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News Media in Time of Crisis

AFTER THE AMERICAN people had passed through the first shock of learning of the assassination of President Kennedy, there arose, as everyone will remember, a deep, overwhelming anxiety to know who did it.

To answer this question as best they could was the duty of the press, radio and television, representing the public in that appalling moment.

The Warren Commission's report lays certain strictures on the news media for their behavior in performing this function after Lee Oswald's arrest. It describes newsmen as disorderly, insistent, unresponsive to the demands of the police; in short, clamorous and out of hand. The commission concluded that "the general disorder in the Police and Courts Building during November 22-24 reveals a regrettable lack of self-discipline by the newsmen," and it added that the news media, as well as the police, "must share responsibility for the failure of law enforcement" that occurred when Oswald was shot.

WE DO NOT PROPOSE to deny that there was an almost uncontrollable hubbub in and around the police headquarters during those two days. But it seems to us that the Warren Commission states a standard which would ask quite a lot of even a saint when it says: "Neither the press nor the public had a right to be contemporaneously informed by the police or prosecuting authorities of the details of the evidence being accumulated against Oswald. Undoubtedly the public was interested . . . but its curiosity should not have been satisfied at the expense of the accused's right to a trial by an impartial jury . . ."

This reputable statement of juridicial ethics breaks down in the commission's next breath: "If the evidence in the possession of the authorities had not been disclosed, it is true that the public would not have been in a position to assess the adequacy of the investigation or to apply pressures for further official undertakings . . ."

Right there is the great dilemma which can hardly be resolved. When an event like the assassination of a President has happened, the people's right to know becomes paramount. The Nation's security from civil commotion, even an uprising may well depend upon whether the people believe they are being told the essential story.

SO, WHILE WE would have to accept the lash of criticism of the news media's disorderly performance, we do not have great hopes of a remedy being found, in the light of the essential conflict between the public's interest in knowing all there is to know, and the suspect's interest in having the least possible known about the case against him as a requirement for a fair, impartial trial.

The commission calls for a code of professional conduct for news media as evidence that the press has learned the lesson of Dallas. Well and good; we would favor a study of the problem by the press, the bar and law enforcement agencies. Yet we would be concerned that no obstacles are set up to impede the news-gathering process. Free access to the facts at such a time is not just a convenience to public curiosity; it is absolutely essential to the public tranquility.