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## An analysis of the Newspaper Preservation Act of 1970 and the ethical and professional responsibilities facing editors in the United States

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AN ANALYSIS OF THE NEWSPAPER PRESERVATION ACT  
OF 1970 AND THE ETHICAL AND PROFESSIONAL  
RESPONSIBILITIES FACING EDITORS IN  
THE UNITED STATES

Thesis  
Submitted to  
The College of Arts and Sciences  
University of Dayton

In Partial Fulfillment of the Requirements for  
The Degree  
Master of Arts in Communication Arts

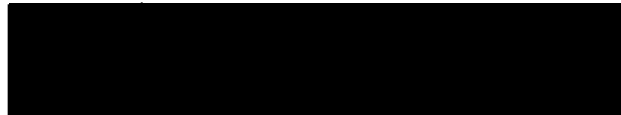
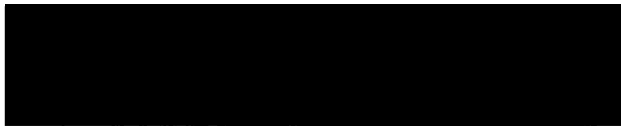
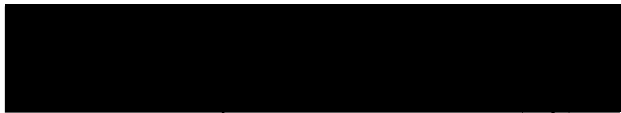
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April, 1975

Thesis

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## INTRODUCTION

Since its founding, the United States has enjoyed a free, competitive, responsive press that has provided the public with news and editorial commentary concerning practically every significant issue. In fact, the press seemed to thrive on competition and controversy. During the period of the American Revolution, the "Revolutionary" press rose up to challenge the Tory newspapers, not only in larger cities like New York, Boston and Philadelphia, but also in dozens of smaller cities and villages.

After the American Revolution, the press of this country continued to provide competition and diversity of opinion. First it was the Jeffersonian Democratic newspapers against those of the Federalists, later the Whigs versus the Democrats, and finally the Democratic newspapers versus the Republican press. Virtually every metropolitan area had two or more competing daily newspapers, which not only battled for readership and advertising, but also usually represented numerous different political viewpoints.

Beginning in the 1920s, however, rising wages and production costs forced hundreds of daily newspapers to cease publication. Financially troubled dailies were acquired by more stable competitors, some were sold to major newspaper chains, and others simply went out of business. Cities which once enjoyed four or five competing daily

newspapers now have just two daily newspapers, and more often than not these two are jointly owned or operated.

Between 1910 and 1960, the primary period of newspaper consolidation, the number of cities with competing dailies declined from 689 to 61.<sup>1</sup>

This situation is not without its potential problems. "Monopoly of the press obviously makes it possible to transform journalism from an uninhibited cacophony into a single, overpowering voice," states Herbert Brucker, former editor of the Hartford Courant and president of the American Society of Newspaper Editors. "And in practical terms, monopoly in journalism is already here."<sup>2</sup>

Brucker's premise is borne out by the fact that there were approximately 2,200 daily newspapers (with a total circulation of 22,426,000) in the United States during 1910, when the population was 92,000,000.<sup>3</sup> While the country's population has increased to more than 200,000,000, the number of daily newspapers has declined to approximately 1,761 (with a total circulation of 62,510,242 in 1973).

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<sup>1</sup>W. Carl Masche, "Factors Involved in Consolidation and Suspension of Daily and Sunday Newspapers in the United States Since 1900: A Statistical Study in Social Change," Master's Thesis, University of Minnesota, 1932, cited by Edward Emery, The Press and America, (Englewood Cliffs, N. J.: Prentice-Hall, Inc.; 1964), p. 516; and Raymond B. Nixon and Jean Ward, "Trends in Newspaper Ownership and Inter-Media Competition," Journalism Quarterly 38 (Winter 1961): 3.

<sup>2</sup>Herbert Brucker, "Can Printed News Save a Free Society?" Saturday Review, October 10, 1970, p. 52.

<sup>3</sup>Raymond B. Nixon, "Trends in Daily Newspaper Ownership Since 1945," Journalism Quarterly 31 (Winter 1954): 7. These figures were secured from the 1910 U. S. Bureau of Census Report.

There are only 45 communities in the entire country that have retained two or more competing daily newspapers.<sup>4</sup>

The responsibilities of newspapers and their managements have increased greatly over those of their 1910 counterpart. The non-competitive newspaper no longer serves a small, fragmented readership whose political, social and economic views parallel those of the publisher. It now represents, or should represent, and be responsible to, the entire community because the monopoly it represents often publishes the only daily newspaper within that metropolitan area.

Newspapers are unique in the mass media and information industry in that they alone are exempt from anti-trust and monopoly legislation. The Newspaper Preservation Act of 1970 frees "newspaper combinations" and "joint newspaper operating arrangements" from anti-trust and monopoly laws if this is deemed necessary for the survival of a "failing newspaper." Not only does the Newspaper Preservation Act permit two newspapers to use the same printing and distribution facilities and share in other cost-reduction activities, it also allows them to fix prices and pool profits. These financial advantages can, in effect, stifle the emergence of competing newspapers within that metropolitan area.<sup>5</sup>

The terms "newspaper combination" and "joint operation" will be used frequently throughout this thesis. A newspaper combination is a single publisher operating two or more daily newspapers within a

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<sup>4</sup>Editor & Publisher International Year Book, 1973, p. 13.

<sup>5</sup>John Tebbel, "Failing Newspapers and Anti-Trust Laws," Saturday Review, December 12, 1970, pp. 58-59.



metropolitan area (as in Dayton, Ohio, where Cox Newspapers owns both the Daily News and the Journal-Herald). With the exception of Chicago, where Field Enterprises operates morning and evening newspapers in competition with the twenty-four-hour Chicago Tribune, all combinations in the United States are journalistic monopolies. In the joint operation, two or more daily newspapers share in a number of cost saving operations (as in Miami, Florida, where Knight Newspapers publishes the morning paper -- the Miami Herald, and Cox Newspapers operates its afternoon counterpart -- the Daily News, and both papers share common printing and distribution facilities). According to proponents like the American Newspaper Publishers Association, the basic objective of the joint operation is preservation of as many separate editorial voices as possible through the elimination of economic competition. In theory, joint operations stem the trend toward newspaper combinations by allowing financially troubled journals to retain editorial independence by refraining from economic competition.

The joint operation (sometimes called the semi-merger) started in 1933 when two competing newspapers in Albuquerque, New Mexico -- the Albuquerque Journal and the Albuquerque Tribune -- moved into the same building to consolidate their mechanical, advertising, circulation and business departments. The two papers remained independently owned and editorially independent. The idea behind this "semi-merger" was to assure the continuance of both papers through reduced operating costs.<sup>6</sup>

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<sup>6</sup>"Joint Operation," Editor & Publisher, May 15, 1954, p. 42.

There are few areas where competition and diversity of opinion are as important as they are in journalism. Because of economic factors and government regulation, however, the nation's press has become what Richard L. Tobin, former communications editor for Saturday Review, compares to a public utility in the average American city.<sup>7</sup> In this monopolistic environment, newspapers are forced to create internal competition and diversity.

The purpose of this thesis is to analyze the ethical and professional responsibilities confronting editors and publishers with special emphasis on those operating within a monopolistic environment. It will attempt to pinpoint what these influential opinion makers believe their responsibilities are, and whether or not they are attempting to make their journals more responsive to the communities they serve in terms of "objective" news reporting, editorial comment, creating a dialogue with readers, and increasing access.

There are a number of important issues raised by enactment of the Newspaper Preservation Act and monopoly journalism in general. These include: the legal aspects exempting newspapers from anti-trust laws, the economic factors that fostered monopolies within the newspaper industry, and the alternatives to monopoly journalism. The author realizes the importance of these issues, but believes they are beyond the scope of this thesis. Discussion of these issues will be limited to Chapter I which provides background information on the Newspaper Preservation Act. Furthermore, it is not the author's

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<sup>7</sup>Richard L. Tobin, "Money, Merger and Monopoly," Saturday Review, July 10, 1965, p. 48.

purpose to discuss whether or not monopolies should exist. He accepts the fact that they do exist in most sections of the United States, and is working within this framework.

Chapter I discusses the Newspaper Preservation Act of 1970 and its effect on competition within the newspaper industry. Chapter II examines criticism of the press. Chapter III assesses the results of the author's survey of metropolitan newspaper editors on ethical and professional responsibilities. Chapter IV examines alternatives for reform of the press. Chapter V includes the author's conclusions and suggestions for further study.

In gathering data for this study, the author has consulted many sources in addition to initiating his own research. These sources include numerous texts tracing the history of journalism in the United States as well as articles on ethics in mass communications. News periodicals, professional journals, newspaper reports and Congressional testimony concerning the Newspaper Preservation Act, ethics, responsibility of the press, and press accountability were also consulted. Free Press/Free People by John Hohenberg, professor of journalism at Columbia University's Graduate School of Journalism and administrator for the Pulitzer Prizes, was especially valuable because it not only provided the author with important information concerning consolidations, mergers and deaths of American newspapers, but also because it helped shape his ideas on the responsibilities of the press in the twentieth century in America. Other excellent sources included the Senate hearings on the Newspaper Preservation Act and information provided by John Herchenroeder, ombudsman for the Louisville newspaper

combination.

To determine how newspaper editors view their ethical and professional responsibilities, the author compiled a survey and mailed it to ninety-three editors of metropolitan daily journals. This questionnaire was sent to editors of competing newspapers as well as editors of combination newspapers and joint operations. Questions were derived from Free Press/Free People, the Codes of Ethics for Sigma Delta Chi, the Colorado Press Association, the New England Press Association, and the American Society of Newspaper Editors Canons of Journalism. Completed questionnaires were grouped in three categories (competing papers, combination papers and joint operations) to determine differences in editorial policy and philosophies concerning responsibility toward readers, bias, establishment of dialogue with readers and philosophical balance. The results of this survey were compared with several other recent surveys. Parallels also were drawn between the author's findings and criticism of the press, which has intensified during recent years.

For nearly two hundred years, American newspapers have exercised their Constitutional mandate to keep Americans informed. Unfortunately, financial circumstances forced many of the nation's papers to cease publication and created journalistic monopolies throughout most areas in the United States. It is the author's hope that this thesis will help determine how the nation's editors view their ethical and professional responsibilities and if criticism of the press is justified and that this will help establish the need for greater dialogue between newspaper editors and their readers.

## CHAPTER I

### S.1520: PRESERVING NEWSPAPERS OR MONOPOLY POWER FOREVER?

The Newspaper Preservation Act, which was passed by both houses of Congress and signed by President Nixon in 1970, became law without the knowledge of most Americans. The bill received very little coverage from the press. In fact, John McLaughlin termed it "one of the media's best guarded secrets."<sup>1</sup> But, during and after congressional hearings, the act was the subject of heated controversy. Supporters called it the best single means of saving editorial voices, while critics, such as Morton Mintz, labeled it a "masterful piece of special-interest legislation that was whisked through Congress under great pressure from powerful newspaper publishers."<sup>2</sup>

What the Newspaper Preservation Act does is to exempt joint operations from anti-trust laws provided one of the papers was in financial distress at the time the operating agreement was made. The bill preserved joint operating agreements affecting forty-four newspapers in twenty-two cities. In addition to granting newspapers involved in joint operations the right to share printing, distribution and administrative facilities, it also permits price-fixing, profit

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<sup>1</sup>John McLaughlin, "Public Regulation and the News Media," America, December 13, 1969, p. 587.

<sup>2</sup>Morton Mintz, "Spiro Agnew's Candles," The New Republic, January 17, 1970, p. 14.

pooling and market allocation. This bill also absolved newspapers from liability for damages in suits brought against them as alleged violators of anti-trust laws. In addition to sanctioning agreements in effect before 1970, the Newspaper Preservation Act also permits similar future agreements provided written approval is secured from the United States Attorney General.<sup>3</sup>

This act overturned a federal court decision involving the Tucson Newspapers, Inc., which was affirmed by the United States Supreme Court. The decision held that the price fixing, profit pooling, and market allocation features of the Tucson agreement were in violation of federal anti-trust laws.<sup>4</sup>

It is surprising that Tucson was the test case for joint newspaper operations. Tucson was not the first city whose newspapers became a joint operation (Albuquerque newspapers formed a joint operation in 1933, while the Tucson Citizen and the Arizona Star did not consummate their agreement until 1940),<sup>5</sup> nor was it the largest city involved in a joint operation, as Columbus, Ohio; Miami, Florida; and St. Louis, Missouri, all had joint operations at the time of the Department of Justice litigation.<sup>6</sup> It is also unusual that the Department of Justice's

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<sup>3</sup>Newspaper Preservation Act, U. S. Code, vol. 15, secs. 1801-1804 (1970).

<sup>4</sup>U. S. Congress, Senate, Committee on the Judiciary, The Newspaper Preservation Act, Hearings before the subcommittee on Antitrust and Monopoly on S.1520. 91st Cong., 1st sess., 1969, p. 420.

<sup>5</sup>Ibid., p. 152.

<sup>6</sup>Arthur E. Rowse, "The Press Dummies Up," The Nation, June 30, 1969, p. 816.

major effort was against a joint operation (a limited monopoly) rather than a newspaper combination (an absolute monopoly).

The Tucson anti-trust case arose from a class action suit brought against Tucson Newspapers, Inc., by the City of Tucson and Super City Department Stores. The suit, which originally was tried in district court in 1965, sought to regain advertising revenues paid during the period the papers pooled advertising funds (1940 through 1965). The city and Super City claimed the rate increases charged in Tucson were not competitive rates that would have been charged in other cities for similar advertising.<sup>7</sup> The district court ruled that the joint operation of the Arizona Star and the Tucson Citizen was in violation of federal anti-trust and monopoly laws. The case then was appealed to the United States Supreme Court.

The Supreme Court upheld the decision of the district court. In delivering the opinion of the Court, Justice Douglas acknowledged:

The agreement provided that each paper should retain its own views and editorial department, as well as its own corporate identity. It provided for the formation of Tucson Newspapers, Inc., which was to be owned in equal shares by the Star and the Citizen and which was to manage all departments of their business except the news and editorial.

The purpose of the agreement was to end any business or commercial competition between the two newspapers and to that end three types of controls were imposed. First was price fixing. . . . the subscription and advertising rates were set jointly. Second was profit pooling. All profits realized were pooled and distributed to the Star and Citizen by Tucson Newspapers, Inc. pursuant to an agreed ratio. It was agreed that neither the Star nor Citizen nor any of their stockholders, officers and executives would not engage in any other business in Pima County - the metropolitan area of Tucson - in

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<sup>7</sup>U. S., Congress, pp. 192-194.

conflict with the agreement. Thus competing publishing operations were foreclosed.

All commercial rivalry between the newspapers ceased. Combined profits before taxes rose from \$27,531 in 1940 to \$1,727,217 in 1964.<sup>8</sup>

The Supreme Court upheld the district court's three basic premises in this decision. The first was that the joint operating agreement contained provisions which were unlawful under Section I of the Sherman Anti-Trust Act.<sup>9</sup> Prior to the case going to trial before the district court the Citizen was in the process of acquiring the stock of the Star pursuant to an option in their joint operation agreement. The district court ruled this "joint operating agreement in purpose and effect monopolized the only newspaper business in Tucson in violation of Section II of the Sherman Act."<sup>10</sup>

The district court also held the Citizen's acquisition of the Star stock "had the effect of continuing in more permanent form a substantial lessening of competition in daily newspaper publishing" and was in violation of Section VII of the Clayton Act.

The Supreme Court agreed with the lower court on all three rulings. In delivering the ruling, Justice Douglas emphasized:

The decree does not prevent all forms of joint operation. It requires, however, appellants to submit a plan for divestiture and re-establishment of the Star as an independent competitor and for modification of the joint operating agreement so as to eliminate the price-fixing, market control, and profit pooling provisions.<sup>11</sup>

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<sup>8</sup>U. S., Congress, p. 416.

<sup>9</sup>Ibid., p. 417.

<sup>10</sup>Ibid.

<sup>11</sup>Ibid.



Justice Douglas also stated the Court's ruling dealt only with "restraints on certain business and commercial practices," and did not regulate news gathering or dissemination.<sup>12</sup>

While this court decision only had an immediate effect on Tucson Newspapers, Inc., many individuals and groups, including the American Newspaper Publishers Association, feared it could serve as a precedent for the anti-trust prosecution of twenty-two other joint newspaper operations in the United States.

Legislation to exempt joint operations from anti-trust and monopoly laws was first introduced in March of 1967 by Senator Carl Hayden of Arizona. Its purpose, according to Luther A. Huston, "was to protect Tucson newspapers from an anti-trust suit instituted by the Department of Justice by legalizing the arrangement."<sup>13</sup> Huston believes all joint operations needed protection "in the face of Justice Department indications that others would be sued if the Tucson case were won."<sup>14</sup>

This same point was emphasized by Morris J. Levin, counsel for Tucson Newspapers, Inc., in testifying before the Senate Anti-Trust and Monopoly Subcommittee. He stated:

While the Tucson newspapers are the only ones now under Court order to break up their joint operating agreement, it must be kept in mind that during the trial in Tucson the attorney for the Department of Justice stated that Tucson was a test case, and its results would affect all joint

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<sup>12</sup>Ibid., p. 421.

<sup>13</sup>Luther A. Huston, "President Signs Anti-Trust Exemption for Newspapers," Editor & Publisher, August 1, 1970, p. 9.

<sup>14</sup>Ibid.

operating agreements.

We then come to the conclusion that, absent of remedial legislation, the forty-four papers in twenty-two cities must terminate their joint operating agreements, and must attempt to compete commercially as well as in ideas. The economic facts already on record demonstrate that such competition would be short lived. One paper in each city would become dominant, and the other a failing newspaper. The failing paper will be faced with the alternatives of selling out to his competitor or closing its door.

. . . Finally, one of the two newspaper voices will be stilled.<sup>15</sup>

When the bill was first introduced in 1967, it was known as the Failing Newspapers Act. It was referred to the Judiciary Committee, and extensive hearings were held by the Anti-Trust and Monopoly subcommittee under the chairmanship of Philip A. Hart, an outspoken critic of the bill.<sup>16</sup> During the hearings which were held during 1968 and 1969, witnesses testifying in favor of the bill included: editors and publishers of newspapers who were parties to joint operating agreements; Arthur B. Hanson, who testified on behalf of the American Newspaper Publishers Association; and congressmen representing cities where joint agreements were in effect. The bill also was actively supported by a number of the largest newspaper chains including Scripps-Howard, Hearst, Newhouse, Knight, Block and Cox, each of which had at least one newspaper involved in a joint operating agreement. Scripps-Howard had six papers involved in joint operation, and Hearst had two papers involved.<sup>17</sup>

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<sup>15</sup>U. S., Congress, p. 315.

<sup>16</sup>"Hart Turns to Last-Ditch Helpers," Broadcasting, June 16, 1969, p. 54.

