

Freedom of the Press in Our Bicentennial Year

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I appreciate this opportunity to address the student body at this great institution during the first month of this Bicentennial year.

I have given much prayerful consideration as to what I might say here, so as to not waste your time. I have decided to depart somewhat from the kind of talk that might be expected, to deal with something that is connected with both morals and religion, but is not necessarily a religious talk as some might interpret it. More than anything, it is a sort of contribution to the Bicentennial. The Church has asked each of us to make what contribution we could during the Bicentennial year, and perhaps this is mine.

Since this great nation has come two hundred years, I would like to discuss one of its institutions which has played a major role in bringing us this far and which must play a major role in the future and destiny of this country. That institution is the press, and the issue is the so-called freedom of the press. Because of time limitations, the treatment here, of course, will have to be broad brush. But there are certain things everyone needs to be aware of.

May I quote now from the First Amendment:

Congress shall make no law respecting an establishment of religion, or prohibiting free exercise thereof; or abridging the freedom of speech, or the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

In the First Amendment, we have guarantees covering both the freedom of religion and the freedom of the press.

Since the founding of this country, it is easy to see the tremendous role freedom of the press has played in the building of this republic. I happen to believe, however, that freedom of the press is probably in greater danger today than at almost any other time in the history of this country. And that brings me great concern for two reasons. First, because I believe, generally speaking, that freedom of the press is inseparably connected with freedom of religion. And when the one suffers, the other almost inevitably will suffer. Secondly, the Lord has said enough to demonstrate to us

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that the Constitution and its safeguards concerning liberty are inspired and should be upheld.

I should add that I approach this subject as a friend of the court. At least part of my academic and professional experience has been in journalism. I have been a weekly newspaper editor. I am a former member of the Utah State Press Association and of the New England Press Association and a former member of the professional journalism society Sigma Delta Chi. I have been involved intimately with the press in both Boston and New York City.

Under no stretch of the imagination do I want the press to fail. In fact, I believe that it continues to be one of the keys to the future success of our republic. It was Jefferson who said, "Were it left to me to decide whether we should have a government without newspapers or newspapers without government, I should not hesitate to prefer the latter."

Current Criticisms of the Media

I think the major threat to the press—and when I say *press*, I mean the printed and electronic media—comes from within. In the last few months, there have been an increasing number of responsible journalists who have indulged in soul-searching on behalf of their profession and have otherwise come to the conclusion that the press is enjoying a relatively bad press.

It appears that Watergate has brought this into clear focus. In fact, future historians may look back on the Watergate period as the time in the history of the United States when the press as an institution emerged as all-powerful but without enough internal moral restraints to keep it from becoming a matter of concern to almost everyone—and perhaps, to some extent, even conjure up fear in the minds of the citizens of the country. Who today would be willing to be the object of so-called investigative journalism? Some of it, true, has been good journalism and has made a healthy

contribution. Some, however, would have been termed yellow journalism only a few years ago and, therefore, discredited by the profession.

The most disturbing part of these developments is that there is now in the Congress of the United States and in various states a rash of bills that, in effect, tend to strike at the freedom of the press. This seems to be a reflex action from a public who simply does not like what the media is doing with its power.

The media, on the other hand, have resisted all outside influences on the basis of the First Amendment. What the press has not been able to understand, however, is that freedom of the press is a prerogative given to the media by the people. And it is conceivable that the people can also take it away if they feel that it is not performing its function. Heaven help us if that day comes, because it would lead to the degeneration of many other freedoms.

Yet, it appears that the press must accept the reality that freedom of the press is a privilege more than a right, and if they themselves can't administer this great principle with morality and fairness, they will force others to do it for them and thereby cause the people to take back elements of the First Amendment.

Let us look at what some journalists have been saying in recent months. In his column dated May 8, 1974, Roscoe Drummond led off with these statements:

Politicians are in trouble with voters and they know it.

Union leaders are in trouble with public opinion and they know it.

