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Internal Freedom of the Press in Germany

ABSTRACT

The present situation of Journalism is interpreted in relation to a background of historical developments and social structure. Comparing the legal foundations and editorial structures of Germany and Japan differences can be found.

In Germany, a distinction is made between external and internal freedom of the press: external freedom of the press refers to the independence of the press from the state, internal freedom of the press refers to the independence of editors from publishers and owners. Such a distinction does not exist in Japan. In Germany, a special protection for the press is based on the “public duty” of the press and consists of “institutional guarantee”, safeguarding the existence of the press as a constitutional element in the formation of public opinion. Because of these legal provisions, the press law in Germany shows elements of a special professional law for Journalists. In Japan the freedom of the press is guaranteed as part of the constitution. The “Editorial Right” of publishers and owners is based on the right of property. This article shows the differences in the editorial structures of Press Journalism in Germany and Japan. The article also describes the shift, and examines the ways in which internal freedom of the press is ensured today in the state of Brandenburg.

Key Words: inner press freedom, Editor’s charter, freedoms and responsibilities of journalists,