<sup>17</sup>Rowse, p. 816.

Principal opponents at the hearings were: The Attorney General of the United States; the Federal Trade Commission; the American Newspaper Guild; other labor organizations; numerous independent newspaper publishers, including an attorney for the New York Times; and the National Newspaper Association, which is comprised of weeklies and small dailies.

Similar legislation was introduced in the House of Representatives by Representative Spark Matsunaga of Hawaii, with co-sponsorship by one hundred other members of the House. According to Stephen R. Barnett, professor of law at the University of California and a witness at the House hearings, it is not difficult to comprehend how this large number of sponsors was recruited: "The overwhelming majority either have joint operating papers in their districts or have papers in their districts owned by chains involved in joint operating agreements elsewhere."<sup>18</sup> The majority report of the House Judiciary Committee, which approved the Newspaper Preservation Act, was written by Representative Robert Kastenmeier of Wisconsin, whose district includes a joint operating agreement in Madison.<sup>19</sup>

The measure was passed by overwhelming majorities in both the Senate (64 to 13) and the House (292 to 87). The bill had strong bipartisan support which cut across ideological lines. Supporters included Senators William Proxmire of Wisconsin, Daniel Inouye of Hawaii, Everett Dirksen of Illinois and Barry Goldwater of Arizona.

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<sup>18</sup>Stephen R. Barnett, "Newspaper Lobby," The New Republic, July 18, 1970, p. 11.

<sup>19</sup>Ibid.

The center of strength for the bill was, however--as Barnett stated--Congressmen from states and districts containing joint newspaper operations. Only one member of the Senate from a state containing a joint operation--Gaylord Nelson of Wisconsin--voted against the Newspaper Preservation Act, and he "was immediately attacked in a front page column by the editor of the Madison Capitol Times."<sup>20</sup>

While the Senate Judiciary subcommittee hearing, held on June 12, 13 and 20 of 1969, could be described as a "last ditch" effort by Senator Hart to prevent passage of the Newspaper Preservation Act, it raised a number of important questions about ethical and professional implications of non-competitive joint operations and newspaper combinations.

Henry W. Maier, Mayor of Milwaukee, Wisconsin, for example, suggested enactment of new legislation "expanding opportunities for providing a free flow of public information in which all viewpoints would have access to the public." Mayor Maier went as far as to suggest the possibility of federal subsidies to help finance new voices in journalism. In Milwaukee, The Journal Company operates a newspaper combination which publishes the Sentinel and the Journal, the city's only daily newspapers. In addition, the Journal Company operates Milwaukee's largest television station, an AM radio station and an FM radio station.<sup>21</sup>

Maier expressed his concern for the vast power this type of

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<sup>20</sup>Ibid., p. 12.

<sup>21</sup>Ibid.

"conglomerate" has in influencing the ideas and lives of Americans.

During his testimony, Maier stated:

. . . the growth of the monopoly press in this Nation is a subversion of the First Amendment. When the Constitution was written, if you did not like the paper you were reading, you had a chance at another one. Nowadays only entrenched interests can possibly find the funds to start a newspaper and even then the going gets impossible if you try to invade a monopoly.<sup>22</sup>

As mayor of Milwaukee, Maier often has accused the Journal and the Sentinel of "speaking with a single voice in their coverage of city affairs."<sup>23</sup> His office also claimed the two papers ignored virtually every statement Maier had sent "correcting and challenging" stories they published about city affairs.<sup>24</sup>

Maier is not alone in his apprehension of possible dangers in multi-media conglomerates and monopolies which put vast amounts of opinion-influencing power into the hands of a small group or a single individual.

William J. Farson, executive vice president of the American Newspaper Guild, expressed his organization's opposition to the Newspaper Preservation Act and concern about the trend toward monopoly in the newspaper industry. He stated:

No one is more concerned than the American Newspaper Guild that the Nation's press be truly free - that it speak with a multiplicity of voices, that more newspapers not be closed,

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<sup>22</sup>Ibid., p. 13.

<sup>23</sup>"Muted Voice Cries Out in Milwaukee," Broadcasting, May 12, 1969, pp. 54-55.

<sup>24</sup>Ibid.

that more barriers to newspapers starting not be erected.

No one is more aware than the American Newspaper Guild that the Nation's press is only as free as it is totally competitive and free of obligation for favored treatment by any sector of our society - public or private.

The Guild is deeply concerned about the growth of concentration in the newspaper industry; the growing number of one-newspaper and one-ownership newspaper communities and the growth of chain ownership.<sup>25</sup>

Another critic of the bill who testified against the Newspaper Preservation Act during the 1969 Senate hearings was Bruce B. Brugmann, publisher of the San Francisco Bay Guardian, which was attempting to compete with the San Francisco Examiner and the Chronicle, a joint operation.

Brugmann discussed problems he was encountering in attempting to compete with a joint newspaper operation. He expressed his view that the federal government should break up the existing monopolies rather than exempt joint operations from anti-trust laws: "A joint operating agreement, like the one in San Francisco, can operate more like a monopoly than separate voices," he stated. Brugmann termed publisher's agreements, "a kind of Geneva Convention of warfare in which publishers don't criticize each other's business practices or corporate practices."<sup>26</sup>

Henry Hogan, Jr., publisher of the Birmingham (Michigan) Eccentric and president of the Suburban Newspaper Section of the National Newspaper Association (which opposed the Newspaper Preservation Act) agreed with Brugmann about the difficulties of establishing

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<sup>25</sup>U. S., Congress, pp. 238-239.

<sup>26</sup>Ibid., p. 43.

newspapers in a metropolitan area controlled by a monopoly. He testified:

. . . a newcomer establishing a newspaper in the joint newspaper cities would truly provide that community with a 'separate, independent editorial voice.' But . . . when the two publishers in a joint newspaper operation combine their assets, parcel out between themselves the morning, evening and Sunday markets, and manipulate circulation and advertising sales to their maximum profit and advantage, it is virtually impossible for a newcomer to penetrate into the market.

Newspapers are in a position to wield considerable influence and offer considerations which do not involve the exchange of money, but they are things of value.<sup>27</sup>

James N. Corbett, mayor of Tucson, also testified before the subcommittee and criticized the Tucson newspapers for ". . . the insidious thing of trying to dominate and control man's mind by the sham of two editorial policies that are in fact one editorial policy."<sup>28</sup>

Corbett testified that, in his opinion, from the date of the start of joint operations in Tucson (1940) until 1965, when William Small obtained control of both daily newspapers, the number of differences and the divergency of views of the Arizona Star and the Tucson Citizen kept decreasing. "Preventing joint agreements is a safeguard against monopoly," Corbett told the subcommittee. "You do not want both newspapers to live together because what happens is you get one point of view."<sup>29</sup>

Another argument Corbett used against the joint operation is a

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<sup>27</sup>Ibid., p. 250.

<sup>28</sup>Ibid., p. 193.

<sup>29</sup>Ibid., p. 194.

tendency for it to remain a monopoly forever. He cited population statistics for the Tucson metropolitan area, which increased from 40,000 in 1940 (the year the joint operating agreement became effective) to more than 350,000 in 1969. It was Corbett's opinion that although the joint operating agreement may have been necessary for the survival of both newspapers in 1940, it was not necessarily true in 1969.<sup>30</sup>

Similar population growth patterns occurred in other joint operation cities. Metropolitan areas that experienced sizeable population increases since joint newspaper operations were started include: Albuquerque (1,153 per cent), El Paso (245 per cent), Nashville (193 per cent), Salt Lake City and Tulsa (149 per cent), Shreveport (61 per cent), and Columbus, Ohio (38 per cent between 1959, when the newspaper combination was formed, and 1969).<sup>31</sup>

Concern over the ability of joint operations and newspaper combinations to maintain separate editorial voices also was expressed by John J. Pilch, president of the International Typographical Union. Pilch told the hearings:

The very expression 'competing editorial voices' is intentionally and grossly misleading. It implies sparkling, lively debate on most issues. It implies that one paper of the combination will be conservative, the other liberal. One Democratic, the other Republican. Such a setup, unfortunately, just doesn't happen. Even the most rabid sponsor of the Newspaper Preservation Act will admit the bill provides only the opportunity for challenging editorial postures, it guarantees nothing. And, in practice, it will

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<sup>30</sup>Ibid., p. 207.

<sup>31</sup>Ibid., pp. 241-242.



bring little beyond the dull, gray conformity within the combination.<sup>32</sup>

The most hotly-contested issue involved in the Newspaper Preservation Act was whether or not "failing newspapers" could continue to exist without profit pooling, price-fixing, and market allocation arrangements with its more stable competition. In other words, wouldn't money saved through combined printing, distribution and administration be sufficient to turn a "failing newspaper" into a profitable one?

In his testimony before the subcommittee, Richard W. McLaren, Assistant Attorney General for the Anti-Trust Division of the Department of Justice at that time, stressed that the Supreme Court decision in the Tucson Case did not forbid all forms of joint operation, but simply declared price-fixing, market control and profit pooling aspects to be illegal. Assistant Attorney General McLaren stated:

I think that joint publication is an appropriate alternative short of price-fixing and profit-pooling, and we have reason to believe that the economies that can be attained by joint publication and joint circulation arrangement, . . . joint distribution arrangement, may very well put a newspaper that has been in financial difficulty over on the black side of the profit and loss sheet.

S. 1520, it seems to me, might encourage people who have a continual battle staying afloat to go into these arrangements. It would be very attractive for any businessman to get together with his competitor and share a monopoly. And I can foresee that this could create a lot of situations where we now have independent papers.<sup>33</sup>

McLaren's position was that a shared monopoly presented greater

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<sup>32</sup>Ibid., p. 288.

<sup>33</sup>Ibid., pp. 300-301.

barriers to entry than a single monopoly. In his opinion, there was a greater possibility for a new paper to enter "a good potential market with a single paper."<sup>34</sup>

Another point raised by McLaren was that a newspaper owned by a multi-million dollar publisher (such as Newhouse, Knight or Cox) can enter a joint operation rather than utilize profits from other parts of its enterprise to carry this "failing" paper for a time.<sup>35</sup>

For example, while Newhouse is permitted to enjoy exemption from anti-trust laws and monopoly legislation which assure the profitability of the St. Louis Globe - Democrat, he is able to acquire the Cleveland Plain Dealer.

With profits from its joint operation in Miami, Florida, and newspaper combinations in Atlanta, Georgia; Dayton, Ohio; Springfield, Ohio; Palm Beach and West Palm Beach, Florida; Cox Enterprises has been able to expand its communications conglomerate to include radio and/or television stations in Atlanta, Georgia; Charlotte, North Carolina; Dayton, Ohio; Miami, Florida; Oakland, California; and Pittsburgh, Pennsylvania. Additional Cox holdings include: a majority interest in Georgia Cablevision Corp. and eight other cable television companies in twenty-five cities in several states, 100 per cent of Bing Crosby Productions, Inc., and its television syndication division, 80 per cent of United Technical Publications, Inc., weekly newspapers in Delray Beach and Boynton Beach, Florida, and a monthly magazine in

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<sup>34</sup>Ibid., p. 300.

<sup>35</sup>Ibid., pp. 307-308.

Palm Beach, Florida.<sup>36</sup>

Arthur B. Hanson, general council for the American Newspaper Publishers Association, was the only representative of the newspaper industry (other than Morris J. Levin) to support passage of the Newspaper Preservation Act during Senate hearings.

As would be expected, Hanson expressed the views of the large newspaper publishers. He stressed the importance of separating the two functions of the newspaper--commercial and editorial--to maintain diversity of opinion in news, features and editorials in America's metropolitan journalism. Hanson said:

This two-level function is a unique characteristic of the daily newspaper business. The merging of the commercial function is ancillary to the main non-commercial objective of maintaining competition in news and editorial voices thus fulfilling the goal of diversity in ideas envisioned by the First Amendment and of paramount importance to the people of our country.<sup>37</sup>

Hanson maintained the courts ignored the newspapers' unique characteristics and "misapplied illegal per se rules" in their judgment that joint operations violated anti-trust and monopoly laws and in effect amounted to "judicial legislation contrary to any intent which can be properly attributed to the Congress in its enactment of anti-trust laws." He termed "the limited exemption in S.1520" as "the realistic approach to sanctioning the primary purpose of the joint agreements in keeping alive two editorial voices in a city unable

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<sup>36</sup> Bruce Galphin, "Why Atlanta Needs a Journalism Review," Columbia Journalism Review, 10 (July-August 1971): 38.

<sup>37</sup> U. S., Congress, p. 161.

economically to support two dailies in full commercial competition."<sup>38</sup>

In Hanson's opinion:

. . . almost all cities are unable economically to support two separately owned and commercially competing dailies. Therefore, unless the failing paper can lawfully resort to a joint operating arrangement and be treated legally in the same manner as the alternative of total merger or single entity, the failing newspaper will discontinue publication.<sup>39</sup>

Hanson expressed the view of the American Newspaper Publishers Association Federal Laws Committee that the act would not "deter the entry of a new competitive paper in an area where merged or joint operations had taken place"<sup>40</sup> nor would it open the doors for the large chains to drive small, struggling newspapers out of business.

Rather than concentrating on Congressional hearings, the newspapers and publishers associations devoted their funds and efforts to a three-point strategy of lobbying, letter writing to influential Congressmen and editorials supporting the act. Senator Thomas J. McIntyre of New Hampshire states:

The lobbying which went on for this bill may well have set new records. I tried, without any luck, to get some idea of when the bill would come up to the floor. Then, two days before it did come up, representatives from all the large newspaper chains in the country descended on Washington. Just as they departed the bill came to the floor, brought up so suddenly I had to cancel several events I'd planned in New Hampshire.<sup>41</sup>

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<sup>38</sup>Ibid.

<sup>39</sup>Ibid., pp. 160-161.

<sup>40</sup>Ibid., p. 167.

<sup>41</sup>Barnett, p. 11.

Newspaper men lobbying for the bill included: John Siegenthaler, editor and vice president of the Nashville Tennessean; George Chaplin, editor and vice president of the Honolulu Advertiser; Charles Thierot, editor and publisher of the San Francisco Chronicle; and Joseph Ridder, publisher of the San Jose Mercury. Numerous executives of major chains wrote letters to legislators.

According to syndicated columnist Arthur E. Rowse, the lobbying had a "powerful effect." Furthermore, Rowse maintains newspaper executives used two types of public deception to gain passage of the Newspaper Preservation Act.

One has been to make the government's case against the Tucson papers appear to be an attack against all joint printing facilities, despite the fact that neither the District Court nor the Supreme Court expressed any criticism of combined printing facilities. . . . The impression left by many news stories, editorials, and letters from editors and publishers has been that the government seeks to eliminate any and all joint operating agreements.

The other tactic has been to give the public as little information as possible about the whole issue, apparently for fear that public opinion might interfere with the course of the bill through Congress.<sup>42</sup>

Two critical points escaped major emphasis during the 1969 Congressional hearings. They are the reasons behind the major newspaper consolidation (joint operations, combinations, and deaths of journals) and the changes that have occurred in the industry between the 1930s and 1960, when consolidation was at its highest point, and the present day.

Professors Barnett, Emery and Hohenberg have cited a number of major causes for consolidation. Barnett states that with only a

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<sup>42</sup>Rowse, p. 818.

few exceptions the papers that ceased publication during more recent decades (the 1950s and 1960s) "were not second voices but at least a third." He cites the Detroit Times, San Francisco News, Los Angeles Examiner, Cleveland News, Philadelphia Ledger, and New York World-Journal-Tribune as newspapers that failed in competition with at least two other journals. This, Barnett states, ". . . tells us nothing about the likelihood of failure after the number of papers has been reduced to two, each of which has a monopoly of its morning or afternoon market."<sup>43</sup>

Emery maintains that the newspaper industry was oversaturated during the first part of the century and not all newspapers deserved to survive or were deserving of community support. He cites journals "founded solely as voices for their political parties or business groups." Others, he believes, were founded for the sole purpose of making money. The depression era was disastrous for newspapers, Emery states, because of the sharp drop in advertising revenue. These losses, coupled with rising labor and production costs, forced a number of daily newspapers to cease publication.<sup>44</sup>

Hohenberg gives three basic reasons for the demise of the metropolitan daily -- the flight of the middle class to the suburbs, inflation boosting costs to record highs, and the fact that metropolitan dailies have experienced greater labor problems than most other

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<sup>43</sup>Stephen R. Barnett, "Newspaper 'Preservation' - or Monopoly?" Columbia Journalism Review 8 (Winter 1969-70): 34.

<sup>44</sup>Emery, The Press and America, p. 673.

industries.<sup>45</sup> He gives special attention to the unusual labor problems faced by the newspaper industry, particularly multi-union contracts.

Hohenberg writes:

Inner politics proved to be a complicating factor in achieving settlements. The popular practice was, and still is, to have multi-union bargaining at staggered intervals, with each contract negotiation separate. This caused one group to charge that it had been given less than another and often resulted in work stoppages.<sup>46</sup>

Hohenberg cites examples of newspaper labor troubles in New York labor policies. While New York is an extreme example, it provides an idea of how labor difficulties and work stoppages can bring the demise of daily newspapers. He provides a history of labor difficulties in New York City from 1953 through 1967. This includes a 10-day strike in 1958 and a 114-day strike in 1962-63 (after which the second largest paper in the country, Hearst's Daily Mirror, suspended publication with more than 1,000,000 in circulation). After a 25-day work stoppage in 1965, Hearst's Journal American and Scripps-Howard's World Telegram combined into a single evening paper and joined John Hale Whitney's Herald-Tribune, a morning paper in what was hoped would be a 24-hour operation in a single plant. On April 25, 1966, the opening day of the new publication, the unions started a 140-day strike. The World-Journal-Tribune finally appeared in September of 1966 as an afternoon paper. Publication was suspended on May 5, 1967,

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<sup>45</sup> John Hohenberg, Free Press/Free People, (New York City: Columbia University Press, 1971), p. 519.

<sup>46</sup> Ibid., p. 447.

less than 8 months later. The new venture had lost more than ten million dollars. Thus, New York City, which entered the century with a total of 15 daily newspapers (reduced to 12 in 1930 and 7 in 1950), was left with only 3 daily papers.<sup>47</sup>

But things had improved for the remaining papers. The Daily News, Times, and Post all enjoyed virtual monopolies in their respective fields-- popular morning, quality morning, and afternoon. The financial outlook continues to improve, for newspapers not only in New York but throughout most of the nation, according to Hohenberg. He states:

. . . with relatively few exceptions, primarily in the metropolitan areas, the survivors were enjoying a larger measure of prosperity than they had known before. . . . it was primarily at the expense of the once thriving magazine field, in the main, although the press continued to feel the electronic competitive pressures.<sup>48</sup>

During the early 1970s, newspapers such as the New York Times, Los Angeles Times, Washington Post, and Wall Street Journal reported record or near-record profits, as did expanding chains like Gannett and Knight, according to Hohenberg.<sup>49</sup>

The profitability of the large newspaper publisher continues. Knight has enjoyed new record profits every year since 1967; Tomson has achieved record profits every year since 1969 with 1973 net profits of more than 16 per cent. Also 1973 was a record profit year for the New

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<sup>47</sup>Ibid., p. 446.