Corporate executives are in trouble with consumers and they know it.

The media are in trouble with their viewers and readers and don't seem to know it.

They illegally publish leaks from grand jury proceedings, thereby, condemning a person before he is accused. They unethically publish leaks from prosecution assistants who want to try their case in

the press before they take it to court. They demand a total constitutional shield for the privacy of their sources, even when the shield conflicts with the equal constitutional right of a fair trial. They assert the unlimited right to publish anything, true or false, critical of anybody, but often do not concede even a limited right of reply.

And then Drummond goes on to say:

There is a pervasive criticism and hostility toward the press which go beyond anything I have observed in many years in the profession. It embraces far more dissatisfaction and distrust than Adlai Stevenson's pained complaint about the unfairness of the one-party press in the 1952 campaign.

The Drummond column then goes on to discuss the whole area of the right of a citizen to reply to something that has been directed at him through the public media. He says:

The public deserves fuller access to the media, and the media, whatever their legal rights, have a moral duty to respect voluntarily the moral right of reply. If the media do not voluntarily concede this right more equitably in practice, then they will almost certainly bring down their own house.

On July 2, 1975, Drummond said the following in his column:

When so much of the press and the electronic media talk so earnestly, and I think validly, about the "people's right to know," why do they so often refuse to honor the people's right to know the source of major, controversial news? How can readers and listeners judge the credibility of such news when its sources are covered up?

He then went on to point out that one newspaper had decided to print nothing from a government official unless it was free to identify

the source. However, the same newspaper stated that it was quite willing and eager to print statements critical, even hostile to the government with unattributed sources. In other words, readers would be allowed to know the source of news favorable to a government official, but not allowed to know the source of news unfavorable to a government official.

Drummond, in the final part of his column, did make this observation:

The press is beginning some self-examination and correction. Charles B. Seib is permitted to analyze the Post's shortcomings in the [Washington] Post—and he's pretty terrific. He exposed both the unfair handling of the bombing and the Wallace stories. [These were two stories that Drummond discussed in his column.] He is the reader's representative. Some other newspapers have Ombudsmen like him.

Mr. Seib finds the press too secretive, too self-righteous, too defensive.

We can't get along without a free press, but more readers feel, I suspect, that the press could accept some self reforms which would make it easier to get along with it.

Charles Seib in a *Washington Post* column discusses the National News Council, which is an organization set up by the news media to help police themselves. He states quite frankly, "As the Council approaches the end of the three-year trial period, its future hangs on whether it plays, or appears likely to play, a meaningful role in American journalism. Today the answer would have to be no." Seib goes on to show that the council has really not dealt with substantive issues, nor has it received the support of the media itself. Speaking of the council, he says, "Perhaps the whole idea is wrong. It may be that it isn't possible to monitor the national press in a country as big as this one and with as wide an array of news media. Ombudsmen on individual

newspapers, or local or regional news councils, may be a better answer.”

The Power of the Press

Seib, in a column appearing in December of this last year in the *Washington Post*, gives some insight as to where the power of the press is concentrated in the United States and what it takes to break a major story. He discusses the story about President Kennedy and the woman with so-called Mafia connections. The story surfaced on November 16 on page A6 of the *Washington Post*, but it took a month to be recognized as a full-blown news story. Without going into details, Seib tells why it took so long in the following terms:

That can be blamed in large part on the power of the Washington-New York news axis; meaning the New York Times, the Washington Post, the television networks, and the news magazines. A national news story, particularly one concerning official Washington, does not achieve full status until it gets recognized on this axis.

If the Post had hit the story hard on page 1 of November 16, it would have taken off at once. Or if the Times, or one of the networks, or Time or Newsweek had picked up on the lead the Post story provided, it would have been off to the races.

The Scripts-Howard story, hard-hitting and startling though it was, couldn't do the trick. It took the Safire column and the front-page Times story that followed. All-in-all, this doesn't add up to one of the proudest moments of American journalism. But then they all can't be Watergates. And disclosure is better than festering rumor.

