

9-1-1972

Correspondence Between Robert Fichenberg, McGeorge Bundy, Fred Friendly, and Murray J. Rossant Regarding the Proposed National Press Council, 1972 September 13 - 1972 September 19

Robert Fichenberg
American Society of Newspaper

Fred W. Friendly
The Ford Foundation

Murray J. Rossant
The Twentieth Century Fund

Follow this and additional works at: <http://repository.uchastings.edu/correspondence>

Recommended Citation

Robert Fichenberg, Fred W. Friendly, and Murray J. Rossant, *Correspondence Between Robert Fichenberg, McGeorge Bundy, Fred Friendly, and Murray J. Rossant Regarding the Proposed National Press Council, 1972 September 13 - 1972 September 19* (1972).
Available at: <http://repository.uchastings.edu/correspondence/15>

This Article is brought to you for free and open access by the Judicial Ethics and the National News Council at UC Hastings Scholarship Repository. It has been accepted for inclusion in Correspondence by an authorized administrator of UC Hastings Scholarship Repository. For more information, please contact marcusc@uchastings.edu.

AMERICAN SOCIETY OF NEWSPAPER EDITORS

Put with Rosenthal letter

FREEDOM OF INFORMATION COMMITTEE
ROBERT FICHENBERG, CHAIRMAN
KNICKERBOCKER NEWS
ALBANY, N. Y. 12201

September 13, 1972

Mr. McGeorge Bundy
President
The Ford Foundation
320 East 43rd Street
New York, New York 10017

Dear Mr. Bundy:

I understand that the Ford Foundation is considering supporting the organization of a national press council, as envisioned in a task force report of the Twentieth Century Fund.

As a newspaper editor and chairman of the Freedom of Information Committee of the American Society of Newspaper Editors, I am appalled at this prospect. Members of the committee with whom I have discussed the idea share my views.

However well intentioned establishment of a national press council might be, the effect would be another blow at the American constitutional concept of freedom of the press. Moreover, I doubt that any significant segment of the American press would cooperate with a press council.

The bases for objection to and rejection of the press council idea have nothing whatever to do with any fear or resentment of criticism. Far from it. The press expects criticism and, especially these days, certainly receives plenty of it. Some of the criticism may be deserved, some may not, but this is the way things are in a democracy and for nearly 200 years the American press and the American people have lived with this system to the benefit of both.

We reject the press council idea primarily because (1) It smacks of regulation, which is repugnant to any newsman and inimical to the principle of a free press. (2) It places emphasis on the credibility of the press, when it is the credibility of the government which should be the central issue and the subject of inquiry. A free press exists to keep the government honest. A study to show how well the press is doing its job would be one thing, but the setting up of some sort of unofficial court to sit in judgment of the press is quite another.

None of the principal institutions in a democracy is perfect. Neither is democracy. But to paraphrase Winston Churchill, when you consider all the other systems, what we have is best. We are a nation of diversity and draw much of our strength from this quality. Under such a system, newspapers will make mistakes. Some newspapers may commit

THE BOARD OF DIRECTORS CONSISTS OF THE OFFICERS AND THE FOLLOWING:

JAMES G. BELLOWE LOS ANGELES TIMES	GEORGE CHAPLIN HONOLULU ADVERTISER	JAMES A. CLENDINEN TAMPA TRIBUNE	EMMETT DEDMON CHICAGO SUN-TIMES/DAILY NEWS	WILBUR (BILL) ELESTON DETROIT NEWS	I. WILLIAM HILL WASHINGTON STAR
JOHN HUGHES CHRISTIAN SCIENCE MONITOR	C. A. MCKNIGHT CHARLOTTE OBSERVER	BYLVAN MEYER MIAMI NEWS	CHARLES S. ROWE FREDERICKSBURG (VA.) FREE LANCE-STAR	JOHN GENGSTACKE CHICAGO DEFENDER	THOMAS WINSHIP BOSTON GLOBE

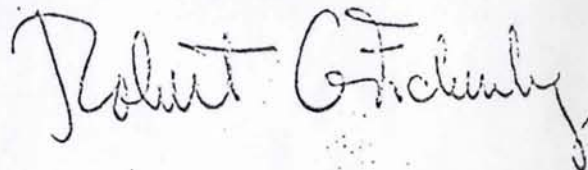
September 13, 1972

outrageous transgressions concerning law, fact or taste. Where the transgressions are breaches of the law, legal remedies are available. Where the offenses involve accuracy, taste or credibility, the public can and does exercise its influence through the readers' selection process.

The American press is imperfect, but in order to function effectively in a free society, the press must be free not only to report the news and comment upon it, but free to make mistakes in fact and judgment. As unfortunate as such errors would be, the alternative would be far worse, for this inevitably would be regulation in some form. One of these forms, in my judgment, would be a national press council. Regardless of the intent of those who organized and served on such a council, the effect would be chilling to the spirit of a free press in a democracy. As a practical matter, it would aggravate, rather than constructively contribute to easing the problems the press faces these days in performing its function.

In short: The press council idea is a bad one. It will not work. I think I safely can predict that most American newspapers won't have anything to do with it, for the reasons stated above. My suggestion: Forget it and save your foundation's money for use on some much more worthy and urgent subject. One suggestion: A study of the declining credibility of the government.