<sup>48</sup>Ibid.

<sup>49</sup>Ibid., p. 442.



York Times, Ridder, Times-Mirror and Booth.<sup>50</sup>

During the past three decades the newspaper industry has made a number of technical innovations which have reduced operating costs and improved operating efficiency. These innovations include offset printing, replacement of typesetters by computers, and photo composition. Offset printing, which was first introduced in 1939, was utilized by approximately 800 newspapers in 1973.<sup>51</sup> For more than fifteen years both the Associated Press and United Press International have been sending news reports in the form of justified tape that is ready to go into typesetting machines or computers without additional preparation.

On the whole, the Newspaper Preservation Act represented a major victory for the large newspaper publishers who sought to preserve their monopoly position. The act granted every major issue its proponents asked -- granting legality to profit-pooling and market allocation agreements in joint operating agreements, the right to participate in joint operating agreements indefinitely, and automatic inclusion of all forty-four papers in twenty-two cities that had entered into joint operating agreements prior to 1969.<sup>52</sup> No investigation was ever made to determine whether or not the individual papers needed the benefits of the act to remain profitable.<sup>53</sup> The act also included the Miami, Florida, newspapers, which entered a joint operating

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<sup>50</sup> Profit figures were obtained from Standard & Poor's Stock Reports, July, 1974, published by Standard & Poor's Corporation, New York, New York.

<sup>51</sup> Editor & Publisher Yearbook, pp. 243-4.

<sup>52</sup> U. S. Code, Vol. 15, secs. 1801-1804 (1970).

<sup>53</sup> Barnett, "Newspaper Lobby," p. 11.

agreement in 1966 with the knowledge that their action was illegal in the face of the 1965 Federal Court decision.<sup>54</sup>

Only one safeguard was built into the act. In the future, all participants seeking to enter joint operating agreements will have to prove that at least one of the papers is failing before they can enjoy the benefits of this act.<sup>55</sup>

Rather than preserving a diversity of voices, the Newspaper Preservation Act is in reality a piece of special interest legislation that helps preserve the status quo in the newspaper industry. The bill makes it extremely difficult for a newspaper involved in a joint operating agreement to become financially unsuccessful (because of profit-pooling aspects) and makes it equally difficult for a new journalistic voice to enter the market in a joint operations city.

In effect, the act preserves in perpetuity editorial voices which the public has rejected. Joint operating newspapers (and combination newspapers, for that matter) are exempted from the judgment of the marketplace. According to Assistant Attorney General McLaren, the act allows "an inefficient newspaper, which is unresponsive to the needs of its community--and therefore, failing--to remain in business and share in monopoly profits."<sup>56</sup> This is done at the expense of the possible newcomer who finds it virtually impossible to penetrate into the market since existing publishers are permitted by law to

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<sup>54</sup>U. S., Congress, p. 310.

<sup>55</sup>U. S. Code, Vol. 15, secs. 1801-1804 (1970).

<sup>56</sup>U. S., Congress, p. 296.

combine their assets, allocate morning, evening and Sunday markets, and pool profits.

The Miami newspapers provide an excellent example of how monopoly profits can preserve a newspaper that has been rejected by the public. The Miami News is a Cox newspaper involved in a joint operation with the Miami Herald, a Knight newspaper. Of 477,061 newspapers sold daily in Miami in 1974, the circulation of the News is only 72,215 or 15.1 per cent. While the total newspaper circulation of Miami has increased every year since 1969, the circulation of the News has decreased every year since 1969, when its circulation was 94,952 or 20.4 per cent of the total.<sup>57</sup>

As an evening newspaper, the News should have an advantage over the Herald in circulation. Editor & Publisher statistics illustrate evening papers are generally more popular (i.e., are more prevalent and have higher circulations) in most American cities.<sup>58</sup> Yet, the News has been soundly rejected by readers in Miami and Dade County.

The important issue is whether or not a newspaper that is rejected by the public, like the Miami News, should be saved by circumventing anti-trust and monopoly laws. Critics would argue it would be better if unpopular papers like the News were not protected

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<sup>57</sup> Circulation figures obtained from Newspaper Rates and Data published by Standard Rate and Data Service (July 12, 1974) p. 174. Figures for 1969 through 1973 obtained from July 12 edition of Newspaper Rates and Data for respective years.

<sup>58</sup> Editor & Publisher Yearbook, p. 13.

commercially by profit pooling. This would force Cox Enterprises toward one of the following alternatives: improve the quality of the paper and make it more responsive to the needs of the community, sell it to a new owner who could make it more responsive to readers' needs, or let it die and possibly be replaced by a new "separate voice" in the community.

Congress and the Department of Justice must share much of the blame for the monopolistic situation that exists in the newspaper industry. While the Federal Government acted to prevent monopolies in most industries, it virtually ignored monopolies and anti-trust violations in the newspaper industry. While Federal laws limit the number of radio and television stations a corporation can operate, there is no regulation concerning the number of newspapers a chain can own nor laws preventing newspaper monopolies in our largest cities, including Atlanta, Indianapolis, Milwaukee and Minneapolis.

The years 1960 through 1967 illustrate that the unchecked growth of large newspaper chains was the major reason so many cities have been subjected to newspaper monopolies. During this period a total of eighteen newspapers ceased publication. Of this total, seven papers were third voices in their community while eleven ceased publication because they were unable to compete with newspaper combinations. These newer monopoly cities include Minneapolis; Jackson, Mississippi; Phoenix; Portland, Oregon; Atlanta; Indianapolis; and Tucson.<sup>59</sup>

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<sup>59</sup>U. S., Congress, pp. 154-155.

The Tucson Decision by the Supreme Court presented an excellent opportunity for the government to begin a massive assault on newspaper monopolies, starting with anti-trust violations by joint operations. The Tucson decision in no way prevented joint printing and distribution, just profit pooling and market allocation features of joint operating agreements. This possibility was quickly eliminated by the Newspaper Preservation Act.

Because of the history of inaction regarding newspaper monopolies and the quick passage of special interest legislation for the industry as soon as the Justice Department and courts threatened to end anti-trust violations, it appears newspaper monopolies will continue. The press has been a power force for reform in other industries. But, the nation's editors and publishers are willing to apply a double standard. They seek action to end violations by other industries, but implore the government to enact special laws to protect newspapers from anti-trust laws. Because of the power the press controls and the willingness of the government to capitulate to its demands, the monopolies established by Cox, Newhouse, Knight, Block and the other newspaper giants seem likely to grow and prosper.

Throughout the history of the United States, the government has been careful not to establish regulatory laws that would place limits on the freedoms the press enjoys. Unlike radio and television stations, newspapers aren't licensed by the government, and in no way regulated by "equal time" restrictions or told what they have to print.

This places greater responsibilities for ethical and professional judgment on individual editors. They alone are responsible for

determining whether or not subjects and individuals covered in their journals receive fair and accurate coverage. They alone are responsible for ascertaining whether their papers meet the professional standards expected by the public.

Concentration of ownership and the power of the press are just two aspects of the rapidly mounting criticism the American press has faced during recent years. Chapter II will discuss this growing trend and analyze the charges leveled by critics of the press, both inside and outside the newspaper industry.

## CHAPTER II

### CRITICISM OF THE PRESS

As much as any single issue, criticism of the media helped former Vice President Spiro Agnew make his name "a household word." Agnew claimed that the media--particularly network television and the Eastern press--had lost touch with middle-class Americans. Agnew toured the country openly criticizing the media--calling it a tool of the "Eastern liberal establishment." While Spiro Agnew has fled from public prominence, the criticism of the press, which he helped to foster, is still intense. The war in Viet Nam and Watergate have been two main focal points for this criticism.

Critics of assorted persuasions attacked the press for being successively too passive and too harsh about the Viet Nam war. Watergate reporting and commentary aroused even more heated controversy.<sup>1</sup>

Although Edith Efron primarily examines bias of network television in The News Twisters, she also discusses biased reporting by the press. She quotes an article from Newsweek magazine:

One of the first things every journalism student learns is that a given fact can be contrived to mean many different things, depending on who is interpreting it and how, and that political facts are perhaps more susceptible to this phenomenon than others.<sup>2</sup>

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<sup>1</sup>"Letting In the Public," Time, September 9, 1974, p. 48.

<sup>2</sup>Edith Efron, The News Twisters, (Los Angeles: Nash Publishing, 1971) p. 10.

To illustrate how journalists can "twist" facts to influence reader opinion, Ms. Efron cites two stories about the conditions in Hanoi. Both stories were published during the same week in December 1969. The first story, printed in ". . . the liberal New York Times of December 16, 1969, under the headline: 'In Hanoi, Leaders and the Public Seem Confident'." The other, published in ". . . the conservative U. S. News and World Report on December 22, 1969, under the headline: 'North Vietnam: Plight of the Enemy . . . Buildings in Hanoi Crumbling . . . Haiphong Is Ruined, Ravaged'."<sup>3</sup> Ms. Efron continues:

As the Times reporter portrays it, Hanoi sounds like one of the most delightful places in the world. And he tells us: 'The mood of wartime Hanoi is determined but surprisingly relaxed. There is no sense of panic or depression that the war has gone on for so many years.' The morale, he says, is good.

By contrast, the U. S. News & World Report story presents a picture of devastation and want, a country 'kept afloat' only by Russian and Chinese aid.<sup>4</sup>

What is important about these two stories, according to Ms. Efron, is not their ultimate truth or falsity, but their method. She states:

Each story is a skillfully woven tissue of facts; each story contains quoted opinions: neither story contains overt editorial opinion. Further, there is no reason to suppose that either the Times reporter or the U. S. News reporter fabricated any of the details or quotations.<sup>5</sup>

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<sup>3</sup>Ibid.

<sup>4</sup>Ibid., pp. 12-13.

<sup>5</sup>Ibid., p. 15.



Another writer, Kevin P. Phillips, has been a frequent critic of the press and what he terms its "excessive power." After addressing a panel of young journalists in 1973, Phillips described them as follows in his syndicated column:

. . . the bloodthirsty, moralistic young media types and groupies who packed the halls and balconies reminded me of the Jacobin fire-eaters--many of them also journalists--who led the French revolutionary "Reign of Terror" in 1793-94.

Much the same point was recently argued by Irving Kristol, who holds the very genteel title of Henry Luce Professor of Urban Values at New York University:

Journalists today are extremely 'idealistic,' in the same sense that many college students in the '60s were 'idealistic': They are not much interested in money, only in power. And 'power' for the media, means the power to discredit and destroy--it is through such successes that they acquire visible signs of grace. After Watergate, the media are in a state of mind that can only be described as manic. They feverishly seek new victims, prominent ones if possible, obscure ones if necessary.<sup>6</sup>

In Phillips' opinion, America's problem with "moralistic media types" is particularly dangerous because of the excessive power they hold. Rather than being controlled by middle-class pamphleteers and agitators, he states, our "Reign of Terror" has been nurtured by some "powerful (communications) corporations . . . and curbing their excessive accusatory power is likely to be not a matter of months but decades."<sup>7</sup>

A survey compiled by Frank W. Wylie, public relations manager for Chrysler Motors Corporation, indicates substantial press criticism among opinion leaders. In this survey, Wylie sent questionnaires to

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<sup>6</sup>Kevin P. Phillips, "Media's Moralizers," The Xenia Daily Gazette, 1 November 1974, pp 4.

<sup>7</sup>Ibid.

1,195 members of the Public Relations Society of America, chief executive officers of "Fortune 500" corporations, members of Congress, mayors of the top 100 cities, officers of major unions, and university presidents. Wylie draws the following conclusions from his survey:

A majority (53 per cent) of the respondents indicated that they had been misquoted during the last year and of these 83.9 per cent indicated newspapers. . . .

On the question 'What do you believe is the major cause for the lack of fairness in news reporting,' the replies took this form: Personal bias by reporter 43.8 per cent; Bias of paper, magazine, etc. 31.1 per cent; Sloppy reporting 27.0 per cent; Poorly trained reporters 22.3 per cent; Haste in reporting 20.6 per cent. . . .

Nearly 40 per cent felt that editors are the most objective, 33.4 per cent favored reporters, 15.5 per cent said editorial writers, and 11.9 per cent had no answer. . . .

Finally, asked 'Do you believe newspaper reporting is more responsible than it was five years ago?' 63.2 per cent said no. Business (71.6 per cent) felt strongest on this, while labor, admittedly a small sample, was the only group to feel that newspapers are more responsible now (57.1 per cent).<sup>8</sup>

A survey taken by Martin L. Gibson illustrates that press critics like Efron, Phillips and Wylie are not alone in their belief that the press slants the news. In his survey Gibson sent a total of three thousand questionnaires to the general public, managing editors of newspapers, state legislators, high school teachers, and high school students. When he asked "Does the (printed) media sometimes slant the news?" Gibson obtained the following results:

	NO	YES
General public	(43) 14.2%	(255) 84.4%
Newsmen	(75) 25.7%	(209) 71.6%
Legislators	( 6) 2.8%	(212) 97.2%
Teachers	(22) 7.4%	(276) 92.6%
Students	(34) 13.5%	(217) 86.5%

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<sup>8</sup> Frank W. Wylie, "Attitudes Toward the Media," Public Relations Journal 31 (January 1975): 6-77.

It is important to note that a majority of every group answered affirmatively. A significantly large percentage of the managing editors (71.6) agreed that the printed media slants the news, which indicates that they realize a "credibility gap" does exist. In addition, a majority of the general public and the students who responded to the survey favored legislation to prohibit slanting. Listed below are the results Gibson received to the question: "Should there be a law against slanting the news?"<sup>9</sup>

	NO	YES
General public	(141) 47.7%	(156) 51.7%
Newsmen	(283) 96.9%	( 7) 2.4%
Legislators	(151) 69.1%	( 63) 28.9%
Teachers	(179) 60.1%	(113) 37.9%
Students	( 70) 27.9%	(178) 70.9%

Gibson also found significant differences of opinion between the managing editors and their readers. When he asked, "Should there be special laws governing newspapers in monopoly situations?" Gibson received the following response:

	NO	YES
General public	( 99) 32.8%	(192) 63.6%
Newsmen	(277) 94.9%	( 10) 3.4%
Legislators	(108) 49.5%	(102) 46.8%
Teachers	(122) 40.9%	(168) 56.4%
Students	( 60) 23.9%	(189) 75.3%

This illustrates that a majority of the general public, teachers and high school students believe a monopoly press can have excessive power and they favor legislation to curb this power.

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<sup>9</sup> Martin L. Gibson, "The Public Thinks We Slant the News," reprinted from the Bulletin of the American Society of Newspaper Editors, September, 1972.

Gibson also asked, "Should newspapers be required to give equal space to all sides of an issue?" He received the following answer:

	NO	YES
General public	(118) 39.1%	(174) 57.6%
Newsmen	(275) 94.2%	( 14) 4.8%
Legislators	(109) 50.0%	(100) 45.9%
Teachers	(123) 41.3%	(167) 56.0%
Students	( 64) 25.5%	(182) 72.5%

Valuable insight can be gained from looking at the responses of the general public, which represents a broad cross section of readers, and comparing these with the responses of the managing editors. For example, while 84.4 per cent of the general public thinks the news is slanted, 71.6 per cent of the newsmen agreed. There was much greater discord on the other issues. While 51.7 per cent of the general public favored laws against slanting the news, only 2.4 per cent of the newsmen were in agreement (a difference of 49.3 per cent); 63.6 per cent of the general public favored special laws for monopoly newspapers as did only 3.4 per cent of the newsmen (a difference of 60.2 per cent); and 57.6 per cent of the public felt newspapers should give equal space to all sides of an issue, while only 4.8 per cent of the newsmen agreed (a 52.8 per cent difference).

Gibson, a former reporter now teaching at the University of Texas, concludes, "Newspaper people hold freedom of the press in far higher esteem than do their fellow Americans . . . ." His argument is identical to the response of the newspaper industry during the 1969 Congressional hearings--that the Tucson decision was a threat to freedom of the press. According to Gibson, his survey was "inspired by

a belief--a fear that freedom of the press is being eroded constantly . . . ."10

Gibson concludes that there is no imminent danger, but there is cause for concern. He suggests editors help support freedom of the press in the following manner: 1) stress that freedom of the press is a right that benefits the public, not the press; 2) the press must make people understand why it should enjoy the right to be wrong; 3) newspapers should do a better job as the "public's guardian against evildoers"; and 4) increased self-regulation by editors.<sup>11</sup>

Gibson's survey provides a startling insight into the philosophy of the managing editors--something he ignores in drawing his conclusion. While the majority of managing editors admit that the press slants the news, they overwhelmingly oppose regulation that would correct this abuse--legislation against slanting the news.

His results indicate the public is in agreement with the charges leveled against the media by Ms. Efron. Public support of special legislation for monopoly papers indicates there is substantial public support for Phillips' contention that the press has become too powerful. The Gibson statistics also indicate that Agnew had sound basis for his charges that the media had lost touch with the public. In fact, Agnew simply may have been a barometer for growing criticism of the media rather than the instigator of media complaints.

Many of the country's journals are improving self-regulation,

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<sup>10</sup>Ibid.

<sup>11</sup>Ibid.

and some are even going far beyond Gibson's recommendations.

A number of publications have overhauled their letters-to-the-editor columns, an old but regularly neglected outlet for readers. The Atlanta Constitution expanded the space it devotes to letters by 25% . . . . The Louisville Courier-Journal and its sister paper, the Times, now run almost every authentically signed letter they receive, good taste and libel laws permitting. The Boston Globe has begun printing different sets of letters in its morning and afternoon editions, doubling readers' contributions.

Papers like the Wall Street Journal, New York Times and Berkshire Eagle in Pittsfield, Mass., have allocated space to correcting errors. The Charlotte Observer's 'We Were Wrong' column often appears on the paper's front page.<sup>12</sup>

Increasing the amount of space devoted to letters-to-the-editor is one way in which newspapers can work to establish a feedback loop with their readers, an idea Gibson totally ignored. There are a number of other ways through which journals can encourage suggestions and recommendations from their readers. Hohenberg states:

A public confrontation with the press on a regular basis . . . is not as impossible as it seems. True, it is impractical except in small towns for an editor to maintain open house for every citizen who decides to call on him. But, as a few brave editors have learned . . . the citizenry is perfectly willing to accommodate any proprietor or editor who wants to take the trouble to engage a large enough hall for such a meeting. Such confrontations have been lively, even bruising to the ego of a journalist, but they have not been without value. If the great corporations of the West feel inclined to report publicly to their stockholders once a year, the editor of a newspaper is scarcely justified in neglecting a regular--and personal--accounting to his readers.<sup>13</sup>

In Hohenberg's opinion, newspapers must become more responsive to the public's needs in both judgments and news if they are "to become

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<sup>12</sup>"Letting In the Public."

