

Editor Urges Shield Law, Calls for

By PETER KIHSS

An editor who said his newspaper opposed privileges for newspapers, such as mail subsidies and antitrust and wage-price-control exemptions, said yesterday that he had been driven to believe in the need of a Federal "shield" law to protect newsmen's confidential sources.

The editor, Martin S. Hayden, who is also vice president of The Detroit News, told a conference here that he wanted in general to have all legislatures "keep their noses out of our business," because "he that giveth can also take away."

But Mr. Hayden said that the Supreme Court of the United States ruling last June to compel Earl Caldwell, a reporter for The New York Times, to disclose confidential information made him believe in "the necessity of a Federal shield law." He said he would like to see such a law limited to protecting the confidentiality newsmen accord to their sources.

Panelist Disagrees

Mr. Hayden spoke on a panel brought together by the Charles Edison Memorial Youth Fund at the New York Hilton Hotel for its second annual conference for young journalists — 95 from 45 colleges and universities throughout the country.

Another panelist, Jameson G. Campaigne Jr., of the Open Court Publishing Company, a book publisher in LaSalle, Ill., and a director of Young Americans for Freedom, favored relying on First Amendment free-speech guarantees.

Passing a law, Mr. Campaigne argued, might create worse problems. He asserted the Freedom of Information Act had resulted in formally closing off access to some information by a law drafted with some cooperation from the press.

The other panelists were three reporters who favored

shield laws that would protect newsmen from being forced to give any testimony.

Other Three Listed

The three were Mr. Caldwell, who had refused to appear before a Federal grand jury seeking information on his knowledge of the Black Panthers; William T. Farr, who is free pending appeal after serving 46 days in prison for refusing to disclose to a state judge his source for a Los Angeles Herald-Examiner story, and Jack Nelson of The Los Angeles Times, whose article on the Watergate bugging led to brief jailing of his Washington bureau chief until recordings involved were released.

Mr. Caldwell charged there was "a move by the national

Government to stop the flow of information." If the Government thought he had illegal information, he continued, "why not call me in open court?" His answer was "they wanted a secret proceeding that would destroy me" as a reporter to whom sources would talk confidentially.

16 Cases Cited

Mr. Farr said he had originally relied on a statement by Superior Court Judge Charles Older to him that California's shield law would give him immunity even if he published his planned story. But, he said, he found himself jailed by a "loophole" in the law—Judge Older decided he was no longer protected after leaving The Herald-Examiner.

Government Noninterference

Mr. Nelson, a member of a Washington-based Reporters Committee for Freedom of the Press, providing legal aid, said 16 reporters had been subpoenaed and faced possible jailing for contempt since the Caldwell decision. He charged that the Nixon Administration had "used the Federal courts to undermine the First Amendment."

The Edison fund, set up in 1967 to honor the New Jersey Governor and Secretary of the Navy who died in 1969, aims to promote leadership responsibility by young people. Its president is George H. C. Lawrence, a New York businessman.

Nixon Aide Comments

Also yesterday, John D. Ehrlichman, President Nixon's chief

domestic-affairs adviser, said "members of the press often tend to think of themselves as somehow an estate set apart from society, with overriding rights."

In an interview published by the magazine U. S. News and World Report, Mr. Ehrlichman said "actually they're just like the rest of us, and their rights have to be measured in relation to the rights of the rest of the people and the interest of the country as a whole."

Mr. Ehrlichman said the timing and substance of President Nixon's talks with the press would be "measured by the national interest rather than the interest of the press or his own personal interest."

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