Sincerely,



RGF/hr

cc: Mr. Murray, ASNE president ✓
Mr. Schmidt, ASNE counsel
Members of ASNE Freedom of Information Committee
Members of Joint Media Freedom of Information Committee
Mr. Fred W. Friendly, Ford Foundation ✓

THE FORD FOUNDATION
320 EAST 43RD STREET
NEW YORK, NEW YORK 10017

9
SEP 19 1972

September 18, 1972

Dear Murray:

Thank you for your letter of September 12 and your note and memorandum of the 14th. I find them responsive to the questions outlined in our letter to you, and I look with interest upon the deliberations that will take place as you reconvene your Task Force with the prospects of setting up a "working committee."

Our course of action since last spring was prompted by The Twentieth Century Fund's request to The Ford Foundation for partial funding for the press council. My assignment since then has been to consult a broad spectrum of professional authorities in the field and prepare a preliminary position for The Ford Foundation's officers and trustees. Our questions to you and your response to them seem to us to have been most useful, and we are impressed with the care and diligence with which you are approaching the second phase of these studies.

I feel sure, however, that neither I nor any member of this Foundation should be represented on your new working committee. Frankly, my reservations are prompted by the observations of a member of your Task Force for whom I have the highest respect. He believed that potential funders, especially Ford, should consider and act on the original Task Force and judge the concept on its own original terms. He may be right. By inviting observations and questions, and introducing us to Judge Traynor, we have all gone slightly beyond that, but I believe that we should now permit the newly constituted working committee to sort out the questions we and others have raised, and make whatever revised recommendations it deems appropriate. This will permit The Ford Foundation and other potential funders to respond to a proposal which may deal with some of our questions, but is not a product of our draftsmanship. It seems to me and Mr. Bundy that this is the proper role for The Ford Foundation to play, particularly when it involves an issue of such sensitivity as the process by which America informs itself.

As you are well aware, Murray, we are in a "chicken and egg" predicament where we believe the shape of the proposal before us is not sufficiently comprehensive to introduce it to our trustees, and for us to play a determining role in engineering the project implicitly commits us to a positive decision if all of our questions are adequately resolved. We continue to be interested in the prospect of a press council, but we are

September 18, 1972

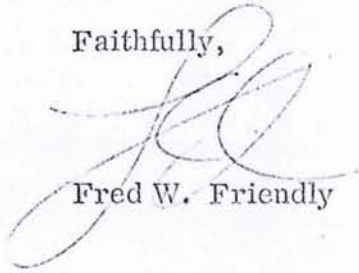
2.

in no position to make a commitment until we see the provisional blueprint for the undertaking.

All of us here appreciate your thoughtfulness in offering us the opportunity to participate in these discussions, and particularly to work with Justice Traynor. The fact that we have decided not to be a part of the working committee in no way precludes our availability to you and your colleagues for consultation and whatever little wisdom you may think us capable of. We are indebted to the Twentieth Century Fund and your Task Force, and particularly you, for making us work harder and consider the avenues by which foundations may help to improve the performance level of the media, and the American people's faith in those instruments.

Warmest personal regards.

Faithfully,



Fred W. Friendly

Mr. Murray J. Rossant
Director
The Twentieth Century Fund
41 East 70 Street
New York, New York 10021

9

THE FORD FOUNDATION
320 EAST 43RD STREET
NEW YORK, NEW YORK 10017

September 19, 1972

Dear Mr. Fichenberg:

I confess to being confused - indeed, slightly bewildered by your letter to Mr. Bundy.

As you may know, The Ford Foundation was requested by The Twentieth Century Fund to consider being one part of a consortium of funding agencies for the press council proposal advanced by its Task Force. We are continuing to study the advisability of such a project and have made no recommendation to our trustees.

In our study of the proposal, we invited ASNE's president, J. Edward Murray, to meet with us to offer counsel and advice. Mr. Murray designated Mr. William Dickinson, Chairman of the ASNE Ethics Committee. Mr. Dickinson did meet with us, voiced approval of the Task Force project, and quoted from a letter sent him by Mr. Murray. This letter said that ASNE would look with favor on almost any sound step in this general direction, adding:

"ASNE is having its consciousness slowly blasted out of the old hands-off, sacred First Amendment mold so that more and more members are inclined to cooperate as individuals with any National Press Council effort set up by an independent body outside of the two big newspaper organizations, ASNE and ANPA."

Mr. Dickinson, this afternoon by telephone, reaffirmed his support of the idea.

I am confused because it was our feeling that ASNE was an organization that prides itself on good internal communications among the key committees. The question before us now is whether we are to consider your letter as ASNE's formal position or believe that Mr. Dickinson and Mr. Murray are expressing what is really the Society's basic policy postures. Can you enlighten us, please?

Sincerely,



Fred W. Friendly

Mr. Robert Fichenberg
Chairman
Freedom of Information Committee
Knickerbocker News
Albany, New York 12201

cc: Mr. J. E. Murray, Detroit Free Press
Mr. William Dickinson, Executive Editor, Philadelphia Bulletin