<sup>13</sup>John Hohenberg, Free Press/Free People, (New York City: Columbia University Press, 1971), p. 497.

more deserving of the public's trust."<sup>14</sup> Their inadequate response, coupled with a lack of dialogue between editors and readers, is one of many reasons the press has lost some standing with the public and has become the subject of intensified criticism during recent years. An aloofness which has characterized editors and reporters has created a barrier between newspapers and their readers. Hazel Erskine describes how the press has lost much of its influence to the electronic media:

It is also interesting to trace how newspapers fared when radio and television began furnishing them for the first time with competition in purveying the news. First the newspapers were vastly outstripped by the credibility of the radio news during the World War II crisis. The reliance on TV climbed so steadily during the 1960s that by 1968 television news had attained credence from twice as many people as newspapers.<sup>15</sup>

Also, television has numerous advantages over newspapers--it can report the news faster, in color, and has a much more personal quality than metropolitan journals. Newspapers, however, are not without strong points--they have the ability to report events in much greater detail than television; they have space to carry many more features; they combine world, national, state and local news; and they command the complete attention of the reader--unlike television news, which is often interrupted by dozens of distractions around the home. Newspapers have another advantage over television newscasts. Subscribers can read newspapers any time of the day while television newscasts are generally limited to the dinner hour and 11 p.m. time slots. News-

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<sup>14</sup>Ibid.

<sup>15</sup>Hazel Erskine, "The Polls: Opinion of the News Media," The Public Opinion Quarterly 34 (Winter 1970-71): 630-31.

papers also serve as a matter of record. People clip and save articles from the daily press. Colleges and libraries maintain copies of the daily press on microfilm as an important part of their reference sections. A recent survey by the American Newspaper Publishers Association illustrates that daily newspapers still enjoy greater exposure than television newscasts. On an average, Monday through Friday, 77 per cent of all adults 18 or older read a daily newspaper. This compares to 48 per cent of the adult population which views some television news program on the average weekday. Newspapers also inspire readers to take action, according to the Publisher Association poll. At one time or another, almost all adults (93 per cent) have taken some kind of action involving the daily newspaper: clipping articles, writing letters to the editor, placing ads, or discussing news articles with other people.<sup>16</sup>

In recent years, Sigma Delta Chi, the professional journalism society, has become increasingly concerned about the erosion of journalism's credibility. This concern was voiced at the society's 1967 convention, when the Report of the Professional Development Committee stated:

Our profession needs more than just the freedom to publish or utter the truth, freedom to circulate or broadcast it, and freedom of access to it. The profession needs, also, a breed of readers, listeners and viewers who will help to illuminate the essential truth. It needs readers; listeners and viewers who can not only appreciate and make profitable use of our

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<sup>16</sup>"News and Editorial Content and Readership of the Daily Newspaper," American Newspaper Publishers Association News Research Bulletin, April 26, 1973, pp. 17-39.



profession's service but who can serve as intelligent consumer-critics of our performance.<sup>17</sup>

Since 1967 Sigma Delta Chi has promoted a program called "Operation Understanding." "Operation Understanding" was an attempt to build communication between journalists and opinion leaders at dinner meetings. Dinners were followed by panel discussions. Panelists discussed accomplishments, objectives and problems of the press. The discussions included question-and-answer periods to enable guests to express views and grievances. According to Sigma Delta Chi officials, this program was quite successful in various sections of the country, particularly California and Kansas.<sup>18</sup>

Sigma Delta Chi's concern over the erosion of public confidence in the press led the Professional Development Committee to revise the society's code of ethics and standards in 1973. The previous code of ethics had been adopted in 1926 and was never revised. In its 1973 report to the convention, the Professional Development Committee stated:

The proposed code was written in the belief that credibility and objectivity of American journalists are keys to successful, responsible and professional journalism. The code and compliance with it are intended to serve as a bulwark against the erosion of confidence in the American press.

This committee believes that the popular view of press integrity is not only a question of what the press knows to be true of its professional conduct and the self-imposed

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<sup>17</sup>"Report of the Professional Development Committee to the 58th Anniversary Convention of Sigma Delta Chi," by John De Mott, Chairman, Minneapolis-St. Paul, 1967. (Mimeographed.)

<sup>18</sup>"Report of the Professional Development Committee to the 59th Anniversary Convention of Sigma Delta Chi," by Bob Eddy, Chairman, Atlanta, 1968. (Mimeographed.)

restraints under which journalists perform. That view also involves what the public believes to be true of the integrity of journalists, whether the impression is true or false.<sup>19</sup>

The committee reported that disagreement centered around the concept of "objectivity."

On the subject of objectivity, it was recognized that this concept is under fresh scrutiny and even attack. But the majority viewpoint is that objectivity is something journalists should strive for. Difficulty of attainment is no reason for abandoning it.

. . . one member of this committee has suggested that SDX form a permanent national Ethics committee. If the code were adopted, it would be the duty of the Ethics committee to transform the code of ethics into a living document by considering specific problems in ethics, offering recommendations for chapter programs dealing with ethics, developing a program for strengthening press credibility, and advancing the ideals set forth in the code of ethics.<sup>20</sup>

The revised code of ethics, which was adopted at the 1973 convention, contained the strong position on objectivity that was endorsed by the Professional Development Committee. It reads:

Objectivity in reporting the news is another goal, which serves as the mark of an experienced professional. It is a standard of performance toward which we strive. We honor those who achieve it.<sup>21</sup>

While Sigma Delta Chi has attempted to establish greater reader involvement and worked to improve ethics--especially in objectivity--the nation's editors and publishers have moved at a much slower pace.

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<sup>19</sup>"Report of the Professional Development Committee to the 64th Anniversary Convention of Sigma Delta Chi," by K. C. Burko, Chairman, Buffalo, 1973. (Mimeographed.)

<sup>20</sup>Ibid.

<sup>21</sup>The Society of Professional Journalists, Sigma Delta Chi, Code of Ethics, 1973.

Both the American Society of Newspaper Editors and the American Newspaper Publishers Association still use the Canons of Journalism, which was adopted in 1925, as their code of ethics.

Norman E. Isaacs, former Louisville Courier-Journal and Times Editor and past president of the American Society of Newspaper Editors, has been one of the leaders behind the drive for a nation-wide ethics/grievance committee. As an editor in Louisville he was instrumental in establishing an ombudsman program to handle reader complaints for the city's newspaper combination.

Isaacs is one of the few editors who has been willing to meet the challenge monopoly journalism presents. In discussing the professional responsibilities present, he states:

. . . this alone poses the moral question clearly for all newspaper executives. In all these instances, we have become virtually the sole fountain of information for our communities. Does not conscience demand that we give all we have to protect these wells of information from taint and corruption?

Criticism of the press has been going on for years, as much from within as from outsiders. A good deal of this inside-the-craft criticism has been sound and intelligent.

Unfortunately, the reaction of a majority of editors and publishers has always been more heated and informed than wise. Some of our colleagues deplore public criticism of the press by editors. This is the kind of nonsense that simply invites still more criticism. As Aldous Huxley put it, facts do not cease to exist simply because they are ignored.<sup>22</sup>

As Isaacs states, American editors and publishers historically have been disturbed by criticism. Although Isaacs' statement was made in 1966, it is still valid, according to Christian Science Monitor

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<sup>22</sup>Norman E. Isaacs, "Conscience and the Editor," quoted in Gerald Gross, ed., The Responsibility of the Press (New York City: Fleet Publishing Corporation, 1966), pp. 137-38.

editor John Hughes. Hughes states:

I think the events of the past days seem to underline a paradox that exists in the thinking of the American press. On the one hand, many newspapers--my own included--have been demanding that the Justice Department be excluded from prosecution of the Watergate affair and that an independent lawyer or institution of high repute, free of any taint of self-interest, be appointed to make an objective appraisal of where the guilt lies. But at the same time, from many of these same newspapers, there is a reluctance to let an independent institution of high repute, free of any taint of self-interest, make an objective appraisal of the performance of the press. . . .

Similarly, many newspapers attack the ethical weaknesses of the American Medical Association and the American Bar Association, and they demand reforms in the disciplining of the members of these associations. But, as Ian Menzies, the associate editor of The Boston Globe, put it recently, the very organization which criticizes is itself most reluctant to be criticized.<sup>23</sup>

Unfortunately, many of the newspapers' reforms to give the public a greater voice have not been initiated by editors and publishers voluntarily. Most of the reforms took place only after criticism became so strong that newspaper editors and publishers feared regulation to insure greater public access. In 1974 Time stated:

For decades, that apothegm ["Freedom of the press is guaranteed only to those who own one."] described a worsening problem in U. S. journalism. As ownership became increasingly concentrated, and increasingly distant from its audience, the opportunity shrank for dissenting views to see print. Now there are some healthy signs of change. Stung by charges of bias and myopia, many news executives are finding new ways to open their pages and air waves to the public.<sup>24</sup>

For example, many reforms to increase public access occurred

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<sup>23</sup>Problems of Journalism: Proceedings of the 1973 Convention (Washington, D. C.: American Society of Newspaper Editors, 1973), p. 160.

<sup>24</sup>"Letting In the Public."

following a court case involving Pat L. Tornillo, Jr., and the Miami Herald. Tornillo, a candidate for the Florida legislature, drafted a rebuttal to two Herald editorials opposing his candidacy. Citing a 1913 Florida statute which requires newspapers to provide candidates free space for rebuttal, Tornillo requested the Herald to publish his reply in accordance with the law. Tornillo sued the Herald when it refused to print his rebuttal. The Florida Supreme Court ruled in Tornillo's favor, but their decision was overturned by the United States Supreme Court in 1974. In commenting on this case (prior to the U. S. Supreme Court decision) the American Society of Newspaper Editors stated:

Whatever the outcome of the Tornillo vs. Herald litigation, your committee notes growing activity on many state fronts tending to criticize the newspaper's 'fairness' of reply, especially with relation to politicians. This is the thrust of the President's [Nixon] order to the Justice Department to find ways of nullifying New York Times vs. Sullivan.

The issue of 'access' may become so severe as to take its place with issues such as free press-fair trial and shield legislation. The committee urges all members to be aware of the access debate, to examine professional practices which might legitimately meet charges of unfairness of reply and to promptly report and oppose efforts such as in the Florida case to enforce access to the printed media by unconstitutional judicial fiat.<sup>25</sup>

The American Society of Newspaper Editors argued in support of the Herald when the case was appealed to the U. S. Supreme Court. This is ironic because the Herald's decision not to print Tornillo's rebuttal violates the Canons of Journalism, which the Society purports to have as

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<sup>25</sup>Problems of Journalism: Proceedings of the 1974 Convention (Washington, D. C.: American Society of Newspaper Editors, 1974), pp. 216-19.

its code of ethics. Section VI of the Canons states: "FAIR PLAY--A newspaper should not publish unofficial charges affecting reputation or moral character without opportunity given the accused to be heard . . . ." <sup>26</sup>

The Tornillo decision is important for two reasons: 1) although Tornillo lost his suit because of the Supreme Court decision that newspapers are not subject to the Fairness Doctrine, the fact that the case was tried influenced many editors to improve public access to the press; 2) ethics notwithstanding, newspaper editors place a greater value on their own self-interest than they do on objectivity and the public's right to know.

Isaacs and Gibson exemplify the differences in ideology that exist in journalism. Both men realize that the press is more powerful than it has ever been during the history of the United States. Both are aware the press faces mounting criticism because of bias, excessive power, the public's right of access and the growth of monopolies. However, the similarities end there. While responsible journalists, like Isaacs, are working to improve communications (between editors and readers) and credibility, less sensitive journalists, like Gibson, appear unwilling to take a critical look at the performance of the press to determine if this growing criticism is justified. Gibson's conclusions indicate that the less sensitive journalists are insensitive to criticism, often confusing it with the "fear" of press freedom being endangered. According to Time, more editors are following Isaacs' advice

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<sup>26</sup> American Society of Newspaper Editors Canons of Journalism, 1925.

and are taking a more critical look at the operation of their journals.<sup>27</sup> However, the author's current research, which is outlined in Chapter III, is not nearly as optimistic as the Time assessment.

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<sup>27</sup>"Letting In the Public."

### CHAPTER III

#### AMERICA'S EDITORS: HOW THEY VIEW THEIR ETHICAL AND PROFESSIONAL RESPONSIBILITIES

As the number of newspapers in general and the number of competitive dailies in particular decrease, the ethical and professional responsibilities of the remaining editors and publishers seemingly increase. Fifty years ago, a single publisher was responsible for disseminating information to 20 or 30 per cent of the population of a large metropolitan area. The other people read competitor's journals. By contrast, today's editor and publisher often control the only newspaper(s) in a metropolitan area. Their only competition is radio and television news shows, whose coverage at best is superficial.

For example, Dayton, Ohio, with a metropolitan population in excess of 500,000, has just one publisher--Cox Newspapers. To a great extent, Cox is able to determine exactly what information is dispensed to or withheld from Daytonians (q.v., the Tucson decision, hearings on and passage of the Newspaper Preservation Act).

The recognition and acceptance of ethical and professional responsibilities also are important to keep news stories free from newspapers' editorial bias. In a study of ten "prestige" papers (Atlanta Constitution, Baltimore Sun, Chicago Daily News, Chicago Tribune, Los Angeles Times, Louisville Courier-Journal, Miami Herald,



Milwaukee Journal, New York Times, and St. Louis Post-Dispatch), Dr. Jae-Won Lee determined that news coverage can be greatly affected by a newspaper's editorial support. In making a content analysis of these papers during the 1968 presidential campaign, Lee discovered the papers endorsing Hubert Humphrey were also more favorable to him in news pages in terms of story placement, headlines and opinion articles. He found the same situation to be true with journals that endorsed Nixon.<sup>1</sup>

This chapter will assess how editors and publishers see their ethical and professional responsibilities in today's society. To obtain this data, questionnaires were sent to 93 editors in 45 cities. These cities were composed of the following makeup: fifteen cities with competing dailies, fifteen with newspaper combinations and fifteen with joint operations. The cities were selected so as to provide the broadest scope possible, both in terms of population and geographic diversity.<sup>2</sup> Questionnaires also were sent to The Wall Street Journal and The Christian Science Monitor.

A total of thirty replies were received from metropolitan editors--ten from competitive dailies, thirteen from combination papers, and seven from joint operations. Earl W. Foell, managing editor of The Christian Science Monitor, also answered the questionnaire. Since Foell's paper cannot be classified as a metropolitan newspaper, his

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<sup>1</sup>Jae-Won Lee, "Editorial Support and Campaign News: Content Analysis by Q-Method," Journalism Quarterly 49 (Autumn 1972): 460-68.

<sup>2</sup>A list of selected journals and responding editors comprises Appendix 1.

responses are not included in the following tables, but his comments are included in this study.

The basic purpose of the survey was to determine what editors saw as their ethical and professional responsibilities and how they managed their papers with respect to these responsibilities. Questions covered ethical codes, bias in news coverage, determination of editorial policy, balance, communication with readers, press councils and criticism of the press.<sup>3</sup>

Completed questionnaires were tabulated according to type of paper (competing, combination and joint operation) and were compared individually and against the combined totals. The results then were compared with the data obtained in the Wylie and Gibson surveys, compiled in 1974 and 1972 respectively, and the accusations of critics which were presented in Chapter II.

The diversity of the replies to many of the questions indicates major differences of opinion among the country's newspaper editors. For example, exactly half of the responding newspapers had established a Code of Ethics for their reporters and staff writers. Combination papers had the best percentage (61 per cent) and joint operations had the worst (29 per cent).

A closer look at individual responses presents some revealing facts. For example, two Cox papers responded to the questionnaire--the Atlanta Journal, which does not have a Code of Ethics, and the Miami News, which does. The same is true for Scripps-Howard and Hearst. In

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<sup>3</sup> A copy of this questionnaire comprises Appendix 2.

the case of Scripps-Howard, the Cincinnati Post does and the Cleveland News does not have a formal ethical code. The Los Angeles Herald-Examiner has a Code of Ethics, while another Hearst publication, the Seattle Post-Intelligencer, has none. This indicates that most newspaper groups have no standard policy concerning ethical responsibilities, but allow local editors to determine ethical policies for their staff members. Complete statistics are found in Table 1.

TABLE 1.--Does your paper have a Code of Ethics for reporters and staff writers?

	YES	NO
Competing Papers	5 (50%)	5 (50%)
Combination Papers	8 (61%)	5 (39%)
Joint Operations	2 (29%)	5 (71%)
Total	15 (50%)	15 (50%)

The editors were asked to submit a copy of their paper's Code of Ethics, but only four of the fifteen did. The Code of the Cincinnati Post, a competing paper, prohibits editorial personnel from becoming a paid employee of a governmental agency, politician, political party or "anyone else who might have occasion to deal with a reporter or editor." It permits, with prior consent of the editor, the following activities: teaching and lecturing for pay; appearances on radio and television; outside writing for magazines, trade publications and house organs; and "junkets or trips on which the staff member's expenses are paid wholly or in part by someone other than the paper." The Post code also covers gifts, stating that "when gifts exceed the limits of propriety, they

should be returned."<sup>4</sup> A combination paper, The Oregon Journal has a Code of Ethics that is almost identical to that of the Post.

The ethical codes of the two other papers--the Detroit News, a competing paper, and the San Diego Union, a combination paper--are much broader and far reaching. "The Policy Statement on Ethics for the Detroit News Editorial Department" states:

. . . there is also some reason to believe that we are operating in a new climate of public opinion and regard; that we, as the designated watchdogs of government and public policy, must be even more alert to keep ourselves above suspicion.

The key word is 'suspicion.' It is a truism that the appearance of impropriety is just as damaging as the actual fact of it. Public perception is the only reality we have.<sup>5</sup>

The News policy is much tighter than that of the Post. Staff members are not permitted to accept free passes to movies or athletic events or even use press passes to these events if they are not assigned to cover them. "Gifts of insignificant value--calendars, pencils, key chains, etc.--may be accepted. Other gifts should be declined."<sup>6</sup>

The News policy goes as far as to forbid "press discounts" at retail stores. Unlike the Cincinnati Post policy, News reporters and staff writers are not permitted to accept junkets, free trips and reduced rate or subsidized travel. News policy for outside employment is similar to that of the Post, but again the News policy toward political activity is much stricter.

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<sup>4</sup>Walter Friedenber, letter to editorial staff outlining "Principles and Practices for All Editorial Personnel," Cincinnati Post, Cincinnati, Ohio, n.d.

<sup>5</sup>Martin S. Hayden, "Policy Statement on Ethics for the Detroit News Editorial Department," Detroit, Michigan, January, 1974.

<sup>6</sup>Ibid.

Staff members should avoid involvement in public affairs and outside activities that could create a conflict of interest, or the appearance of one. They should not take an active part in political management or in political campaigns, except of course to exercise their rights as citizens to vote and to privately express their opinions.

The ethical code of the San Diego Union is similar to that of the News, but the Union's policy also includes editorial policy.

It is the responsibility of the editing staff to exercise discrimination in the selection of news stories so as to present a proper balance of the stories most meaningful to San Diego readers.

