

Post 7-10-75

Trash

JUDGING FROM what we have read and the comments we have heard, there are numerous extenuating—or at least complicating—arguments that can be made concerning the National Enquirer's foray into Mr. and Mrs. Henry Kissinger's trash. Evidently, for example, "everybody does it": Jack Anderson is known to have gleaned some of the columns that have run in this paper from a riffle through the late J. Edgar Hoover's trash; the F.B.I. (under J. Edgar Hoover) is known to have done its share of riffling through other people's trash; and we couldn't guarantee that over the years some reporter for this newspaper may not have done the same. Evidently, too, you can get lost in a whole lot of legal questions, which we gather have been resolved in favor of the scavengers: trash put out for collection seems to be owned by no one and to be fair game for anyone who wishes to appropriate it. And—if none of these complexities is sufficient to muddy the issue—it is possible to embark on a series of metaphysical journeys: How is this technique different, after all, from various other heists and journalistic appropriations of material people do not consider in the public domain? Is it not true that the public has a "right to know" all manner of detail about the lives of public figures? And on and on . . .

You will have perceived by now that we regard these intellectual exercises as being, well, so much garbage. For all we know the right to publish the contents of the Kissingers' trash bags may be inherent in the First Amendment. But such arguments do not clarify the point; they obscure it. For the point, in our judgment, quite simply is that the Enquirer's exercise in trash-picking outside the Kissinger home was indefensible—both as journalistic practice and as civilized behavior.

It is a question first of all of the way decent people behave in relation to each other, a question of how we permit one another to live. There are certain basic conditions, certain vulnerabilities, to all our lives—public and private figures alike—that we must be able to assume others will not take unfair advantage of. What Jay Gourley of the National Enquirer did is the moral and professional equivalent of, let us say, interviewing the six-year-old child of a public figure by way of acquiring some private information about that figure, or posing as a doctor in the presence of a sick and helpless public figure in order to pick up some "intimate" material about him. That these unacceptable techniques may bear some relationship to other "borderline" techniques of journalism does not seem to us in any way to justify them. We will be frank to say that, on the contrary, it merely suggests to us that those other techniques—to the extent that they take advantage of an unsuspecting victim—are themselves of dubious value and propriety.

But on any scale of journalistic practice, we would say that trash-picking belongs at the bottom. Mr. Gourley's "gleanings," for instance, as reported in this newspaper, purportedly revealed that "either Secretary of State Kissinger or his wife, Nancy, smokes Marlboro cigarettes, uses patent medicines and occasionally throws away the New York Times unopened." One could as readily conclude from the evidence that one of Secretary Kissinger's Secret Service agents smokes Marlboros, that his cook uses patent medicine and that those unopened Timeses collected on his doorstep while he and his wife were away last week on a vacation in the Caribbean, faithfully reading the Times.

Some scoop.