Who Will Keep the Media's Conscience?

Hillier Kriegbaum

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Welcome to Press Councils

By MARTIN S. HAYDEN

DETROIT—"Who will keep the media's conscience?" asked Prof. Hillier Kriegbaum in a recent article on this page.

On the apparent premise that the media—broadcast and print—lack capacity to judge between fairness and unrighteousness, and that the media are not above responsibility versus responsibility, the New York University journalism professor writes that a few more such court cases will be wrong with a structure of local and national councils to evaluate and police the press.

As one editor, I find three faults with the proposal: It is unnecessary, unwarrantable and unconsultational.

Few would debate the Kriegbaum opinion that "the media are not above criticism." But some would question his assumption of a media coalition of editors and broadcasters joined like the American Medical Association in a cloned front against outsiders so production of a public conscience will be kept.

Has Kriegbaum never read and heard media accounts of Spiro Agnew's blasts against N.B.C., C.B.S. and The New York Times? Is he too young to remember reports on Franklin Roosevelt assailing the "one-party press"? Does he ignore broadcasting's role in criticism of newspapers, editors' lies at the broadcast conscience and the role of news magazines in blending fact and fiction to adjust the integrity of both the electronic and newspaper media?

And does the professor forget that, when Pentagon Papers' publishers went to court allegedly to speak for the First Amendment rights of the whole press, some of us in the newspaper editors' group took the opposite view that a few more such court "victories" could produce legislation abridging everyone's First Amendment privilege?

In short, it would seem that natural media conscience, the right of the critics to hit back and the whole philosophical variations between individual editors assure that the media conscience will be kept. One would wish, in fact, that similar checks prevailed in the professor's own academic world where recent trends harbing from the campus the teacher or speaker who would violate academic's single opinion line.

The unworkability of the Kriegbaum plan seems obvious. He would have a national board to police media complaints that cross state lines, local ones to take care of the First Amendment. A "valid" complaint would bring an "investigator" who would refer the "most flagrant cases" for hearings.

Who would police the conscience of the investigator? Who defines a grant? Who pays for this new bureaucracy? When opining their mandate? Kriegbaum and his colleagues are sickly problems but feel sure representative boards could be formed to constitute a public conscience. One can have doubts.

Recall, for example, the case of holding Carter Jr. of Greenville, Miss. His recent editorial notes that the Mississippian Legislature resolved him to be anti-Southern, that legislative investigators found him in a "hot seat," that he was publicly denounced by leading public figures as "unfit to mingle with the common decency of our society." Would a representative Mississippi citizens' council of Carter's earlier days have held such an investigation? Or Professor Kriegbaum have referred that local complaint to a Brooklyn panel?

And again, consider last month's "irresponsibility" charges against The Manchester Union-Leader that drove Senator Muskie to tears in New Hampshire, Under Kriegbaum, that necessarily would have been a "national" case since the final trial area was a Union Leader reprint of a Newsweek feature critical of Mrs. Muskie.

What a trial that would make— William Loeb's Graham shoulder to shoulder in the dock defending their respective publication against charges of conscience violation.

Voluntary and privately financed newspaper councils established since the Hutchins Commission first advanced the idea in 1947 have fallen flat. The only obvious alternative is the British Broadcasting Council established by national legislation.

But Britain operates without those First Amendment Congress shall make no law abridging the freedom of the press. The only alternative is the British Broadcasting Council established by national legislation.