He or she (the copy editor) . . . is responsible for . . . completeness and conformity to the newspaper's rules for fair, objective and accurate news reporting.<sup>8</sup>

The only subject which had unanimous approval by all thirty editors was that of "interpretative reporting." (See Table 2.) This indicates that editors are demonstrating a willingness to share their authority and editorial judgment with reporters and staff writers.

TABLE 2.--Does your newspaper permit "interpretative" reporting?

	YES	NO
Competing Papers	10 (100%)	0
Combination Papers	13 (100%)	0
Joint Operations	7 (100%)	0
Total	30 (100%)	0

The most surprising response concerned assignment of reporters. Nine of the thirty editors (30 per cent) said they would permit one of their reporters to cover a story even if they knew that reporter had a strong bias on the subject. It is not as surprising that 50 per cent of

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<sup>7</sup>Ibid.

<sup>8</sup>"Code of Ethical Practices for Editorial Personnel of the San Diego Union," San Diego, California, n.d.

competing dailies permit this policy as it is that 23 per cent of the combination editors permit it (Table 3). Because of the monopolistic hold which combinations have over their readership, one would think these editors should be more alert to keep themselves above suspicion in the areas of fairness and objectivity than their counterparts on competing papers.

TABLE 3.--Would you permit a reporter to cover a story if you knew he had a strong bias on the subject?

	*YES	NO
Competing Papers	5 (50%)	5 (50%)
Combination Papers	3 (23%)	10 (77%)
Joint Operations	1 (14%)	6 (86%)
Total	9 (30%)	21 (70%)

But, that is not how the editors view their responsibilities. When asked if they believed the editor of a combination or joint operation faced greater ethical and professional responsibilities than the editor of an independent daily, the vast majority (67 per cent) answered no. (Table 4.) As might be expected, a greater percentage of editors of combinations and joint operations answered negatively than did editors of competing papers.

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\*Competing editors who answered "yes" included: James Hoge (Chicago Sun-Times), David E. Halvorsen (Assistant Editor, Chicago Tribune), Walter Friedenberg (Cincinnati Post), David Goodenow (Los Angeles Herald-Examiner), and Louis R. Guzzo (Seattle Post-Intelligencer). Combination editors included: Don O. Noel (Hartford Times), Harry Hill (Milwaukee Journal), and Donald J. Sterling, Jr. (Oregon Journal). Hiram S. MacDonald of the Deseret News was the lone joint operations editor to approve this practice.

TABLE 4.--Do you believe the editor of a joint operation or newspaper combination faces greater ethical and professional responsibilities than the editor of an independent daily?

	YES	NO	NO REPLY
Competing Papers	3 (30%)	5 (50%)	2 (20%)
Combination Papers	4 (31%)	9 (69%)	0 ( 0%)
Joint Operations	0 ( 0%)	6 (86%)	1 (14%)
Total	7 (23%)	20 (67%)	3 (10%)

Two journals Lee used in his content analysis--the Chicago Tribune and the Milwaukee Journal--responded to the questionnaire.<sup>9</sup>

Both David E. Halvorsen, assistant editor of the Tribune, and Harry Hill, editor of the Journal, replied they would permit a reporter to cover a story even though they knew he had a strong bias on the subject. This supports Lee's contention that news coverage can be greatly affected by a paper's editorial policy.

However, as Table 5 indicates, the vast majority of editors do believe they face greater ethical and professional responsibilities than their 1910 counterparts faced before the growth of newspaper monopolies.

TABLE 5.--Do you believe the editor of the 1970's faces greater ethical and professional responsibilities than his 1910 counterpart?

	YES	NO	NO REPLY
Competing Papers	6 (60%)	2 (20%)	2 (20%)
Combination Papers	9 (69%)	3 (23%)	1 ( 8%)
Joint Operations	6 (86%)	0 ( 0%)	1 (14%)
Total	21 (70%)	5 (17%)	4 (13%)

The results of this questionnaire indicate that the editor (or publisher) is still the primary person who determines editorial policy

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<sup>9</sup>Lee, p. 460.

In 51 per cent of the papers, it is the editor or publisher who makes the final determination. This is followed by committees which make this decision for 33 per cent of the papers. Editorial policy is determined by committees in 54 per cent of combination papers, while the editor or publisher makes this decision for the vast majority of competing papers and joint operations. Complete statistics can be found in Table 6.



TABLE 6.--How is the editorial policy of your paper determined?

	EDITOR	WRITER	COMMITTEE	OWNER	CHAIN	OTHER
Competing Papers	6 (60%)	1 (10%)	2 (20%)	0 (0%)	0 (0%)	1 (10%)
Combination Papers	4 (30%)	0 ( 0%)	7 (54%)	1 (8%)	0 (0%)	1 ( 8%)
Joint Operations	6 (86%)	0 ( 0%)	1 ( 4%)	0 (0%)	0 (0%)	0 ( 0%)
Total	16 (51%)	1 ( 4%)	10 (33%)	1 (4%)	0 (0%)	2 ( 8%)

Most editors (77 per cent of those responding) said they make a conscious attempt to balance their paper's editorial views with opposing views from local and syndicated columnists (Table 7). Again, there is diversity in the Cox chain, as the Atlanta Journal, a combination paper, does not adhere to this policy, while the Miami News, a joint operation paper, does. There are two other combination newspapers that do not attempt to balance editorial opinions--the Milwaukee Sentinel and The (Portland) Oregonian.

TABLE 7.--Is there a conscious attempt to balance your paper's editorial views with local and syndicated columnists with opposing philosophies?

	YES	NO
Competing Papers	8 (80%)	2 (20%)
Combination Papers	10 (77%)	3 (23%)
Joint Operations	5 (72%)	2 (28%)
Total	23 (77%)	7 (23%)

When asked about periodic readership surveys, 70 per cent of the editors responding replied that their papers made such studies (Table 8). Competitive papers, which face the stiffest challenge, make the greatest use of surveys (80 per cent), while combination papers, which face no competitive challenge, make the smallest use of surveys (61 per cent).

TABLE 8.--Does your paper take periodic readership surveys to determine what changes the public would like to see in terms of features, content, etc.?

	YES	NO
Competing Papers	8 (80%)	2 (20%)
Combination Papers	8 (61%)	5 (39%)
Joint Operations	5 (72%)	2 (28%)
Total	21 (70%)	9 (30%)

In addition to using readership surveys less than other journals (Table 8), combination papers are less likely to have ombudsmen (to settle reader complaints) or press councils in operation (Table 9). Similarly, combination editors are much more vehement in their opposition to the concept of press councils than their counterparts on competing papers and joint operations.

TABLE 9.--Does your paper have an ombudsman (to settle reader complaints) or a local press council in operation?

	YES	NO
Competing Papers	3 (30%)	7 (70%)
Combination Papers	2 (15%)	11 (85%)
Joint Operations	3 (43%)	4 (57%)
Total	8 (27%)	22 (73%)

TABLE 10.--If local, state and national press councils were formed, would your paper support them and cooperate with them?

	YES	NO
Competing Papers	5 (50%)	5 (50%)
Combination Papers	5 (38%)	8 (62%)
Joint Operations	6 (86%)	1 (14%)
Total	16 (53%)	14 (47%)

Only 15 per cent of the combination papers have an ombudsman or a press council in operation (compared to 30 per cent of the competing papers and 43 per cent of joint operations). When asked if they would support and cooperate with local and national press councils (if these were formed), only 38 per cent of the combination editors said they would compared with 86 per cent of joint operations editors and 50 per cent of competing editors.

Editors of combination newspapers also viewed the press council

concept as a greater "threat to freedom of the press" than editors of competitive journals and joint operations (Table 11).

TABLE 11.--As a journalist, do you think the press council concept poses a threat to freedom of the press?

	YES	NO
Competing Papers	5 (50%)	5 (50%)
Combination Papers	9 (69%)	4 (31%)
Joint Operations	1 (14%)	6 (86%)
Total	15 (50%)	15 (50%)

While a large majority of combination editors (69 per cent) judged press councils as a danger to press freedom, only 50 per cent of competing editors and 14 per cent of joint operations editors agreed. One of the reasons for this fear may be that the combination editor has more power to lose. Since all the daily papers are published by his firm, there is little or no competition. At present, he is freed from the choice of the marketplace, and therefore, has greater control of his paper which might be affected by the establishment of press councils. The combination editor and publisher feels little or no economic pressure to modify their journal to meet the demands of their readers. In Dayton or Atlanta, readers have a "choice" between the morning Cox and the evening Cox, while in Portland the "choice" is between the morning Newhouse and the evening Newhouse. Because of his monopolistic position, the combination editor has more power to use or misuse and, hence, more to lose if local and/or national press councils are established.

Only seventeen of the thirty editors who responded (57 per cent) reported that editors from their paper attended or sponsored public meetings to learn more about readers' opinions about the local press

(Table 12). Of these seventeen papers, only the Lincoln Star held weekly meetings and eight held or sponsored these meetings "frequently" (Table 13).

TABLE 12.--Do the editors of your paper attend or sponsor public meetings to learn more about the readers' opinions of the paper?

	YES	NO
Competing Papers	6 (60%)	4 (40%)
Combination Papers	7 (54%)	6 (46%)
Joint Operations	4 (57%)	3 (43%)
Total	17 (57%)	13 (43%)

TABLE 13.--If they do (attend or sponsor public meetings), how often is this done?

Weekly	1	Frequently	8	When necessary	5
Quarterly	1	Semiannually	1	Yearly	1

When asked to evaluate how well the press informs the public about news involving the press (both pro and con) combination editors once again differed dramatically from other editors. A much larger percentage of combination editors (38 per cent) thought the press did this job "very well" than competing editors (10 per cent). None of the joint editors who responded believed the press is doing the job of reporting about its activities "very well." On the whole, 40 per cent of the editors viewed the press' performance as poor, while only 20 per cent thought it was very good (see Table 14).

TABLE 14.--Evaluate how well you think the press informs the public about news involving the press (both pro and con).

	VERY WELL	ADEQUATELY	POORLY
Competing Papers	1 (10%)	3 (30%)	6 (60%)
Combination Papers	5 (38%)	3 (24%)	5 (38%)
Joint Operations	0 ( 0%)	6 (86%)	1 (14%)
Total	6 (20%)	12 (40%)	12 (40%)

By an overwhelming majority of 83 per cent, the editors believe the press is not overly concerned about criticism from government officials (see Table 15).

TABLE 15.--Do you believe the press is overly concerned by criticism from government officials?

	YES	NO
Competing Papers	2 (20%)	8 (80%)
Combination Papers	3 (23%)	10 (77%)
Joint Operations	0 ( 0%)	7 (100%)
Total	5 (17%)	25 (83%)

By an even larger number, the editors thought the press has been responsive to criticism from its readers.

TABLE 16.--Do you think the press is responsive to criticism from its readers?

	YES	NO
Competing Papers	9 (90%)	1 (10%)
Combination Papers	13 (100%)	0 ( 0%)
Joint Operations	6 (86%)	1 (14%)
Total	28 (93%)	2 ( 7%)

This is especially noteworthy when compared with the editors' responses to previous questions. For example, while 93 per cent of the editors believe the press is responsive to readers' criticism, only

70 per cent of the papers take periodic surveys to learn what the readers' complaints are (see Table 8). An even smaller percentage (27 per cent) employs an ombudsman or has a local press council in operation (see Table 9), and only 57 per cent sponsor or attend public meetings to learn more about reader opinions. Even more noteworthy, however, is the fact that while combination editors did the least to elicit comments and criticism from their readers and were much more opposed to the press council concept than other editors, every one of them replied that the press is responsive to readers' criticism. This poses the question: Can editors be responsive to criticism if they do not know what this criticism is?

Only five of the thirty metropolitan editors were in opposition to the Newspaper Preservation Act (Table 17). Of these five, Louis R. Guzzo of the Seattle Post-Intelligencer was the only editor employed by a chain (Hearst) affected by this legislation. Other opponents included: James Hoge (Chicago Sun-Times), Brady Black (Cincinnati Enquirer), Burdett C. Stoddard (Detroit News), and Robert King (Minneapolis Star). King was the only combination editor to oppose the Newspaper Preservation Act. No joint operation editors opposed it. This would be expected, as the act exempted joint operations from anti-trust laws.

TABLE 17.--Are you in favor of the Newspaper Preservation Act (which exempts joint operations from anti-trust laws?)

	YES	NO	NO RESPONSE
Competing Papers	5 (50%)	4 (40%)	1 (10%)
Combination Papers	10 (77%)	1 ( 8%)	2 (15%)
Joint Operations	6 (86%)	0 ( 0%)	1 (14%)
Total	21 (70%)	5 (17%)	4 (13%)

The vast majority of editors responding to the questionnaire believe that newspapers have managed to maintain a competitive spirit even though actual competition has declined in almost every metropolitan area. For example, 77 per cent replied today's papers have the "same competitive spirit as past decades," while only 17 per cent disagreed and 6 per cent were undecided (Table 18). The editors of competitive journals seem less likely to believe this spirit exists than do the editors of combinations and joint operations. Only 60% of the competing editors answered affirmatively compared to 85 per cent and 86 per cent for combination and joint operation editors respectively (see Table 18).

TABLE 18.--Do you believe American newspapers have the same competitive spirit as past decades?

	YES	NO	NO RESPONSE
Competitive Papers	6 (60%)	2 (20%)	2 (20%)
Combination Papers	11 (85%)	2 (15%)	0 ( 0%)
Joint Operations	6 (86%)	1 (14%)	0 ( 0%)
Total	23 (77%)	5 (17%)	2 ( 6%)

Earl W. Foell, managing editor of The Christian Science Monitor, does not feel today's papers are as competitive but thinks ". . . many have an improved spirit of responsibility." Another managing editor who disagrees is Donald Goodenow of the Los Angeles Herald-Examiner. But, Goodenow believes today's competition is actually "better, not as frenetic" as past decades. While Hiram S. MacDonald of the Deseret News feels a strong competitive spirit still exists; he admits it is much stronger "in two-newspaper towns than those with a single paper." Publisher Robert C. Notson of The Oregonian also believes "fundamentally"



a strong competitive spirit still exists. He states that, in his opinion, much of the spirited competition of earlier journalism "was play acting."

The results of this survey indicate the underlying problems the press is facing and some of the reasons behind the growing criticism of the press. Many newspapers do not have ethical guidelines for their reporters and staff writers; many papers are letting reporter bias filter into its supposedly objective and factual news stories and almost one quarter of the papers responding to the survey make no conscious attempt to balance their journal's views with opposing philosophies. While the press has been widely criticized for its suppression of unfavorable reports concerning the newspaper industry (q.v., the Newspaper Preservation Act),<sup>10</sup> the majority of the editors believe the press is doing either a very good or adequate job of reporting about itself.

The responses indicate that much of the criticism leveled against the press by Ms. Efron and through the Wylie and Gibson surveys, which were discussed in Chapter II, is justified. For example, 30 per cent of the responding editors indicated they actually would promote bias in their papers by knowingly assigning a biased reporter to cover a story (Table 3). The majority also believe that editors of a combination or joint operation have no greater ethical or professional responsibilities than the editors of competing dailies (Table 4). These responses indicate why the press has become the subject of mounting criticism and has lost its standing with many readers.

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<sup>10</sup> John McLaughlin, "Public Regulation and the News Media," America, December 13, 1969, p. 587.

The survey also helps illustrate the reasons behind the displeasure with monopoly press and advocacy of special legislation to regulate it. The combination editors who responded to the survey were less likely to survey their readership (Table 8) and less willing to cooperate with press councils (Table 10) than their counterparts on competing dailies and joint operations. In addition, combination editors in general have a much greater fear of the press council concept and its effects on "freedom of the press" than do the other editors.

While Gibson's survey indicates an objectivity in admitting that press bias does exist, the author's survey indicates a great deal less objectivity concerning other areas of the newspaper operation. Tables 8, 12 and 16 best illustrate this lack of objectivity. Table 16 shows 93 per cent of the editors believe the press is responsive to reader criticism, but Tables 8 and 12 indicate that many editors do not actively solicit criticism either through readership surveys or through public meetings. The figures for combination editors indicate an even greater lack of objectivity. While combination editors are the only group to agree unanimously that the press is responsive to criticism, they are much less likely to solicit it than editors of competing or joint operation papers.

The most serious problem the author's survey indicates, however, is the lack of dialogue between editors and their readers. This lack of dialogue helps explain why editors rate press performance much higher than readers; the editors do not realize the intensity of criticism because reader feedback is extremely limited. Tables 8, 9, 12, 13 and 16 illustrate the lack of reader feedback. In many cities the commun-

ication between the editor and his readers is strictly a monologue.

While the editor suggests whom the readers should support in elections as well as which social, political and economic issues merit their support, he often is reluctant to encourage comments and recommendations--both positive and negative--from his readers. Unfortunately, the survey indicates this situation is most prevalent in combination cities, where editors have the least moral and ethical justification for ignoring the opinions of their readers.

The nation's editors seem to lack direction and are uncertain as to whether or not they are effectively fulfilling their responsibilities. The author's sampling is relatively small as only 31 of 93 editors responded to the questionnaire, but his findings closely parallel the results of the Wylie and Gibson surveys, which were based on much larger samplings. Perhaps this small response indicates that ethical and professional responsibilities are not considered a major problem by the nation's editors.

But, as the criticism of the press heightens, the critics become more vocal in their opposition and have introduced a number of alternatives for reform.

## CHAPTER IV

### ALTERNATIVES FOR THE PRESS

The power to create future changes designed to improve credibility and increase public access rests with the following clusters of individuals and organizations: the government, the public and the nation's editors and publishers.

Newspapers are unique in that they are the only monopoly (in cities where a monopoly press exists) that has escaped government regulation. Unlike public utilities, the government does not regulate pricing and business policies and unlike radio and television stations, newspapers are not subject to any federal regulatory agencies. For the past forty years newspapers have enjoyed all the advantages of monopoly operation with none of the restrictions that normally accompany it. Since the 1920s, with two exceptions, the Federal government stood aside and let powerful publishers drive competitors from the marketplace. A typical example is Atlanta, where Cox obtained control of the Journal and Constitution and through the advantages of combined operation forced the Atlanta Times to cease publication and created a monopoly in 1965. The two examples of government action against newspaper monopolies are the Tucson case, which was discussed in Chapter I, and the action by the Justice Department to prevent Scripps-Howard, which owns the Cincinnati Post from purchasing the rival Enquirer in 1969.

There are two basic ways through which the government can take

action to restore competition and increase public access to newspapers.

The first method would be for the Justice Department to take aggressive action against newspaper combinations. During their forty-five year history, joint operations have proven to be a very successful and profitable method of operating newspapers. By simply enforcing the present anti-trust and monopoly laws against newspaper combinations as it enforces them against other industries, the Justice Department could act to break up newspaper combinations. Because of the financial advantages joint operation offers, most publishers, forced to divest themselves of one paper, would continue to operate their remaining paper through a joint operating agreement.

The Supreme Court's ruling in the Tucson decision indicates combination editors would have little chance of preventing this trust-busting through judicial appeal. A major obstacle to active prosecution of combinations could come from the Congress. If publishers could influence Congress to enact special-interest legislation--similar to the Newspaper Preservation Act--they possibly could curtail action to break up the monopolistic combinations.

