The Free Press Is on Trial

by JOHN HOHENBERG

There is widespread public dissatisfaction today with representative government and the imperfections of the system of free discussion and free press upon which its value ultimately depends.

In the third decade of the atomic age, when man has grasped the means of his own destruction, the governors have become too far removed from the governed in almost every land where self-government exists. The governed suspect, too, with good reason, that they often are being told too little and taxed too much.

When they feel there is a lack of sufficient information or understanding of their problems in the higher reaches of government, they, not unnaturally, attach to the press a share of the blame for their plight. And they are not always so terribly wrong. Before a war breaks out, or before people take to the streets to seek redress of their grievances, the press does have a positive duty to blast off with a warning trumpet call and make it loud and clear.

After an existence of nearly three centuries, therefore, the relationship between free peoples and a free press has been placed under increasing strain. It is scarcely an exaggeration to say that the free press is on trial in every open society, and its partnership with free peoples is being called into question by some of those who were once its strongest supporters. This may be tragic, but only the blindest of editors (and quite a few are still around) would deny it.

What has gone wrong? No one can be quite sure. In Western Europe, the British Commonwealth, Japan, and the United States, it is one of the commonplaces of public discourse to ascribe every difficulty to a "crisis of confidence" in the institutions of democratic society. This is a mouth-filling phrase that may cover any number of grievances, depending on the person or group involved, from the failure of the government of India to solve its food problem to the outrageous conduct of the young.

The common quality in such problems is that they are not easily solved. It is therefore difficult for either the governors or the governed to find anybody, outside each other, to blame for their troubles. Under the circumstances, a certain amount of critical fallout is bound to descend on the press. For one reason, it is a convenient and visible symbol of national torment; for another, over the years the press has become a ready target for the release of accumulated frustrations and abuse by all sides. Nobody has yet asked it to pay reparations for past indignities, but perhaps nobody has yet thought of it. Give them time. Almost anybody in or out of government these days, no matter how weak his leadership, can create a temporary impression that he is a veritable St. George by denouncing the press for crimes that are either fancied or real.

This is not to suggest that the press is in the process of being turned into a national scapegoat and the inheritor of original sin. In his unprincipled political attack on the news media for criticism of President Nixon, Vice President Agnew tried to rally public opinion against the press because it was too independent to suit him. He may have scared some editors, but on balance their numbers were few. For his was a pernicious attempt at intimidation that, being so rare in the United States, was quickly recognized by the press as a dangerous course for government and news media alike.

True, the Spironic attack drew cheers from the unthinking who rejoiced because someone in government had struck out against a stiff-necked press. But even among these zealots for autocratic conduct, a certain amount of doubt must have been raised by two subsequent moves—the use of government subpoenas that could have uncovered sources of press information about radical organizations and the infiltration of the Saigon press corps by military agents posing as newsmen. Of course, the government disavowed harmful intentions against the press. But doubts in such cases, once raised, are hard to put down.

The press, however, eventually will have to deal with the basic issue that Agnew and others in government have raised. For if it is the independent newspaper's contention that it is the principal common medium for discourse between the American government and the American people, then it cannot complain if it is blamed for clogged channels or an actual breakdown in communications between the governors and the governed. Certainly, television can't do the job in thirty minutes of newscasting or even an hour, a day. No network is going to bother very much about budgets, social security, new tax schedules, or excerpts from government debates on public welfare, education problems, or foreign aid. There may not be much sex in such stuff, as the saying goes, but it makes an enormous difference in peoples' lives.

News may be too important to be left to the newspaper, but it remains the only available medium that can provide news in sufficient volume and detail to make it understandable to the public every day.

What it all comes down to, in reality, is whether the daily newspaper, as presently constituted, is capable of publishing the news at the same time it is trying to get at the truth. The public, as is evidenced by the widespread use of the phrase "newspaper talk," long ago recognized that the two functions were not necessarily identical.

This is the nature of the communications gap that will have to be bridged in one way or another, in the United States and elsewhere. For people are weary in every self-governing land of the nonparliamentary aspects of parliamentary democracy, through which so much of the business of elected representatives is done behind closed doors, and of the evasions and half-truths that are, unfortunately, so much a part of accepted government procedures. People are, on the whole, not much interested any longer in the calculated and stage-managed events that masquerade under the headlines and on the tube as news. And this, in essence, is what rebellious youths on American campuses talk about when they ask their elders to "tell it like it is."

Of course the truth is hard to come by in the complicated modern world. But neither the elite of democratic governments nor the paladins of the press can shrug off public dissatisfaction by pleading that the job is difficult and perhaps even impossible to do to everybody's satisfaction. Two thousand years ago, nobody was satisfied, either, with Pontius Pilate's crafty evasion, "What is truth?"

This article is adapted from John Hohenberg's new book, "The Best Cause: Free Press-Free People," to be published in 1970 by Columbia University Press.

Socrates had a better answer. When he was condemned to death on false charges in 399 B.C., he phrased the never ending quest for truth to his fellow Athenians in these immortal words:

> In me you have a stimulating critic, persistently urging you with persuasion and reproaches, persistently testing your opinion and trying to show you that you are really ignorant of what you suppose you know. Daily discussion of the matters about which you hear me conversing is the highest good for man. Life that is not tested by such discussion is not worth living.

