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SYLVAN MEYER

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MITCHELL GORDON

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The Journalist and the Educator

By C. A. McKnight

In a curious sort of way, journalism and education have long been intertwined in my life. When I was in high school, I planned to be a teacher, more specifically, to teach Spanish. To that end, I went to Cuba in the summer of 1933 to live with a brother who was head of the Associated Press bureau in Havana. He had arranged for me to spend a year studying Spanish intensively in preparation for a college major in that subject. Incidentally, I wrote my first news story that summer—an eyewitness account of street mob murders following the ousting of President Gerardo Machado by the army forces led by the then Sergeant Fulgencio Batista. But nature upset my plans. In September, a severe hurricane wrecked the preparatory school where I

was to enroll. I returned to North Carolina, too late to enter Davidson, and got a job for a year as a cub reporter on my hometown newspaper.

I followed through on my plan of study and majored in Spanish. Each summer, I returned to the newspaper. At the end of four years, the tug of war was over. Journalism had won, teaching had lost. Had it not been for that hurricane, I am quite certain that I would be holding forth in some college classroom today. I may not be the only man whose career was changed by the winds of a hurricane, but I am the only one I know.

Throughout the years I have quieted any doubts about the rightness of my choice by telling myself that, after all, journalism is essentially an educational function. And I have salved my conscience by giving much of my life to causes, boards and agencies that have had as their objective the improvement at all levels of education in our area.

So, when Dr. Strider gave me the privilege of choosing my topic for tonight, it was quite natural for me to choose "The Journalist and The Educator." For one thing, I know a little about the subject. For another, the end objective of the two professions is the same—to educate our people and to elevate their taste in the elusive hope that our national life and national purpose will be shaped by public opinion and not by public emotion.

At times I fear we are losing ground. The nation seems to be on an emotional binge. This is not the first time. It probably is not the last.

Some of the emotion-stirring issues have long been with us—the race question . . . communism, and more specifically, the war in Viet Nam . . . issues of church and power of the federal establishment . . . all of which helped to produce that incredible emotional orgy in San Francisco, otherwise known as the 1964 Republican convention.

These issues and the fears they stir up produce some strange by-products. North Carolinians have long been considered among the more progressive and more level-headed southerners. The national reputation of the state has been good. Yet two irrational developments in recent years are so out of character with the state's past that they leave me confused and sad.

In 1963, a handful of students and faculty members of state-supported colleges joined Negro demonstrators on the streets of Raleigh where the General Assembly was in session. They even dared to parade in front of the hotel where most of the lawmakers had rooms. In the closing minutes of the session, members of the legislature struck back. They rushed through, without debate, without a public hearing, a bill to prohibit "known Communists" and those who had pleaded the Fifth Amendment when asked about communism from speaking on the campuses of state-supported colleges and universities. Although it applies to

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What Good Is A Baby?

By Robert C. Toth

By most yardsticks we are halfway to the moon. Four years ago the nation embarked on the Apollo project to land Americans on the lunar surface this decade, and four years hence they should arrive. More than half the \$20 billion cost has been spent or committed. Man, the major subsystem, has been proved able to take eight days in space, the length of the first round-trip moon flight. Much engineering remains to be done, but no major technical problem threatens the goal. Congress must continue to provide money but it will almost certainly do so.

The period of hesitancy is over following a debilitating reassessment of the initial commitment. Congress has imposed a de facto budget ceiling on the National Aeronautics and Space Administration which, while lower than NASA wanted, is high enough to achieve a landing in 1969. Critics have stopped their carpings for the most part, although with exceptions. The *New York Times* still takes every opportunity to lament the cost of the effort.

The *Times*, no less than other segments of the press, and the Congress, embraced the moon program enthusiastically when the late President Kennedy proposed it May 25, 1961. But as the annual payments came due, and despite Kennedy's warnings about second thoughts in mid-stream, many influential persons and papers came out belatedly against the program. A confluence of these forces, from the budget-cutters on the right to the socially conscious on the left, very nearly emasculated the project in 1963 and 1964. Now the Great ReDebate on Space is passed and the nation has reaffirmed its decision.

The Apollo project is the most costly and complex technological venture ever undertaken by a democratic nation in peacetime. Perhaps there will be successors, in space or elsewhere, and hopefully their progress will be smoother.

Beyond the specific lessons to be learned from Apollo, let me suggest a general one: that here we have the first of a qualitatively new kind of project which demands a greater degree of national unity for success.