Since the newspaper industry has been openly violating monopoly and anti-trust laws since the 1920s, why has the Justice Department been reluctant to act against them? The Justice Department receives its direction from the President. Few men, even presidents, have had the courage to challenge the power of the press, even on the basis of stemming monopolies. For example, when Agnew openly criticized the media he was accused of trying to control the press.

Because of the power the press holds, it is unlikely that

President Ford or any future President will be willing to take the risks necessary to instruct the Justice Department to take action against newspaper monopolies. Most industries do not have the power to influence public opinion about elected officials; newspapers do. This helps explain why newspapers have escaped monopoly and anti-trust prosecution while other industries have not.

A second method of change by the government would be "imposition" of the First Amendment to the Constitution on the press. This concept has been proposed by Jerome A. Barron, professor of law at George Washington University. Barron states:

. . . the central meaning of the First Amendment is to encourage political expression, particularly criticism of the government.  
 . . . a monopoly press, like all other monopoly services, should have some compulsory obligations. Indeed, this concept is already recognized by the federal courts with regard to state-owned bus terminals and subways. The theory is that public facilities are dedicated to public use, and that the state, of all power entities, cannot prohibit political communication in buildings and areas which have invited the public. Surely, this analysis is even more applicable to a community's only daily newspaper. When First Amendment objectives are combined with the quasi-public role of the monopoly newspaper, the legal case for access to the press becomes very strong.<sup>1</sup>

In 1970, Barron, working with then-Congressman Michael Feighan of Ohio, proposed a bill entitled the Truth Preservation Act. Its title was "somewhat sardonically" taken from the Newspaper Preservation Act which became law earlier the same year.<sup>2</sup> Barron states:

The title of the proposed law is itself a frank statement of purpose: 'A bill to impose on newspapers of general circulation an obligation to afford certain members of the public an oppor-

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<sup>1</sup>Jerome A. Barron, Freedom of the Press for Whom? (Bloomington, Ind.: Indiana University Press, 1973), p. 25.

<sup>2</sup>Ibid., p. 55.

tunity to publish editorial advertisements and to reply to editorial comment.' The bill requires newspapers of general circulation in a community to publish editorial advertisements only after all the other papers in the community have been resorted to and all have refused to publish. This provision properly emphasizes that it is only when closed-mindedness of all papers in a community results in the banishment of an idea that a right of access should come into play. If there are two dailies in a community, and one daily will publish an editorial advertisement, the kind of total censorship which completely smothers an idea for an entire community is lacking.

Total denial of access by the community's press therefore is what the new law would require before relief under it would be granted. Making total exclusion a requirement is designed to emphasize the quasi-public role of the daily press. The theory is that the greater the extent of public dependence on the press, the greater the constitutional case for access. Just as a public utility must meet certain standards of service, serve all legitimate paying customers, and be accountable to public agencies because of its monopoly position, so public dependence on the daily press should impose standards of service on the daily press.<sup>3</sup>

Basically, Barron and his supporters question whose rights the first amendment was created to safeguard--the rights of editors and publishers or the rights of every member of society. They also question if we have not simply exchanged government censorship for a private censorship. Two of Barron's supporters, Alan Reitman and Trudy Hayden, write:

But although our acceptance of this theory has made us alert to the evils of government censorship, it has left us totally indifferent to some other implications of the 'free market theory in the realm of ideas.' Our indifference to non-governmental obstructions to the free exchange of ideas 'becomes critical when a comparatively few private hands are in a position to determine not only the extent of information but its very availability, when the soap box yields to radio and the political pamphlet to the monopoly newspaper.'

Many reasons have been advanced to explain why the modern mass media have come to wield so strong an influence on the content of ideas that reach the marketplace of expression. The first that

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<sup>3</sup> Ibid., p. 58.

comes to mind is that the people who control the media may deliberately foreclose from access any idea that is inimical to their interests, or simply to their prejudices. Accentuating this is the decline of newspaper competition both economically and editorially, due in part to the rising costs of production and the rise of competition by other media. The wane of competition and the growth of the monopoly enterprise, which together have created so many one-newspaper towns, naturally increases the power of those papers that remain to suppress opinions or even facts at their discretion.<sup>4</sup>

Barron suggests three approaches to assure the right of access to the press. The first is judicial. Courts would hear the complaints of individuals and groups who believe they have been denied an opportunity to express their views on public issues. A second approach would be national or state legislation requiring "that access to a paper cannot be arbitrarily denied but must be based on some rational and previously determined standard." Barron's third suggestion is creation of a regulatory agency similar to the present function of the Federal Communications Commission in broadcasting.<sup>5</sup>

The chief way to build involvement and increase access through the public sector is establishment of national and local press councils. The press council concept is not a new idea. A national press council has been in operation in Britain since 1953. While local press councils in the United States have only been in operation for the past eight years, the Commission on Freedom of the Press in 1947 recommended establishment "of a new and independent agency to appraise and report

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<sup>4</sup>David J. Leroy and Christopher H. Sterling, Mass News: Practices, Controversies and Alternatives (Englewood Cliffs, N. J.: Prentice-Hall, Inc., 1973), p. 229.

<sup>5</sup>Ibid., p. 236.



annually upon the performance of the press."<sup>6</sup>

The British Press Council has served as a model for local councils in the United States. The British council was founded in 1953 during a period of severe criticism of the press similar to the criticism which exists in the United States today. Noel S. Paul, former newspaper editor and secretary of the British Press Council states:

The Council was formed as a result of public dissatisfaction after World War II with the performance of the press, particularly in regard to matters which could not be resolved satisfactorily by legislation. This dissatisfaction led to the appointment of a Royal Commission in 1947 to inquire into the conduct of the press. The Royal Commission's writ extended to the question of monopoly ownership, but it was largely concerned with the issue of complaints, and it recommended the formation of the Press Council, with a lay membership element. The National Union of Journalists--the strongest union representing working journalists--had for some years been advocating formation of a press council, and of course supported the recommendations of the Royal Commission. . . . Nevertheless this report, which was issued in 1949, did face some opposition among newspaper publishers, and it was not until 1953 that the Press Council was formed--and then without a lay element.

The dissatisfaction was very largely concerned with issues of political bias and allegations of intrusion into privacy. Neither of these fields, curiously enough, has really been a major field of complaint since the formation of the Press Council.<sup>7</sup>

Paul states that the British council is concerned with "ethical improprieties and not matters of opinion." When originally organized, the council only represented press organizations and editorial unions. The council later was expanded to include members of the public.<sup>8</sup>

According to the council by-laws, a complainant first must write

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<sup>6</sup> Norman E. Isaacs, "Why We Lack a National Press Council," Columbia Journalism Review 9 (Fall 1970): 17.

<sup>7</sup> Noel S. Paul, "Why the British Press Council Works," Columbia Journalism Review 11 (March/April 1972): 20.

<sup>8</sup> Ibid., p. 22.

the editor of the paper against which he is making a complaint.

According to Paul:

The result of this, and the knowledge that the complainant may go to the Press Council, is that an editor is likely to treat seriously a complaint he receives in this form, and very often the complaint is settled in correspondence between the editor and the complainant. It may be, for instance, that an editor will publish a correction or an apology and thus<sup>9</sup> settle the matter, or he may explain the newspaper's action.

If this fails, the complainant takes his grievance to the press council and the Secretariat considers the merits of the complaint. The Secretariat decides whether the complaint has sufficient substance to be settled by the council. If he decides the complaint has merit, he may refer it directly to the Complaints Council, without the editor being called in to respond to the complaint.

The Complaints Council has the executive authority to dispose of trivial or unreasonably delayed complaints which, in its opinion, do not warrant adjudication. Once the council has made its adjudication the Secretariat sends an account of the complaint to all parties concerned. This account also is sent to the media in the form of a press release.

There is an ethical requirement that the findings of the council be published in the paper involved, and in practice this is done, according to Paul.

A limited number of experiments have been made with the press council concept in the United States. All of these have been patterned after the British model.

A number of major differences exist between the British press and

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<sup>9</sup> Ibid.

the American press. First, the British newspapers are fewer in number and more national in scope than their American counterparts. This is due mainly to the dense population of England compared to the United States, which has major population centers scattered throughout its 50 states. In addition, the British press is subject to a greater number of governmental regulations than American papers.<sup>10</sup> This makes it much more likely that an article can be suppressed in a British paper than in an American journal. The geography of England, the limited number of newspapers and the greater fear of governmental censorship help explain why the concept of a national press council has been much more successful in Britain than in the United States.

The first press councils in the United States were experimental councils financially established by the Mellet Fund for a Free and Responsible Press, and these were operated under the guidance of university experts in journalism research. The Mellet Fund councils were established in Bend, Oregon; Redwood City, California; Cairo, Illinois; Sparta, Illinois; Seattle, Washington; and St. Louis, Missouri, on a one-year experimental basis.

William B. Blankenburg, assistant professor of journalism at the University of Wisconsin, directed operations of the councils in Bend and Redwood City. After completing his work with the experimental councils, Blankenburg composed the following box score: two publishers unscathed, eighteen press council members edified and one bogeyman dead. He writes, "The bogeyman was fear--a vague anxiety over the effect of councils on

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<sup>10</sup>"Wanted: A Bill of Rights," Time, February 24, 1975, p. 40.

press freedom." In Blankenburg's opinion the experimental councils "may have planted some good seeds in the weedy field of press responsibility." He writes:

Hearing complaints may not be the most important function of a local press council. A council's greater strength lies in its extensive collective knowledge of the community.

The Bend council was composed of a laboratory technician, a circuit court judge, a surgeon, a truck driver, a social worker, two lumber executives, a piano teacher, and a Ford dealer. The Redwood City council had a city councilwoman, a high school student, a janitor, a painter's union business representative, a trial lawyer, a housewife, a social-science teacher, a J. C. Penney store manager, and a retired junior-high teacher.

Although neither group was a perfect cross-section--an impossibility in nine members--the members' backgrounds were diverse enough to reflect a variety of viewpoints. . . .<sup>12</sup>

Blankenburg believes press councils, by their mere presence, can have an effect on editors: "A hidden value in press councils is their ability to require busy journalists to reflect on their work."<sup>13</sup>

Sparked by the Mellet-funded councils, Houstoun Waring, editor emeritus of the Littleton (Colorado) Independent and Arapahoe Herald, took the initiative and founded the Little Community Press Council in late 1967. This council has been extremely successful, according to Editor Garrett Ray.

'As editors and publishers,' he added, 'our contacts too frequently are limited mostly to Rotary or Kiwanis, the country club, and other newspaper editors and publishers. The press council helps us to reach out to other segments of the community.'<sup>14</sup>

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<sup>12</sup>Ibid., pp. 15-16.

<sup>13</sup>Ibid., p. 16.

<sup>14</sup>David E. Brown, "Community Press Council Provides Feedback Channel," Editor & Publisher, November 20, 1971, p. 18.

In 1971 the Minnesota Newspaper Association established the Minnesota Press Council, the only statewide press council in the nation. A progressive organization, the Minnesota Press Association was the only body of its kind to oppose passage of the Newspaper Preservation Act.<sup>15</sup>

More recently, Justice Rodger Traynor has worked to establish a national news council, which is financed by the Twentieth Century Fund and other foundations. Editor & Publisher reports:

The purposes of the council, which would be made up of public citizens and journalists, would investigate charges of bias or unfairness of reporting, and would single out what may be attempts to limit freedom of the press. Yet, according to task force member Hodding Carter III, the council is not intended to function as a 'defensive ballgame' to protect the media.<sup>16</sup>

However, the council has been slowed by the reluctance of editors and publishers to cooperate. J. Edward Murray, then-president of the American Society of Newspaper Editors, surveyed editors and discovered a four-to-one disapproval in 405 replies.<sup>17</sup> Two of the nation's leading newspapers--The New York Times and Washington Post have publicly announced their refusal to cooperate with the National News Council.

There are now more than a dozen press councils in operation throughout the world. In addition to Britain, Sweden, Switzerland, South Africa, West Germany, India, Turkey, South Korea, Italy, The Netherlands, and Denmark have press councils in operation.<sup>18</sup>

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<sup>15</sup>Alfred Balk, "Minnesota Launches a Press Council," Columbia Journalism Review 11 (November/December 1971): 23.

<sup>16</sup>"Funds Are Sought for Press Council; \$400,000 a Year," Editor & Publisher, December 9, 1972, p. 53.

<sup>17</sup>Ibid.

<sup>18</sup>Isaacs, "Why We Lack a National Press Council," p. 24.

With the growth of press councils throughout the world, why has this concept not gained wider acceptance in the United States?

According to Isaacs, the United States does not have a national press council because editors and publishers, particularly the latter, are reluctant to establish one. He states:

. . . while many editors might look upon a grievance proposal favorably, it is conjecture as to how many would feel free to commit themselves to a public vote. . . .

In the final analysis, what is called for are enough editors to put their jobs on the line for what it is they believe in. I know it is asking a lot. But I have done it myself on occasion and so have some others, because we happen to think that's what being an editor ought to mean.<sup>19</sup>

The results of the author's survey indicate little, if any, change in the editors' opinions about press councils (see Chapter III, Tables 10 and 11). This survey indicates that only 53 per cent of the responding editors would support and cooperate with national and local press councils if they were formed. In addition, 50 per cent of the responding editors view the press council concept as a threat to freedom of the press. Even more revealing, however, are the statistics for editors of combination newspapers. Only 38 per cent of the combination editors said they would support press councils, while 69 per cent of the combination editors see the press council concept as a threat to freedom of the press. This illustrates that combination editors, who by virtue of their monopoly position should be the most open with their readers, are in reality the least open to initiating audience feedback. Since there is a reluctance on the part of editors, the impetus to form and cooperate with local press councils must come from the public sector.

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<sup>19</sup>Ibid., p. 26.

Public opinion may provide a stronger motivation than the editors' ethical principles.

Editors and their publishers, working individually or through professional groups, can bring about change and reform to establish a dialogue with readers and to assure greater access to the public. While some papers have been leaders in establishing a feedback loop and opening their pages to readers, other journals have been slow to move and have not changed until forced to do so when repressive adjudication or legislation seemed imminent.

The Louisville papers, The Courier-Journal and The Louisville Times, have led the nation's press in giving the public greater access through a series of responsible innovations. Led by two progressive editors, formerly by Isaacs and currently by Barry Bingham, Jr., the Louisville papers illustrate that combination editors can be the most open with their readers and even assume a role of national leadership in reforming the press, making it more accessible to readers and in establishing a dialogue between the newspaper and its readership.

Under the leadership of Isaacs and Bingham, the Louisville papers have pioneered the concept of a staff ombudsman to settle reader complaints, publication of corrected errors from previous editions and readers' viewpoint columns that afford readers the opportunity to reply to columns or articles with which they disagree.

Isaacs obtained the idea for the ombudsman from an article by A. H. Raskin in The New York Times Magazine of June 11, 1967, entitled: "What's Wrong With American Newspapers." Raskin wrote:

That is the point of my proposal that newspapers establish

their own Department of Internal Criticism to check on the fairness and adequacy of their coverage and comment. The department head ought to be given enough independence in the paper to serve as an Ombudsman for the readers, armed with authority to get something done about valid complaints and to propose methods for more effective performance of all the paper's services to the community, particularly the patrol it keeps on the frontiers of thought and action.

To demonstrate how important he considered the ombudsman program, Isaacs selected John Herchenroeder as the paper's ombudsman. Herchenroeder, an assistant executive editor, had worked for the Louisville papers since 1926 and was former city editor. To introduce the ombudsman program, the papers carried a series of advertisements about the objectives of the ombudsman program. Every edition of the Louisville papers carries a "box" advising readers to contact the ombudsman if they have any questions or complaints concerning articles that appear in the paper.

In the first year of operation, approximately four hundred complaints were processed. The number has grown to approximately three thousand a year. Herchenroeder states:

In some cases, the newspaper clarified the news story, in others we admitted we made an error and said we were sorry. The Ombudsman also learned that 'internal criticism' was a most difficult and touchy part of the job.

The Ombudsman also found that contacts with readers touched every news function, city room, wire copy, women's department, sports and editorials. The job does not include criticism of editorial opinion, but the reader's complaint is passed along to the editorial page editors.

Mr. Barry Bingham, Sr., Chairman of the Board, who made the decision to establish the Ombudsman role, has commented that the points raised by readers are all interesting in various ways, and indicative of how misunderstandings about the papers arise, often with little or no justification.

The Ombudsman goes directly to the reporter or editor involved to get complete information on each case. He also sends a daily case by case report to Mr. Barry Bingham, Jr., Editor and Publisher; the Executive Editor, the Managing Editors of both



newspapers, the Public Service Director, and other news department officials.<sup>20</sup>

Both Louisville newspapers also allocate space "where the other side of a controversy or a difference of opinion with an article can be presented in a column of 1,200 words or so." These columns are in addition to regular letters-to-the-editor columns.<sup>21</sup>

The ombudsman program gained national attention through articles in Time, Newsweek, Editor & Publisher and The New York Times. Herchenroeder states he has received more than fifty inquiries from other newspapers concerning his responsibilities. The Washington Post and papers in Wilmington, Delaware; St. Petersburg, Florida; and Milwaukee, Wisconsin, have adopted similar programs.

The Courier-Journal started correcting errors in June 1969 under the heading "Beg Your Pardon," which appears daily on the first page of the second section of the newspaper. Six months later The Louisville Times began correcting errors under the caption: "We Were Wrong." Similar columns now appear in the Wall Street Journal, New York Times and Charlotte Observer.<sup>22</sup>

The Courier-Journal and The Louisville Times have established a policy of printing virtually every authentic letter they receive. Dozens of other journals have adopted similar policies and increased the space allocated to letters-to-the-editor.

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<sup>20</sup>John Herchenroeder, "Role of the Ombudsman--The Courier-Journal and Louisville Times," Louisville, Kentucky, n.d.

<sup>21</sup>John Herchenroeder, personal letter, July 23, 1974.

<sup>22</sup>"Letting In the Public," Time, September 9, 1974, p. 48.

Unfortunately, not all editors and publishers share the ethical and professional standards of Bingham and Isaacs. The less professional editors and publishers are coming under increasing fire as criticism of the press grows. For example, William Loeb, publisher of the Manchester Guardian, was the subject of national criticism for his bias in his paper's columns concerning Senator Edmund Muskie's candidacy in the 1972 New Hampshire presidential primary. Walter Annenberg, former publisher of the Philadelphia Inquirer and the Daily News, was the subject of strong criticism for his prejudices:

Annenberg's piques, prejudices and biases were part and parcel of the news columns, and his famous 'blacklist' of persons who must never be pictured or mentioned favorably in the Inquirer was required reading for his editors. Those so black-listed included University of Pennsylvania president Gaylord P. Harnwell, singer Dinah Shore and ex-Ambassador to Ireland Matthew McCloskey.<sup>23</sup>

In Dayton, Ohio, the city's newspaper combination has incorporated two of the Louisville innovations--correcting errors from previous publications and increasing the volume of letters-to-the-editor that appear in the Journal-Herald and the Daily News. Both papers, particularly the Daily News and its editor Jim Fain, have come under strong criticism from its readers through letters-to-the-editor. Readers have accused Fain of operating a one-party press and allowing bias to enter "objective" news stories. While these charges may be highly subjective and may be disputed, several facts cannot be disputed. Neither paper has a policy of granting free space, other than in the letters-to-the-editor column, to people or organizations who are the subject of critical

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<sup>23</sup>"Knight in Philadelphia," Newsweek, November 10, 1969, p. 98.

articles or editorials. A careful study of the Dayton papers indicates that both papers suppressed coverage of the Tucson decision, Congressional hearings on and enactment of the Newspaper Preservation Act. It is especially important to bear in mind that the Miami News, another Cox newspaper, benefited from enactment of this legislation.