Another insight comes from John Osborne, who was the *New Republic's* “Nixon watcher.” He said the press performed a “necessary and proper function” in getting out the basic facts of Watergate. “But,” he added, noting (no doubt) the journalistic competition which prevails in Washington, “I have to say at the same time that they are like dogs who have scented

blood and are running the fox right down to the earth.”

And columnist William H. Stringer, in assessing the post-Watergate period and the news media, makes this comment:

It will be a time for reinvoking confidence in American institutions, including the press and TV. Mr. Nixon is perhaps not the easiest person for whom to feel compassion. But the press will play its role best if it pauses occasionally to assess what impression it is leaving in the public mind. And if it realizes that its role is not only to ferret out and expose, but also to set a tone of strict fairness and to build up rather than tear down.

It is a healthy sign to see columnists such as Seib and Drummond and others begin to critically look at their profession.

This kind of self-analysis is also coming from other sources. In his novel *Come Neneveh, Come Tyre*, Allan Drury creates a situation where the news media almost unwittingly help bring the near destruction of the United States. This novel is all the more interesting when one realizes that Drury was once a *New York Times* correspondent and also that his novels have a way of identifying real people and real situations in the real world.

Guidelines for Improving the Media

In closing, may I quote from three sources. First, from the book by Thomas Griffiths titled *How True: A Skeptic's Guide to Believing the News*. Griffiths says, “A journalist must be more seized by journalism than by any subject it deals with.”

The second quote comes from Harold Grumhaus, chairman and publisher of the *Chicago Tribune*:

Perhaps most importantly it is the responsibility of the free press to be fair — and I prefer the word fair to objective. We are all influenced by our background and our personal interests, and we all have

our own opinions and our biases. While it is impossible for any of us to be completely objective, we can always try to be fair.

Finally the one tie that binds all of the responsibilities of the press together is integrity. The motives of the press must always be the highest. Freedom of the press does not allow the luxury of placing self-interest or personal desires above that which is right . . . and if we are to furnish that check on government which no constitution has ever been able to provide, we must ourselves be beyond reproach. Without integrity the press has no self-respect — and without self-respect, we have no free press.

We are well aware that if the press favors freedom over responsibility, we betray the trust placed in us by the First Amendment, and, ultimately we betray ourselves.

Finally, this quote from Alan Valentine: “Freedom is born of self-discipline. No individual, no nation, can achieve or maintain liberty without self-control. The undisciplined man is slave to his own weaknesses.” Let me now alter that statement just slightly for the sake of our discussion. A free press is born of self-discipline. No individual, no nation, can achieve or maintain freedom of the press without self-control. The undisciplined news media is a slave to its own weaknesses.

What do I see as the answer to this dilemma? To begin with, more self-analysis by the press itself, more of a recognition of its problems, and more of a realization as to what the media can do to improve itself.

Secondly, and this may sound strange, I would urge every student here who has an inclination to go into journalism to do so. With all of its faults, it is a great profession. You can make a great contribution provided you become technically sound in your profession and provided you bring the same morals that the Church teaches you to have into the profession with you. No matter what the pressures are, or no matter what the circumstances are, don’t let anything or anyone alter your standards.

Third, support good journalism with letters to the media and also by what you read and by what you listen to and watch.

Some speak of serving their country in elected positions or through law or other professions. And certainly those who go in these directions can make a great contribution. But at this particular time, at the two hundredth anniversary of our country and as we look to the future, I can think of no greater contribution to the country, to the Constitution of the United States, and to the principles that we all uphold, than for young men and women with righteous principles and moral outlooks and behavior to enter this great profession.

May I end where I began. Indeed there is a connection between freedom of the press and freedom of religion. For the sake of everything we hold dear in this country, may we keep both of these institutions free, in the name of Jesus Christ. Amen.