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'No' to Press Councils

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Who Will Keep the Media's Conscience?

By HILLIER KRIEGHBAUM

With all the pressures on the media, who is to insure that press and broadcasting do their jobs? Can reporters, editors, producers, publishers and station owners patrol and police themselves? Who will keep the media's conscience?

Many feel that newsmen should not—possibly cannot—evaluate themselves effectively. To expect them to be impartial would be asking for Solomon-like fairness. I for one (and I am sure I am not alone) would be reluctant to surrender the right to censor my reading matter or my broadcast programs to politicians, to lawyers and judges, or to any other special group.

We may have to borrow from some experimental press councils set up in a few U. S. communities and from foreign countries' media supervision. An independent, impartial agency might be a media review board observing and evaluating what the press does and then issuing a report. This would depend solely on publicity, rather than compulsion or penalty. It would not be a government commission with official powers. It would not be a professional body trying to impose standards on the press.

A media review board would have more plusses than minuses in comparison with regulations that might be imposed by a news division of a state or Federal public service commission.

Many subjective values are involved in journalism but there is no reason why editorial judgments should not be studied and evaluated. The media are not above criticism.

How would a media review board work?

An individual with an objection against one of the media could take his complaint to the review board, stating as many of the specifics as possible. An investigator from the media board would try to find out all the relevant facts.

If a valid case was documented, the investigator could suggest (this word "suggest" is important because it never should be an order) to the print or broadcast representative that an injustice seemed to have been done and that possibly the publication or station would want to correct the wrong. If this effort failed, the media review board could set a time and place for a formal hearing with notices to both sides for a full-dress discussion. After these sessions, a finding or "decision" would be released to all the news channels and agencies and eventually to the general public.

If newsmen did not want to cooperate, the proceeding could move forward as an *in absentia* trial.

If an individual wanted to recover with a cash settlement for alleged losses to his business, his reputation, or even his honor, he would proceed, as now, exclusively through the courts.

As an experiment, I would propose that boards be established on a series of levels:

- A local board for each area to handle errors and mistakes that concern only a regional audience.
- A middle review board to treat matters extending well beyond a single city or community.
- Some type of national organization for the most flagrant and widespread cases. A nationwide agency would appear desirable because some cases have impact across the country. For instance, how would local media review boards handle a news item from Washington, D. C., printed as a press association dispatch on most front pages of the nation and broad-

cast from most radio and television stations?

I would not propose that hearings, like cases in the U. S. courts, be appealable to a higher jurisdiction. Review boards should not be confused with the legal machinery.

Membership of the media review boards poses sticky problems. Entirely civilian groups lost much thrust because they just did not know how news is gathered, yet too many news-

men on a board could bias decisions. Community leaders could provide at least initial supportive recognition from the Establishment. Articulate (but probably, if the scheme is to obtain general support, not too abrasive) representatives of non-Establishment viewpoints as well as of sizable minority groups should be included.

When the media do a good job, let them get full credit where all can see—as they would, with the open and full reporting of media review board findings. And when they do a poor job, they would receive public attention comparable to that said editorial writers and other commentators have given politicians, private citizens, corporations and social groups for several centuries.

Hillier Krieghbaum is a professor in the New York University department of journalism.



'No' to Press Councils

By MARTIN S. HAYDEN

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

On the apparent premise that the media—broadcast and print—lack capacity to judge between fairness and unfairness, right and wrong, and irresponsibility versus responsibility, the New York University journalism professor asks what would 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, unworkable and unconstitutional.

Few would debate the Krieghbaum opinion that "the media are not above criticism." But some would question his assumption of a media monolith of editors and broadcasters joined like the American Medical Association in a closed front against outsiders so presumptuous as to question their professional judgments.

Has Professor Krieghbaum ever read or heard media accounts of one Spiro Agnew's blasts against N.B.C., C.B.S. and The New York Times? Is he too young to remember reports of Franklin Roosevelt assailing the "one-party press"? Does he ignore broadcasting's role in criticism of newspapers, editor's jibes 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 the Pentagon Papers' publishers went to court allegedly to speak for the First Amendment rights of the whole press, some of us in the newspaper field 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 competition, the right of the criticized to hit back and the wide 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 bar from the campus the teacher or speaker who would violate academe's single-opinion line.

The unworkability of the Kriegh-

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

Who would police the objectivity of the investigator? Who defines flagrant? Who pays for this new bureaucracy? Whence springs their mandate? Krieghbaum admits these are sticky problems but feels sure representative boards could be formed to constitute a public conscience. One can have doubts.

Recall, for example, the case of Hodding Carter Jr. of Greenville, Miss. His recent obituary notes that the Mississippi Legislature resolved him to be anti-Southern, that legislative investigators found in him a "Red taint," that he was publicly denounced by leading public figures as "unfit to mingle in decent and Southern society." Would a representative Mississippi citizens' council of Carter's earlier days have held otherwise? Or would Professor Krieghbaum 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 Krieghbaum, that necessarily would have been a "national" case since the final tear-jerker was a Union Leader reprint of a Newsweek feature critical of Mrs. Muskie.

What a trial that would make—with William Loeb and Katherine Graham shoulder to shoulder in the dock defending their respective publications against charges of conscience violation.

Voluntary and privately financed press councils established since the Hutchins Commission first advanced the idea in 1947 have fallen flat. The only obvious alternative is the British scheme of a council established by national legislation.

But Britain operates without those key First Amendment words: "Congress shall make no law . . . abridging the freedom . . . of the press." Let us hope that journalism's academics never find a way to distort that peculiarly American mandate.

Martin S. Hayden is editor of The Detroit News.

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