The Dayton papers were not alone in suppressing coverage of the Tucson decision, the Newspaper Preservation Act and other adverse news about the newspaper industry. While the nation's editors are quick to pass judgment on the ethical and professional standards of others, many of the nation's editors appear unwilling to apply the same standards to themselves. Coverage of the Newspaper Preservation Act and other unfavorable news affecting the industry indicates that many editors are willing to put their lofty ideals aside when their profession comes under attack.

Hohenberg has been especially critical of unscrupulous editors.

He states:

. . . the good newspapers do try to keep their basic interests from affecting what they publish in their news columns . . . . But their numbers are limited, and the less scrupulous keep on doing what comes naturally.<sup>24</sup>

Isaacs calls on the nation's editors to take a stronger stand for principles in which they believe. He states, "In the final analysis, what is called for are enough editors to put their jobs on the line for what it is they believe in . . . that's what being an editor ought to

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<sup>24</sup> John Hohenberg, The News Media: A Journalist Looks at His Profession. (New York City: Holt, Rinehart and Winston, Inc., 1968), p. 94.

mean."<sup>25</sup>

To determine the need for press reform, it is necessary to evaluate the performance of the press to ascertain if the nation's editors are meeting their ethical and professional responsibilities, or if the accusations of critics are justified.

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<sup>25</sup> Isaacs, "Why We Lack a National Press Council," p. 26.

## CHAPTER V

### AN ANALYSIS OF THE ETHICAL AND PROFESSIONAL RESPONSIBILITIES OF TODAY'S EDITORS

The first four chapters of this study have examined consolidation of ownership in the newspaper industry along with special-interest legislation designed to preserve this concentration, criticism of the press, the attitudes of the nation's editors, and alternatives for the press. The concluding chapter will attempt to determine the ethical and professional standards toward which editors should strive, analyze whether or not they are meeting these standards, suggest recommendations for possible reform and make suggestions for further study.

John C. Merrill and Ralph L. Lowenstein emphasize the importance of ethics in journalism. In Media, Messages and Men they state:

. . . there really is no way to divorce the problems and basic issues of journalism . . . from the ethics of journalism. . . . Ethics should give the journalist standards by which he can judge actions to be right or wrong, good or bad, responsible or irresponsible.<sup>1</sup>

Richard L. Johannesen establishes the criteria for evaluating the ethics of communications and communicators. These are:

The quality of judgment of communication ethics usually would be improved (1) by specifying exactly what ethical

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<sup>1</sup>John C. Merrill and Ralph L. Lowenstein, Media, Messages and Men, (New York City: David McKay Company, Inc., 1971), p. 242.

criteria, standards or perspectives we are applying, (2) by justifying the reasonableness and relevancy of these standards, and (3) by indicating in what respects the communication evaluated fails to measure up to these standards.<sup>2</sup>

In attempting to assess the ethical and professional standards of the nation's editors, one must first determine the standards by which these men and their papers should be judged. The standards the author selected are taken from the Canons of Journalism, which serves as the Code of Ethics for the American Newspaper Publishers Association and the American Society of Newspaper Editors; and the Code of Ethics of The Society of Professional Journalists, Sigma Delta Chi.<sup>3</sup> These ethical codes were developed by working journalists as the standards against which they believe their performance should be judged, and also serve as the basis for most regional, state and local codes of ethics; therefore, they meet Johannesen's reasonableness and relevancy criteria.

The standards selected by the author include:

RESPONSIBILITY--The right of a newspaper to attract and hold readers is restricted by nothing but consideration of public welfare. The use a newspaper makes of the share of public attention it gains serves to determine its sense of responsibility, which it shares with every member of its staff. A journalist who uses his power for selfish or otherwise unworthy purpose is faithless to a high trust.

INDEPENDENCE--Freedom from all obligations except that of fidelity to the public interest is vital.

1. Promotion of any private interest contrary to the general welfare, for whatever reason, is not compatible with honest journalism. . . .
2. Partisanship, in editorial comment which knowingly departs from the truth, does violence to the best spirit of

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<sup>2</sup>Richard L. Johannesen, Ethics in Human Communication, (Columbus, Ohio: Charles E. Merrill Publishing Company, 1975), p. 15.

<sup>3</sup>The Canons of Journalism comprises Appendix 3. The Society of Professional Journalists, Sigma Delta Chi Code of Ethics is Appendix 4.

American journalism; in the news columns, it is subversive of a fundamental principle of the profession.

IMPARTIALITY--Sound practice makes clear the distinction between news reports and expressions of opinion. News reports should be free from opinion or bias of any kind.<sup>4</sup>

Objectivity in reporting the news is another goal, which serves as the mark of an experienced professional. It is a standard of performance toward which we strive. We honor those who achieve it.<sup>5</sup>

FAIR PLAY--A newspaper should not publish unofficial charges affecting reputation or moral character without opportunity given to the accused to be heard; right practice demands the giving of such opportunity in all cases of serious accusation outside judicial proceedings.<sup>6</sup>

Fair play, according to the Canons of Journalism, includes the duty of a newspaper "to make prompt and complete correction of its own serious mistakes of fact or opinion, whatever their origin."<sup>7</sup>

ESTABLISHING DIALOGUE--Journalists should be accountable to the public for their reports and the public should be encouraged to voice its grievances against the media. Open dialogue with our readers should be fostered.

PLEDGE--Journalists should actively censure and try to prevent violation of these standards, and they should encourage their observance by all newspeople. Adherence to this code of ethics is intended to preserve the bond of mutual trust and respect between American journalists and the American people.<sup>8</sup>

In selecting the above standards the greatest emphasis was placed on the Canons of Journalism, which has served as the ethical code of the editors and publishers since 1925, with reinforcement from

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<sup>4</sup>American Society of Newspaper Editors Canons of Journalism, 1925.

<sup>5</sup>The Society of Professional Journalists, Sigma Delta Chi, Code of Ethics, 1973.

<sup>6</sup>Canons of Journalism.

<sup>7</sup>Ibid.

<sup>8</sup>Code of Ethics.

the Sigma Delta Chi Code, which was adopted in 1973.

Parts of the Canons not used by the author include: the Freedom of the Press section, which emphasizes that a free press is the right of mankind; and the Sincerity, Truthfulness, Accuracy section, which is similar to the definition of objectivity in the Sigma Delta Chi Code.

These codes emphasize the importance of ethical and professional responsibilities of editors and publishers in a democratic society. Citizens must have the necessary information to make intelligent decisions if the concept of democracy is to be realized. It is the responsibility of the press to communicate this information to its readers in a truthful and objective manner. But according to the codes, the responsibility of the press is more than simply reporting the news in an objective manner. It also means acting in the public welfare, the responsibility of correcting errors of fact or opinion, fair play, accountability to the public, providing access for readers and establishing dialogue with readers. Journalists drew up these codes as standards of performance because they realized members of their profession must follow the highest ethical standards if they are to retain the truth and respect of the American people.

The consolidation of ownership in the newspaper industry has placed added importance on the ethics of editors and publishers. There are only forty-five cities in the United States with competing dailies. Twenty-two have joint operations and the remainder have some type of monopoly ownership, either a combination or a single paper. This highly concentrated ownership places even greater responsibilities on the



editors and publishers of the 1970s.

Are these Codes of Ethics documents that have true meaning to the nation's editors or are they simply lofty ideals which are dusted off once a year and read at professional conventions? In attempting to assess the degree of adherence to the ethical and professional principles, the best method of analysis is to compare performance to the ideals of these codes.

The Newspaper Preservation Act is paramount for three reasons--first, it gave joint operations the right to fix prices, pool profits and allocate markets; second, it stemmed a possible tide of judicial proceedings which could have been directed at combination newspapers, and third--and perhaps most important--presented a significant ethical decision for the nation's editors. Editors were forced to choose between the ethical standards of their profession or the economic interests of their industry and, in some cases, their employers. Unfortunately, the majority selected economic interest over principle. The fact that most editors chose not to cover the Congressional hearings on the Newspaper Preservation Act and the extensive lobbying by their industry indicates the willingness of editors to abdicate their responsibility to inform the public. It also poses the question of publisher pressure which may have caused many not to cover the act. According to Rowse, The Washington Post was the only newspaper to provide regular and sizable accounts of the hearings and lobbying. He comments:

In view of the sometimes scandalous and sensational information disclosed at the hearings, the printing of so little about them has required a conscious effort on numerous

occasions. The result has been almost complete public ignorance of the controversy and of the enormous expense and energy going into it from journalistic and Congressional sources.<sup>9</sup>

The Canons state: "A journalist who uses his power for any selfish or otherwise unworthy purpose is faithless to a high trust."<sup>10</sup> By suppressing information about the Newspaper Preservation Act, editors violated both the Responsibility and the Independence sections of the Canons of Journalism.

Concerning impartiality and objectivity, the author's survey indicates that 30 per cent of the responding editors would not only tolerate, but would actually promote bias by knowingly assigning a biased reporter to cover a story (Chapter III, Table 3). While Gibson's 1972 study indicates that journalists realize that biased reporting does exist, the author's data indicates that a significant number of editors seem to be encouraging it rather than attempting to eradicate it in accordance with their ethical codes.

Merrill and Lowenstein consider the growth of advocacy journalism and a philosophy they term "situation ethics" major reasons for the increase of bias and slanted coverage by journalists. They comment:

The journalist situationalist may be the person who believes it is right to distort a particular story, or even lie, if he foresees the harm done to his newspaper or to his country to be very great if he 'plays it straight' and tells the truth. . . .

It appears to us that today the majority of American journalists subscribe to the situation ethical position. There are some rigid

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<sup>9</sup> Arthur E. Rowse, "The Press Dummies Up," The Nation, June 30, 1969, p. 818.

<sup>10</sup> Canons of Journalism.

legalists or code moralists in journalism, to be sure, but they do not seem to exert very much influence. Increasingly one finds the antinomian in the mass media or in journalism schools, scorning rationalism and flaunting his existential extincivism, but the mass media--rather rigid institutions that they are--have yet to fall under the spell of these ethical nihilists.<sup>11</sup>

The situation ethics theory of journalism helps explain another possible reason for the lack of coverage of the Tucson decision, the Newspaper Preservation Act and industry lobbying in behalf of the act--editors believed the damage that could be done to their industry and possibly their newspaper groups could be greater if they provided in-depth coverage.

Another example of the situation ethics theory of journalism gained national attention in late 1974. The Boston media, particularly the Boston Globe, were strongly criticized for distorting its news coverage during the early days of the city's 1974 busing strife. Norman Sandler describes the early coverage by the "pro-busing" Globe. He states that on the first day of school a mob of four hundred persons confronted black students being bused to a formerly white school and threw rocks and bottles at the buses. Sandler reports that later a deputy mayor was nearly assaulted by angry residents. He writes:

But, in a five-column banner the next morning, the Boston Globe proclaimed: 'Boston Schools Desegregated, Opening Day Generally Peaceful.' The headline and accompanying story were the results of an effort by the local media to offer accurate and comprehensive reporting. But many observers--within and outside the media--say the Globe was operating on a policy bordering on suppression in response to demands on the locals to play the busing story 'straight.' For example,

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<sup>11</sup>Merrill and Lowenstein, p. 254.

one Globe picture showed a schoolboy feeding a mounted policeman's horse. The caption referred to South Boston 'welcoming' the mounted patrol force; the paper didn't mention that a photographer was later chased and beaten by local youths.

An overall examination of the play the busing story was given suggests the Globe did downplay the Boston school troubles by emphasizing the general calm and 'higher than expected' attendance. (Even though enrollment at some high schools was well below 50 percent and dipped to 4 percent at South Boston High.) . . .

The Globe's decision to cover the early part of the busing story with careful, detailed guidelines put it into a difficult position. Had everything been played straight everyone--including the news executives and their readers--might have benefited.<sup>12</sup>

During the preceding summer the Boston news media met and discussed "responsibility" in covering the city's anticipated problems when busing started.<sup>13</sup> While the Globe's end--preserving calm in the city and maintaining the safety of school children--was desirable, the means used in attempting to attain this end--distorted coverage that emphasized serenity and deemphasized disruptions--were highly unethical according to the journalists' codes.

The Globe's coverage of the first days of the busing controversy helps explain the credibility gap that seems to be increasing between newspapers and their readers. Bostonians learned from network television of the racial strife that was occurring in many of the city's schools. At this same time the Globe was talking about tranquility in the schools. When a paper like the Globe presents a distorted view of the news in one area, readers begin questioning its accuracy in much

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<sup>12</sup>Norman Sandler, "Too Much Policy?" Columbia Journalism Review 13 (January/February 1975): 13.

<sup>13</sup>Edwin Diamond, "Boston: The Agony of Responsibility," Columbia Journalism Review 13 (January/February 1975): 14.

of its reporting.

Newspapers are making much greater progress in establishing a dialogue with readers. Many papers are taking the lead of more progressive newspapers, like the Louisville Courier-Journal and Times, in attempting to create the "open dialogue" that Sigma Delta Chi seeks. Space allocated to letters-to-the-editor has generally been increased and a number of journals have adopted the policy of printing all letters they receive (good taste and libel laws permitting). However, few papers have followed the Louisville papers' lead in creating the post of ombudsman to settle reader complaints. The data obtained through the author's survey indicates that combination newspapers are slower in establishing a dialogue with readers than competing dailies or joint operations (see Chapter III, Tables 8 and 12). The Louisville papers illustrate that a newspaper combination can be a leader in creating access and in creating a dialogue between a newspaper and its readership.

Traditionally, the journalism profession has been reluctant to become involved in self-analysis and editors and publishers have been slow to criticize one another's journals or operating practices. Editors and publishers were silent during the period from 1925 through 1960 when many of the nation's cities lost competing dailies and the era of monopoly journalism became a reality. Much the same situation exists today. Of the three major national press organizations--Sigma Delta Chi, the American Society of Newspaper Editors and the American Newspaper Publishers Association, only Sigma Delta Chi has addressed itself to the problems of journalism and has had the courage to admit that a credibility

gap does exist between the nation's newspapers and their readers.

For example, the American Society of Newspaper Editors supported the Miami Herald in the Tornillo case and applauded the Supreme Court's ruling that newspapers are not subject to the Fairness Doctrine. But, the editors have not debated the moral and ethical implications of the Miami Herald-Tornillo dispute. Does the Herald, which has been exempted from anti-trust and monopoly laws through the Newspaper Preservation Act, have an ethical responsibility to provide space for rebuttal to someone like Tornillo, who is the subject of a critical article or editorial? According to the Fair Play section of the Canons of Journalism, the Herald has this responsibility.

Kevin Phillips, one of the nation's leading conservative political theorists, has been a strong critic of the lack of "open-ness" on the part of both the newspapers and the electronic media. He writes:

Nor is 'open-ness' a theme applied across-the-board. No Freedom of Information Act exists to lift the curtain from the secret decision making process of the New York-Washington media. Some scandals are pursued; others are not. Outrage is selective. And a curious irony prevails: Lawmakers cannot bring these processes into the open because the media brandish the public 'right to know' as an argument against regulation of their power!<sup>14</sup>

Norman E. Isaacs, a past-president of the American Society of Newspaper Editors, suggests one reason the organization has not been more successful in effecting reform is because of the pressure exerted by publishers. He writes:

Under the membership requirements, every editor is the representative of his publisher . . . Publishers have been

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<sup>14</sup>Kevin P. Phillips, "'Open-ness' Problem," The Xenia Gazette, 17 February 1975, p. 4.

known to bring pressure on other publishers, even if to no avail. Eugene Pulliam, for instance, was not adverse to calling the publisher of one ASNE Board member to protest the comments made by the editor . . .<sup>15</sup>

As noted earlier, the three vehicles for reforming the press are: the government, the public, and editors and publishers themselves. However, history illustrates there is little chance the press will be reformed by governmental regulation. In the period of newspaper consolidation from 1925 through 1960, the federal government did nothing to prevent newspaper monopolies from gaining control of the press in most cities. When the newspaper industry was threatened by anti-trust action because of the Tucson decision, powerful editors and publishers brought great pressure on Congress for special-interest legislation to overturn the court's decision. The result was the Newspaper Preservation Act of 1970.

While newspapers have come under increasing criticism and the public favors special legislation for monopoly newspapers, as Gibson's survey demonstrates, the press appears to be in little danger from increased regulation. The idea of a monopoly press being considered a public utility has gained popularity with critics like Barron, but in actuality, this concept has had little real effect on reform of the press.

Supreme Court Justice Potter Stewart, who authored the dissenting opinion in the Tucson decision, opposes the public utility concept. He believes the press should not be regulated by the government, but should

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<sup>15</sup> Norman E. Isaacs, "Why We Lack a National Press Council," Columbia Journalism Review 9 (Fall 1970): 26.

police itself. He states:

. . . Newspapers, television networks, and magazines have sometimes been outrageously abusive, untruthful, arrogant, and hypocritical. But it hardly follows that elimination of a strong and independent press is the way to eliminate abusive-<sup>16</sup>ness, untruth, arrogance or hypocrisy from government itself.

The overwhelming majorities by which the Newspaper Preservation Act was passed by both houses of Congress, even though the industry never proved the Tucson decision presented severe financial barriers to joint operations, demonstrates the government's reluctance to impose legislation that would affect the industry negatively. The fact that Gaylord Nelson was the only senator from a state containing joint operation newspapers to oppose the act illustrates the political power the nation's editors and publishers wield. The Madison Capitol Times' front-page attack on Senator Nelson for his opposition demonstrates that defying the press can be dangerous to political survival. This attack had little, if any, effect on the reelection of Senator Nelson, a popular liberal Democrat running in a state with a strong progressive history. The question as to what effect this type of attack could have on a less popular politician seeking election in a closely-contested campaign remains unanswered.

While the press council concept has gained considerable publicity during recent years, the fact remains that its rate of growth has been extremely slow. Only one state, Minnesota, has established a statewide press council. In its first two years of operation, the

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<sup>16</sup>Potter Stewart, "Not Merely a 'Neutral' Conduit," excerpt from a speech cited in Columbia Journalism Review 13 (January/February 1975): 39.



National News Council's successes have been minimal.