Long, often frustrating years of lead-time are needed, after the initial commitment, to build the hardware. Many excuses arise during the period for raising doubts about the wisdom of the original decision. But stopping such projects once begun is enormously wasteful—in time, money, resources and such intangible currencies as national prestige. Even changing its pace can do the opposite from that intended. Stretching out the moon program beyond 1969, for example, would add to, not reduce, the eventual cost, at a rate of \$1 billion for each year after the deadline passes. Beyond that extra cost of maintaining facilities and continuing contracts, deliberately slipping the landing by a year would, in all probability, mean much more than a year's delay. The heat would be off the space agency and the aerospace industry. Key personnel and equipment would be diverted to more pressing jobs.

Opinion makers, including the press, may have to show more restraint if such projects are not to fail because of the accumulated erosion of confidence caused by dissidents who capitalize on every small and inevitable flaw to restate their opposition. It is difficult to draw specific guidelines on such restraint. Minor problems today can grow into catastrophes tomorrow unless they are illuminated by the press and corrected. A vote for going to the moon is not irretrievable like a vote for President. The government should not get any license to hide small problems, particularly in peacetime; nor should Congress's rein on expenditures be loosened unnecessarily to accomplish such projects. On the other hand, I cannot say after watching the course of Apollo for four

years that the opposition was constructive. The most I'll give is that there was insufficient debate prior to the initial ratification of Kennedy's proposal. Perhaps he did not prepare the nation adequately for his proposal; perhaps he did not allow enough time thereafter for the nation to analyze what it was asked to buy. But virtually all the arguments used against the project in 1963-4 were available in 1961. Certainly now that the critics have had their debate, and now that the nation has again ratified the 1961 decision, the continued sniping is just old and sour grapes.

* * *

NASA probably had its eyes on the moon since the agency was created in 1958 but President Eisenhower was watching the budget. He considered Sputnik a bauble; only in recent years, it seems, has he come to appreciate its psychological impact. He approved the Mercury manned flight program but, supported by his advisers, including scientists who saw no science in manned flight, refused to plan further. Toward the end of 1960, NASA was permitted to look into the future, in anticipation that the new Administration, whether led by Nixon or Kennedy, would want to expand the national space program.

Kennedy had been talking often about space during the presidential campaign. A compilation of his speeches lists 28 references to the U.S. being second in space. "People around the world equate the mission to the moon, the mission to outer space, with productive and scientific superiority," he said. If that "mission to the moon" phrase was a slip, it was probably Freudian.

Once inaugurated, he asked NASA for suggestions for accelerating the space effort. The agency urged approval of funds that had been cut by Eisenhower in preparing "another balanced budget." In March, 1961, Kennedy requested supplemental money for the agency to begin building a new rocket, Saturn I, which would be five times bigger than the largest U.S. booster then operating. But it would not be big enough to carry men to the moon. In fact, Kennedy specifically refused to sanction vague NASA plans for an Apollo project, insisting on more details on cost and schedules. At the Vienna summit meeting with Khrushchev, Kennedy privately suggested a joint American-Russian moon program but the Soviet leader turned him down flat.

April, 1961, was quite a month. On the twelfth the Russians put the first man in orbit. Congressmen considering NASA's budget were told by NASA officials that the nation could move faster; "I'm tired of being second to the Soviet Union," cried one Republican. Five days later the Bay of Pigs disaster began, and as the magnitude of the defeat was dawning on April 21, Kennedy made what appears to be his first public mention as President of a moon program. In response to hostile questions at a press conference on why his Administration was apparently not moving as fast in

space as his campaign speeches promised, Kennedy said Vice President Johnson was heading a study to determine "whether there is any effort we could make, in time or money, which could put us first in this new area." He spoke at length about the various considerations involved, and mentioned missions that might be accomplished this decade, "for example, trips to the moon."

Johnson, as chairman of the National Aeronautics and Space Council, was commissioned by Kennedy to see if the U.S. could undertake some effort that was both spectacular and had a good chance of succeeding ahead of the Russians. After a two-week "crash" study, with NASA and the Pentagon working on details while he sampled sentiment among politicians and businessmen, Johnson came back with the conclusion that the nation had a fifty-fifty chance of landing men on the moon first. Everything short of a manned lunar landing could be achieved first by the Russians with their demonstrated big rocket power. But they would be required to make the same "order of magnitude" jump in rocket size to reach the moon, boosting their lifting capacity 10 times while the U.S. had to increase its twenty fold. They had the edge in experience, we had a better aerospace industry. This reasoning has stood the test of time.

