by this matter.

We are always pleased to hear from members at headquarters, to learn of their interests and activities, and to receive copies of their work. I am most grateful to all those who have written and sent material. The undermentioned journals are received fairly regularly - very regularly in some cases, and this, too, is very much appreciated.

World Broadcast News, The Democratic Journalist, IOJ Newsletter, Unda News, Catholic Media Council Information Bulletin, VCIP Information, AEJMC News, Nordicom Information, Communication Research Trends, Chasqui, Swedish Radio Audience and Programme Research Newsletter, Cemedim (Cuba), Felafacs, IFDA Dossier, PP Quarterly Review (Warsaw), Revue Tunisienne de Communication, Unesco Bulletin, Zeszyty Prasoznawcze, Africom, Africa Media Review, The Democratic Communique, IFJ Newsletter, Informazione Radio TV (RAI), AMIC Newsletter.

I know that all of you will be sorry to hear that our Secretary General, Tamas Szecsko, recently underwent brain surgery in Philadelphia, where he had been visiting the Annenberg School. I understand that he is progressing satisfactorily, and that he can look forward to a full recovery. He hopes to be back in Hungary by the end of May.

NB WE INTEND TO PREPARE AND DISTRIBUTE AN UPDATED MEMBERSHIP BOOKLET PRIOR TO THE BLED MEETING.

** PLEASE REMEMBER YOUR DUES **

JAMES D HALLORAN