In a letter to the American Society of Newspaper Editors, William Arthur, the Council's executive director, wrote:

I think the time has come for the media to recognize the sharp distinction that exists between regulation and ventilation. There are those in the media, thank God, who do; who have taken steps to ventilate their sins of commission; who are dealing with their readers, hearers and viewers in a manner that is responsive and responsible. The National News Council is but an extension of this process. . . . The Council, I am convinced, can endure the slings and arrows of criticism. What it cannot endure is the ignominy of neglect. What this council needs right now is moral support. And a bit of morale support wouldn't hurt either. It needs this support from those whom it serves: From the media, through whom it serves the public.

I cannot bring myself to believe that an organization such as the ASNE can long withhold such support.<sup>17</sup>

However, replies to the author's questionnaire indicated Arthur has little reason for optimism. This study indicates that only 53 per cent of the responding editors would support press councils. This figure is undoubtedly optimistic since the author sent questionnaires to an identical number of editors in competing, combination (monopoly) and joint operation cities. In reality, the number of competing, combination (monopoly) and joint operation papers is disproportionate. More than 1,500 of the nation's 1,761 daily newspapers are monopoly papers--either combination papers or the sole paper in the area. The author's survey (Chapter III, Table 9) indicates much greater opposition to press councils by combination editors (62 per cent) than competing editors (50 per cent) or editors of joint operations (14 per cent). Similarly, 69 per cent of combination editors view press councils as a

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<sup>17</sup>Robert U. Brown, "Appraisal of News Council," Editor & Publisher, May 4, 1974, p. 36.

threat to freedom of the press compared to 50 per cent of the competing editors and 14 per cent of the editors of joint operations.

As Arthur stated, without the support of the nation's editors and publishers, press councils cannot become an effective means of appraising the performance of the press or helping to effect reform.

If the government is unwilling and the public is unable to initiate reform of the nation's press, the responsibility must ultimately rest with editors and publishers.

The nation's editors and publishers generally have not been open to criticism. John Tebbel, professor of journalism at New York University and a former reporter, writes:

. . . Few people who read newspapers are uncritical of them except, perhaps, their publishers, and the most perceptive of these gentlemen are not constantly enchanted by what they read. As a class, however, they resist and resent criticism from outside the profession. The most zealous of those who defend newspapers even deny that there is any general dissatisfaction in the populace over the performance of the press, and have nothing but harsh words for anyone who suggests that the Fourth Estate is something less than noble.<sup>18</sup>

The fact that Martin Gibson's article was published in the Bulletin of the American Society of Newspaper Editors and subsequently reprinted helps illustrate journalists' abhorrence of criticism. While Gibson's own study indicates that a majority of managing editors admit that the press sometimes slants the news, Gibson misconstrues criticism of the press with the freedom of the press being endangered. His primary conclusion is not that editors should act to correct the abuses that have created the credibility gap between newspapers and their readers,

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<sup>18</sup> John Tebbel, Open Letter to Newspaper Readers, (New York City: James H. Heineman, Inc., 1968), p. 11.

but rather that the public holds freedom of the press in lower regard than journalism. Perhaps, journalists like Gibson confuse freedom with license.

Part of this problem may stem from the way journalists view their profession and their individual roles in life. John Hohenberg, professor of journalism at Columbia University, states:

The journalist is no longer justified in wrapping himself in the guise of a philosophical anarchist and pretending that he is someone set apart with a mission beyond that of ordinary men.<sup>19</sup>

During recent years, many editors and publishers have taken a number of steps to open their journals and increase reader access. Unfortunately, some editors and publishers have not acted out of a sense of ethical or professional responsibility but out of the fear that inaction could mean regulation. For example, many journals took major steps to increase access following the Tornillo decision. Time states:

Despite the Herald's victory, though, many editors and broadcast executives view the Tornillo case as a challenge. Says George R. Packard, executive editor of the Philadelphia Evening Bulletin: 'The Supreme Court decision makes it more important than ever for us to seek out and print all sides of every issue.'<sup>20</sup>

The perspective these editors seem to be following is that of legalism, which views legal actions as ethical actions. But this legal perspective often leads to "oversimplified, superficial judgments of

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<sup>19</sup> John Hohenberg, The News Media: A Journalist Looks At His Profession, (New York City: Holt, Rinehart and Winston, Inc., 1968), p. 106.

<sup>20</sup> "Letting In the Public," Time, September 9, 1974, p. 48.

complex communication situations."<sup>21</sup> Harold Williams, an advertising executive, describes how this legal perspective can lead to problems for communicators:

What is legal and what is ethical are not synonymous, and neither are what is legal and what is honest. We tend to resort to legality often as our guideline. This is in effect what happens often when we turn to the lawyers for confirmation that a course of action is an appropriate one.

We must recognize that we are getting a legal opinion, but not necessarily an ethical or moral one. The public, the public advocates, and many of the legislative and administrative authorities recognize it even if we do not.<sup>22</sup>

What is required is a new commitment to establish greater dialogue with readers and for editors and publishers to be more objective in analyzing the problems facing journalism. This objectivity means admitting the existence of a credibility gap between newspapers and their readers. It also means following Sigma Delta Chi's lead in finding ways to establish improved dialogue and taking the effort to correct the abuses that exist both in their individual journals and in the industry as a whole.

While this study has been limited to the ethical and professional responsibilities of the nation's editors, it has revealed the need for additional research in related areas. These include: the effect of the press in modifying the social, political and ethical philosophy of its readers; and the differences, if any, that exist in credibility of combination versus joint operation and competing newspapers.

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<sup>21</sup>Johannesen, p. 18.

<sup>22</sup>Harold M. Williams, "What Do We Do Now, Boss? Marketing and Advertising," Vital Speeches of the Day 40 (February 15, 1974): 285-288.

The significant differences in the responses of competing, combination and joint operations editors to the author's questionnaire also pose numerous important questions; for example: if greater differences of editorial opinion exist between papers in competing and joint operation cities than among combination papers, and if newspapers in competing cities are more likely to be polarized along conservative-liberal, Republican-Democratic lines.

One of the greatest needs discovered through this study was the need for improved dialogue between newspaper management and readers. Suggestions for further study in this area include: a search for new ways to establish dialogue, ways to make the press council concept more acceptable to editors and publishers, the role colleges and universities --particularly through journalism and communication arts departments-- can play in helping to establish and promote these councils; and whether the younger generation of journalists is more or less open than today's editors in building improved dialogue with readers.

The author has attempted to focus attention on the ethical and professional problems facing the editors of the 1970s. There continues to be grave questions over the performance of the nation's press, the purposes of the editors and publishers, and their own self interest. Criticism of the press is mounting, often with good reason. The public seems to become more impatient with press performance every year. Reform and revitalization of the press must be the first priority of editors and publishers. This requires more than committees of editors passing lofty resolutions; it requires positive action to restore

confidence and credibility. If newspapers are to become truly responsive to the public's needs, their judgment as well as their news will have to be more deserving of the public's trust.

APPENDIX 1  
NEWSPAPERS SELECTED FOR SURVEY

Competing Papers

Baltimore News-American

Baltimore Sun

Boston Globe

Boston Herald-Traveler

Boston Record-American

Buffalo Courier-Express

Buffalo Evening News

Chicago Daily News

\*Chicago Sun-Times

\*Chicago Tribune

\*Cincinnati Enquirer

\*Cincinnati Post

Cleveland Plain-Dealer

\*Cleveland Press

Dallas Morning News

Dallas Times-Herald

\*Denver Post

(Denver) Rocky Mountain News

Detroit Free Press

\*Detroit News

Houston Chronicle

\*Denotes response to questionnaire.

Houston Post

(Little Rock) Arkansas Democrat

(Little Rock) Arkansas Gazette

\*Los Angeles Herald-Examiner

Los Angeles Times

\*New York Daily News

New York Post

New York Times

\*Seattle Post-Intelligencer

Seattle Times

Washington Evening Star-News

Washington Post



Combination PapersAtlanta Constitution\*Atlanta JournalAlbany (N. Y.) Knickerbocker NewsAlbany (N. Y.) Union-StarCharlotte NewsCharlotte ObserverHartford Courant\*Hartford TimesIndianapolis NewsIndianapolis Star\*Kansas City Star\*Kansas City Times\*Milwaukee Journal\*Milwaukee Sentinel\*Minneapolis StarMinneapolis Tribune\*New Orleans States-ItemNew Orleans Times-Picayune(Phoenix) Arizona RepublicPhoenix Gazette\*(Portland) Oregon Journal\*(Portland) OregonianRochester (N. Y.) Democrat & Chronicle

\*Denotes response to questionnaire.

Rochester (N. Y.) Times Union

San Diego Tribune

\*San Diego Union

\*Tampa Times

Tampa Tribune

Toledo Blade

\*Toledo Times

\*Denotes response to questionnaire.

Joint Operations

Albuquerque Journal

Albuquerque Tribune

Birmingham News

Birmingham Post

Charleston (W. Va.) Gazette

Charleston (W. Va.) Mail

Columbus (Ohio) Citizen-Journal

Columbus (Ohio) Dispatch

El Paso Herald-Post

\*El Paso Times

Evansville Courier

Evansville Press

Ft. Wayne Journal-Gazette

\*Ft. Wayne News-Sentinel

\*Honolulu Advertiser

\*Honolulu Star-Bulletin

Knoxville Journal

Knoxville News-Sentinel

Lincoln Journal

\*Lincoln Star

Miami Herald

\*Miami News

Pittsburgh Post-Gazette

\*Denotes response to questionnaire.

Pittsburgh Press

St. Louis Globe-Democrat

St. Louis Post-Dispatch

\*(Salt Lake City) Deseret News

Salt Lake City Tribune

Tulsa Tribune

Tulsa World

\*Denotes response to questionnaire.

APPENDIX 2

THESIS QUESTIONNAIRE

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Newspaper: \_\_\_\_\_ Chain Affiliation: \_\_\_\_\_

- ( 1) Does your paper have a Code of Ethics for reporters and staff writers? YES ( ) NO ( ) If so, please attach a copy to this questionnaire.
- ( 2) Does your paper permit "interpretative" reporting? YES ( ) NO ( )
- ( 3) Would you permit a reporter to cover a story if you knew he had a strong bias on the subject? YES ( ) NO ( )
- ( 4) Do you believe the editor of the 1970s faces greater ethical and professional responsibilities than his 1910 counterpart? YES ( ) NO ( )
- ( 5) Do you believe the editor of a joint operation or newspaper combination faces greater ethical and professional responsibilities than the editor of an independent daily? YES ( ) NO ( )
- ( 6) How would you describe your paper's political philosophy?  
CONSERVATIVE ( ) LIBERAL ( ) MODERATE ( )  
DEMOCRATIC ( ) REPUBLICAN ( ) INDEPENDENT ( )
- ( 7) How is the editorial policy of your paper determined?  
BY EDITOR ( ) BY EDITORIAL WRITER ( ) COMMITTEE ( )  
BY OWNER ( ) BY CHAIN ( ) OTHER ( ) (describe) \_\_\_\_\_
- ( 8) Is there a conscious attempt to balance your paper's editorial views with local and syndicated columnists with opposing philosophies? YES ( ) NO ( )
- ( 9) Does your paper take periodic readership surveys to determine what changes the public would like to see in terms of features, content, etc.? YES ( ) NO ( )
- (10) Does your paper have an ombudsman (to settle reader complaints) or a local press council in operation? YES ( ) NO ( )
- (11) If local, state and national press councils were formed, would your paper support them and cooperate with them? YES ( ) NO ( )
- (12) As a journalist, do you think the press council concept poses a threat to freedom of the press? YES ( ) NO ( )

- (13) Do the editors of your paper attend or sponsor public meetings to learn more about readers' opinions of the paper? YES ( )  
NO ( )
- (14) If they do, how often is this done? \_\_\_\_\_
- (15) Evaluate how well you think the press informs the public about news involving the press (both pro and con). VERY WELL ( )  
ADEQUATELY ( ) POORLY ( )
- (16) Do you believe the press is overly concerned by criticism from government officials? YES ( ) NO ( )
- (17) Do you think the press is responsive to criticism from its readers? YES ( ) NO ( )
- (18) Are you in favor of the Newspaper Preservation Act (which exempts joint operations from anti-trust laws)? YES ( ) NO ( )
- (19) Do you believe American newspapers have the same competitive spirit of past decades? YES ( ) NO ( )
- (20) Do you favor polarization (e.g., conservative Republican vs. liberal Democratic) of two papers involved in a joint operation as a means of creating diversity and competition? YES ( ) NO ( )

## APPENDIX 3

### CODE OF ETHICS

(These Canons of Journalism were drawn up and adopted by the American Society of Newspaper Editors in their annual conventions of 1924 and 1925.)

The primary function of newspapers is to communicate to the human race what its members do, feel and think. Journalism, therefore, demands of its practitioners the widest range of intelligence, of knowledge and experience, as well as natural and trained powers of observation and reasoning. To its opportunities as a chronicle are indissolubly linked its obligations as teacher and interpreter.

To the end of finding some means of codifying sound practice and just aspirations of American journalism these canons are set forth:

#### I. Responsibility

The right of a newspaper to attract and hold readers is restricted by nothing but consideration of public welfare. The use a newspaper makes of the share of public attention it gains serves to determine its sense of responsibility, which it shares with every member of its staff. A journalist who uses his power for any selfish or otherwise unworthy purpose is faithless to a high trust.

#### II. Freedom of the Press

Freedom of the press is to be guarded as a vital right of mankind. It is the unquestionable right to discuss whatever is not explicitly forbidden by law including the wisdom of any restrictive statute.

### III. Independence

Freedom from all obligations except that of fidelity to the public interest is vital.

1. Promotion of any private interest contrary to the general welfare, for whatever reason, is not compatible with honest journalism. So-called news communications from private sources should not be published without public notice of their source or else substantiation of their claims to value as news, both in form and substance.
2. Partisanship, in editorial comment which knowingly departs from the truth, does violence to the best spirit of American journalism; in the news columns, it is subversive of a fundamental principle of the profession.

### IV. Sincerity, Truthfulness, Accuracy

Good faith with the reader is the foundation of all journalism worthy of the name.

1. By every consideration of good faith a newspaper is constrained to be truthful. It is not to be excused for lack of thoroughness or accuracy within its control or failure to obtain command of these essential qualities.
2. Headlines should be fully warranted by the contents of the articles which they surmount.

### V. Impartiality

Sound practice makes clear distinction between news reports and expressions of opinion. News reports should be free from opinion or bias



of any kind.

1. This rule does not apply to so-called special articles unmistakably devoted to advocacy or characterized by a signiture authorizing the writer's own conclusions and interpretation.

#### VI. Fair Play

A newspaper should not publish unofficial charges affecting reputation or moral character without opportunity given to the accused to be heard; right practice demands the giving of such opportunity in all cases of serious accusation outside judicial proceedings.

1. A newspaper should not invade private rights or feeling without sure warrant of public right as distinguished from public curiosity.
2. It is the privilege, as it is the duty, of a newspaper to make prompt and complete correction of its own serious mistakes of fact or opinion, whatever their origin.

#### VII. Decency

A newspaper cannot escape conviction of insincerity if while professing high moral purpose it supplies incentives to base conduct, such as are to be found in details of crime or vice, publication of which is not demonstrably for the general good. Lacking authority to enforce its canons, the journalism here represented can but express the hope that deliberate pandering to vicious instincts will encounter effective public disapproval or yield to the influence of a preponderant

professional condemnation.

#### APPENDIX 4

##### THE SOCIETY OF PROFESSIONAL JOURNALISTS, SIGMA DELTA CHI CODE OF ETHICS

(Adopted by the 1973 National Convention)

The Society of Professional Journalists, Sigma Delta Chi, believes the duty of journalists is to serve the truth.

We believe the agencies of mass communication are carriers of public discussion and information, acting on their Constitutional mandate and freedom to learn and report the facts.

We believe in public enlightenment as the forerunner of justice, and in our Constitutional role to seek the truth as part of the public's right to know the truth.

We believe those responsibilities carry obligations that require journalists to perform with intelligence, objectivity, accuracy, and fairness.

To these ends, we declare acceptance of the standards of practice here set forth:

##### Responsibility

The public's right to know of events of public importance and interest is the overriding mission of the mass media. The purpose of distributing news and enlightened opinion is to serve the general welfare. Journalists who use their professional status as representatives of the public for selfish or other unworthy motives violate a high trust.

### Freedom of the Press

Freedom of the press is to be guarded as an inalienable right of people in a free society. It carries with it the freedom and the responsibility to discuss, question, and challenge actions and utterances of our government and of our public and private institutions. Journalists uphold the right to speak unpopular opinions and the privilege to agree with the majority.

### Ethics

Journalists must be free of obligation to any interest other than the public's right to know the truth.

1. Gifts, favors, free travel, special treatment or privileges can compromise the integrity of journalists and their employers. Nothing of value should be accepted.
2. Secondary employment, political involvement, holding public office, and service in community organizations should be avoided if it compromises the integrity of journalists and their employers. Journalists and their employers should conduct their personal lives in a manner which protects them from conflict of interest, real or apparent. Their responsibilities to the public are paramount. That is the nature of their profession.
3. So-called news communications from private sources should not be published or broadcast without substantiation of their claims to news value.

4. Journalists will seek news that serves the public interest, despite the obstacles. They will make constant efforts to assure that the public's business is conducted in public and that public records are open to public inspection.
5. Journalists acknowledge the newsman's ethic of protecting confidential sources of information.

#### Accuracy and Objectivity

Good faith with the public is the foundation of all worthy journalism.

1. Truth is our ultimate goal.
2. Objectivity in reporting the news is another goal, which serves as the mark of an experienced professional. It is a standard of performance toward which we strive. We honor those who achieve it.
3. There is no excuse for inaccuracies or lack of thoroughness.
4. Newspaper headlines should be fully warranted by the contents of the articles they accompany. Photographs and telecasts should give an accurate picture of an event and not highlight a minor incident out of context.
5. Sound practice makes clear distinction between news reports and expressions of opinion. News reports should be free of opinion or bias and represent all sides of an issue.

6. Partisanship in editorial comment which knowingly departs from the truth violates the spirit of American journalism.
7. Journalists recognize their responsibility for offering informed analysis, comment, and editorial opinion on public events and issues. They accept the obligation to present such material by individuals whose competence, experience, and judgment qualify them for it.
8. Special articles or presentations devoted to advocacy or the writer's own conclusions and interpretations should be labeled as such.

#### Fair Play

Journalists at all times will show respect for the dignity, privacy, rights, and well-being of people encountered in the course of gathering and presenting the news.

1. The news media should not communicate unofficial charges affecting reputation or moral character without giving the accused a chance to reply.
2. The news media must guard against invading a person's right to privacy.
3. The media should not pander to morbid curiosity about details of vice and crime.
4. It is the duty of news media to make prompt and complete correction of their errors.
5. Journalists should be accountable to the public for their

reports and the public should be encouraged to voice its grievances against the media. Open dialogue with our readers, viewers, and listeners should be fostered.

### Pledge

Journalists should actively censure and try to prevent violations of these standards, and they should encourage their observance by all newspeople. Adherence to this code of ethics is intended to preserve the bond of mutual trust and respect between American journalists and the American people.

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