Kennedy bought the recommendations, which also urged acceleration of the space program in other areas. That was the first week of May, just after the first American took a suborbital rocket hop and amid the national euphoria over the feat. Kennedy delayed announcing his decision by several weeks, going to Congress with it as part of other proposals in a "Second State-of-the-Union Address." He had stirring words for a Congress that was begging to be led:

"Now it is time to take longer strides—time for a great new American enterprise—time to take a clearly leading role in space achievement," he said. "I believe this nation should commit itself to achieving the goal, before this decade is out, of landing a man on the moon and returning him safely to earth. . . . Let it be clear that I am asking Congress and the country to accept a firm commitment to a new course of action—a course which will last for many years and carry very heavy costs," he warned. "If we were to go only halfway, or reduce our sights in the face of difficulty, it would be better not to go at all."

* * *

The moon program was overwhelmingly endorsed. The press immediately supported the proposal. Editorialized The New York Times the next day: "The country will surely agree with the President that in a very real sense, it will not be one man going to the moon—it will be the entire nation, for all of us must work to put him there." The Congress deliberated two months on the initial NASA request for moon funds, and during this period, the first dissents were heard. Lewis Mumford said man-in-space was "man out of

his mind." Eisenhower said the project was a "stunt" to take headlines away from the Cuban failure. Alvin Weinberg, director of the Oak Ridge atomic laboratories, complained that manned spaceflight was not science and suggested that the nation could find better use for \$20 to \$40 billion than building pyramids to the moon. But there was no broad support for their views. The House voted for the program 354 to 59 and the Senate approved the appropriation by voice vote (not "unanimously," by the way, as pro-moon forces later said; but there was only one dissenting comment on the floor during pre-vote debate).

Through 1962 the opposition, if it can be called that at the time, lay dormant. In the summer NASA got all it asked for fiscal 1963, \$3.7 billion, which was double its previous budget. But toward the end of 1962, as the budget for fiscal 1964 was being prepared, the anti-moon sentiment began to emerge. It started with published reports about management troubles within the growing space agency, and grew with visible squabbles between White House science advisers and agency officials on how to do the job (earth-orbit rendezvous on the way out versus lunar-orbit rendezvous on the way back). A few powerful Congressmen, seeing space draining money from pet projects, began calling the program "moon madness." The influential magazine *Science*, journal of the American Association for the Advancement of Science, suggested that NASA was moving too fast. "The public debate that was anticipated following the president's challenge," it complained, "never materialized."

Perhaps anticipating the coming storm, Kennedy trimmed sail. Instead of letting NASA ask \$6.2 billion for fiscal 1964, he cut the figure to \$5.7. But this was \$2 billion more than the agency got the previous year, which in turn was \$1.8 billion more than the year before. That was too much for conservatives who feared big budget deficits, too much for liberals who saw the crying need for better houses, fewer slums, more schools. And in January, 1963, when the budget was announced, an anti-moon chorus attracted voices like mad.

Is the moon program worth 45 Harvards? asked an educator. Is national prestige even a partial justification? asked *The Times*. NASA's budget—two-thirds of which regularly goes to the moon project—"once again raises doubts about the wisdom of such a crash program," said the *Times* in January. Whether valid on "scientific, political or military grounds, we do not think the matter has been sufficiently explained or sufficiently justified," it added; "we hope it will be in the present congress."

As if sensing blood, the press began blasting the project. The Los Angeles *Herald Examiner* ran a Hearst story claiming the Administration had "reconciled itself . . . to a \$20 billion second place finish." A *Harper's* article saw the contestants "inviting martyrdom" in a race in which it

"matters not a whit" who wins. The *Times* hinted that NASA was wasting money and wondered if the Pentagon should not have the man-in-space charter instead of, or in addition to, NASA. The *New Republic*, the *Virginian-Pilot*, the *Cleveland Press*, the *Kansas City Times*, the *Christian Science Monitor*, even the trade magazine *Aviation Week* (which favors military projects but which gets an advertising cut from any space project) added their criticisms. The Senate Republican Policy Committee suggested the moon money could instead be saving 40 million Americans who were doomed to cancer deaths. Sen. J. William Fulbright and the Chicago *Tribune*, a couple of unlikely bedfellows, registered their opposition.

NASA and Kennedy gave the critics excuses for more blasts. The agency shook up the top management of the moon program. Kennedy made an ill-timed appeal before the United Nations for a joint Soviet-American moon venture (repeating the proposal already squelched by Khrushchev two years earlier). Khrushchev was then reported to say the Americans were racing themselves to the moon (he later denied saying it, incidentally). The General Accounting Office, predictably, found NASA wasting millions. So the House voted a provision in NASA's money bill barring cooperation with the Russians, and proceeded to cut the budget right and left. Congress finally voted \$5.1 billion for NASA, 10 per cent less than it asked and four months after the fiscal year began. Even at that the agency did well considering the climate. The usually open-handed Senate, led by Fulbright, came within an ace of slashing another 10 per cent off the remainder.