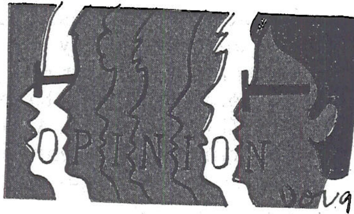
When Socrates was obliged to drain the cup of hemlock, his fate sharply discouraged the practice of the art of the "stimulating critic" among the politicians in the Agora of ancient Athens. Nor are such people, regardless of their wisdom or lack of it, anymore popular in the modern world. In the closed society of the Soviet Union, they are generally packed off in the night to work camps or prisons. In the open societies of the West, every excuse from the needs of national security to the precipitous flight of officeholders to the country over the weekend may be invoked to escape the Socratic persuasion and reproaches, the persistent testing of opinion.

As for the news media, television will invite a few well-chosen and controversial nonconformists to perform now and then if they are capable of a good show and rapid talk. The press, of course, continues to publish a handful of letters to the editor daily, and usually more on Sundays. But for all practical purposes, public access to the news media is even more limited than public access to officeholders. Except in the smallest towns, government is very far removed from the people—and the big corporations are even more isolated.

If communication between the governors and the governed is to be restored and enlarged in democratic societies, if the testing of ideas is to be resumed as a matter of national policy and public necessity, the independent newspaper is the only available force that can set a proper example. Such newspapers of quality and conscience as the St. Louis *Post-Dispatch* have recognized the problem, but only to the extent of denying the government's right to force them to open their columns to dissenting opinions. The *Post-Dispatch* wrote:

> The newspaper (which is in no way licensed by the government as a broadcasting station) has an obligation to the community in which it is published to present fairly unpopular as well as popular sides of a question. Enforcing such a dictum by law is constitutionally impossible, and should be. As a practical matter, a newspaper which consistently refuses to give expression to viewpoints with which it differs is not likely to succeed, and doesn't deserve to.

This begs the question, in a way. The point is not to force newspapers by law or by codes of conduct, voluntary or not, into performing their proper duty. That is just as much a violation of the rights of the free press as the scattered attempts that have been made, here and there, to license reporters or revive taxes on news and other levies on knowledge. Nor can reasonable people differ with the *Post-Dispatch*'s conclusion that a newspaper should not suppress unpopular opinions. The fact is that, despite a number of brilliant exceptions, too many newspapers in every open society still pay insufficient attention to minority causes and unpopular opinions generally. Righteousness is rationed in too large a section of the press, and the unpopular critics and the minorities are the first to say so.



It is no answer to contend that the press hasn't space enough to recognize the protests of every crack-brained agitator, the first response of many an outraged editor. The description could have been applied, among others, to Thomas Masaryk and Mahatma Gandhi, who had to start their own papers to put their views before the public. So did Lenin, for that matter.

The modern paper in the more prosperous democratic countries has space for everything from pants for women (pages of pictures, even in *The New York Times*) to the most voluminous and detailed reports on sports and the financial markets. Why cannot the human condition and the quality of life on this unhappy planet be treated just as frankly, honestly, and persistently? Why is it so difficult to stimulate the testing of ideas so that the practice will be pursued at every level of society and in every matter of importance to public opinion?

The British Press Council, which gives the public a better break in matters that require redress in the newspapers, has recovered from a poor beginning and has such wide support at home that the example has been followed in a half-dozen other lands. The mere excuse that the United States is "too big" can scarcely be considered sufficient for postponing a fair trial of the system. The first experiments in Bend, Oregon, and Seattle did not come off too badly. Nor are the extensions of the press council idea, Norman E. Isaacs's notion of a grievance committee, or the Scandinavian "courts of honor," without merit as procedures in which the public has at least a slight chance of communicating with its peers.

There are other proposals worth considering, as well. The Louisville *Times* and *Courier-Journal* have not exactly been forced to their knees, or otherwise lost their standing as independent publications, because they picked up the notion of employing an ombudsman, or public defender, to represent the public in the Swedish manner. And the Milwaukee *Journal*, owned by its employees, demonstrates anew the feasibility of diversifying membership of the boards of directors of newspapers, particularly when their stocks are offered to the public. *Le Monde, France-Soir, Stern,* and *Der Spiegel*, all publications of standing, have welcomed employee representation on their boards and made additional grants of power to them. Why not public representatives—and in particular *young* ones—on American newspaper boards?

Aside from changes in management practices, the newspapers could also look into the matter of a greater allotment of space—and time—in the shaping of public policy through public participation. What is really needed is an approach more imaginative than the letters to the editor—a public reporter. Philip Meyer—in his now-famous inquiries into the opinions of black communities in Detroit and Miami for the Detroit *Free Press* and Miami *Herald*—established the validity of this amalgam of sociology and journalism. Of course, it is expensive. It also takes journalists who are trained in the social sciences.

Whatever the method and however difficult it may prove to be, the revitalizing of the press is a matter of the first moment for the cause of representative government and the health of democratic society. The familiar words of Judge Learned Hand, in breaking down a local monopoly of the Associated Press in the United States, deserve to be framed over every editor's desk: "The First Amendment presupposes that right conclusions are more likely to be gathered out of a multitude of tongues than through any kind of authoritative selection. To many this is, and will always be, folly; but we have staked upon it our all."

This bulwark of free peoples will have to be rebuilt in our time, if freedom is to endure. That is, and must always be, the mission of a free press.