When the dust settled, NASA figured the moon project had lost a full year. Instead of landing in the first half of 1968, with a good year of cushion against the possibility that a major technical problem would arise (the first flights of both the Mercury and Gemini manned projects were more than a year late), the first moon flight was targeted for the first half of 1969. In fact, NASA said 1969 might be possible at all only if the agency got a \$141 million supplement for fiscal 1964 and \$5.3 billion for fiscal 1965.

The opposition had largely shot its wad the year before, but there was enough fight left in 1964 to give NASA trouble again. Taking a different tack, *The Times* on June 30 urged that the "artificial 1970 deadline" be scrapped. Whereas the program was initially endorsed because of the general belief that the alternative was a humiliating Soviet victory, it said, "since then Soviet economic difficulties have raised skepticism that Moscow can now engage in an all-out drive to beat us to the moon." NASA did not get its supplemental and its new budget was cut back to \$5.2 billion. The landing date became late 1969 and there was a good possibility it would slip easily the few remaining months into 1970. Few were betting that Kennedy's goal would be achieved.

NASA had to decide either radically to change the program or, as its chief James E. Webb said later, "admit we could not make the lunar landing in this decade." Fortunately, the new moon boss, Dr. George E. Mueller, came up with a new concept for Apollo which he and others had pioneered in the "crash" military missile projects. Instead of step-by-step in-flight testing of the first stage, then the first and second stages, and so forth, leading up to the combined Saturn V moon rocket and the Apollo spaceship, there would be more intensive ground testing of components followed by flying several stages at once. This "all-up" testing has a kind of go-for-broke philosophy. Webb bought the scheme and it has worked perfectly so far, so much so that NASA had again targeted early 1969 for the moon flight and dreams at times of late 1968. There is a higher risk of failure in the test programs but not, officials insist, a greater hazard to astronauts who embark for the moon.

NASA learned an important financial lesson in the near scuttling of Apollo. Webb, an astute political administrator who among other things was once Budget Bureau director, recognized that Congress was saying that he could not expect more than \$5¼ billion a year, no matter how he sliced it. So the agency has fit its programs, including the moon project, to that limit. It subsequently has asked and gotten roughly that figure.

The end result is that the space budget, instead of peaking at \$6.2 billion and quickly falling off, will continue at around the \$5¼ billion plateau for a number of years. The overall cost of the moon project will not be less, only spread out differently.

* * *

Twice beaten, most of the opponents of the Apollo project have either faded away or switched sides. *Science* magazine, for example, now acquiesces to the program. The *Times* remains unconvinced, harping at the cost at every opportunity and still calling for a "unified cooperative effort" with the Russians. But essentially the moon program has been reendorsed. Why? Partly because, with time, many of the arguments against it have evaporated. On the positive side, the successes of the national space program as a whole have given confidence that the moon mission can be accomplished and the world-wide applause of those achievements has reassured the nation that the moon flight is worth the effort. We have taken the lead in the space race in the last year, not only in scientific probes but also in manned flight. I would also like to believe that the intrinsic value of the project has finally been recognized.

Why go to the moon in the first place? The answers range from the need of this country, in terms of defense, to explore the high ground, through the benefit of a WPA project for the aerospace industry, to the great things that are going to fall out into civilian gadgets. Some of the

answers are valid, some are not. Vice President Humphrey, for example, claims that the medical data from the space program alone justifies its cost.

The reasons for going are not the reasons for being first, however. Here, national prestige (or pride, if you prefer) is the major answer, but not only to explain the moon project but the total space effort as well. The world did, in fact, believe the United States had lost ground after the Russian sputnik. Had the Russians been permitted to pick up all the spectacular space marbles since then, our stature and position in the world today would be significantly, albeit intangibly, weaker than it is. President Johnson has told a story about the moon race that I like. A Texas rancher leaving to fight with the Confederacy boasted that the Rebels could beat the Yankees with broomsticks. He returned defeated and crippled, and when reminded of his boast, said "Yes, but they wouldn't fight with broomsticks."

Kennedy was aware at the time he proposed the moon effort that prestige is meaningful only if it reflects the substance, not the shadow, of power, Arthur M. Schlesinger Jr. has said. To Kennedy, the moon program was the visible focus of the overall space effort, the single project with which the public could identify, as the nation built the broad capability to master space. Who remembers the second man to fly the Atlantic? But more than that, Lindbergh did not cross the ocean to get to Paris. Nor will the first men land on the moon just to plant a national flag.

Are the Russians racing us? The evidence is equivocal. A cosmonaut said recently that they will go to the moon after first building a large space station in earth orbit as a bridge. This two-step process may be by necessity, not choice. The most authoritative American evaluation on Russian intentions was given this year by NASA's Webb. "We do not know whether they have selected some specific goal, such as a lunar landing or even a duplication of our Apollo mission," he said. "What we do see very clearly from their activities is that they are getting in a position . . . where they understand the environment . . . and they will have the ability to select options most useful to them at the time they have to make the decision. There is no evidence that they are building a booster as large as the Saturn V but considerable evidence that they are not going to be short of booster capacity." The Saturn V will carry Americans to the moon by direct ascent. The job can also be done by putting together a moon ship in earth orbit out of pieces launched by rockets too small to go all the way in one leap.

Does the public support the moon venture? A newspaper morgue turned up only two polls on the subject, both by Gallup. The first, taken just before Kennedy announced the program, reported 33 per cent for spending \$40 billion (cq) on a moon mission, 58 per cent against. The second, published this summer, showed the ratio largely reversed: 48 per cent wanted funding for the space program kept at its

present level (32 per cent) or increased (16 per cent), while 33 per cent wanted it cut.

If the change in sentiment is real, it probably reflects the fact that the nation can better afford the moon mission today than it could four years ago. A booming economy has made the space slice of the Gross National Product smaller today than in 1961, and the tax cut has put more dollars in the public's pocket. Liberals who wanted moon money spent for poverty programs and education are seeing great funds going into these efforts now. Those who favored the military man in space are quieted by the Pentagon's Manned Orbital Laboratory which, while announced only in August, has been clearly on the way for more than a year. Scientists have not felt any pinch in their research funds, and they have recognized the beauty and scientific value of even the most glamorous space returns so far—close-up pictures of Mars and the moon.

Maybe there is recognition that it does not have to be science to be good. Technology, which is man in space largely, is not the retarded step-child of science. The two are equal partners today in the advance of knowledge. In fact, at least up to 1500 AD, technology was the parent of science. The telescope made possible optical astronomy, the microscope bacteriology. Without the computer there would be little progress today in nuclear physics; without atom smashing machines, no progress. Without rockets there would be no way to sample space.

The unconvinced will still ask what good is a handful of moon dust. When a comparable question was asked a century ago of Faraday as he demonstrated the prototype of a generator, he is credited with two masterful responses. "Some day you'll tax it," he told a member of parliament. His generator has made possible modern electrified civilization. I prefer his second reply: "What good is a baby?" Implicit is that a new child, like knowledge, will grow into a productive member of society, but more than that, a baby, again like knowledge, is to be cherished for its own sake, just because it is.

Knowledge is not necessarily used for good, of course, and change does not always mean progress. But to abstain from searching for knowledge is civilized impotence; to abstain from progress is impossible, as the Luddites found

in trying to stop the Industrial Revolution by breaking machines.

All the reasons for going to the moon may still seem, individually, to be insufficient to justify spending \$20 billion. If so, let me make a final argument: that the whole is greater than the sum of the parts. The truism applies as much to the affairs of nations as to the workings of the atom. Pieces split from a nucleus do not add up to the starting mass of the nucleus. The difference was the glue cementing the pieces which is manifested as the energy of a bomb or of peaceful electricity. The glue in the space program is "social need," a phrase used by Dr. Hugh H. Dryden, NASA's deputy administrator and resident philosopher.

Pasteur turned from studying organisms in beer and wine to those afflicting man only under great social pressure. French royalty's need to gamble led to probability theory and modern statistics. "Activities in the exploration of space, a modern social need recognizable in the acts of congress, provide that essential (social) environment to accelerate greatly the growth of theoretical and experimental science in many areas," Dryden says.

* * * *

Kennedy recognized the nation's need to be first in space, or at least to be far more capable than it was in 1961 to explore the new environment, an environment which, he said, "may hold the key to our future on earth." Certainly there were useful things that could have been done with the moon money. Spain could undoubtedly have found more immediate uses for Isabella's jewels than paying for Columbus' voyage. But would she have sold them to feed the poor? Would Congress have spent more on schools under Kennedy if there were no space programs? Not likely. Kennedy was too far ahead of the nation perhaps, asking it to recognize a need, and paying for it, when the need had not yet crystallized. But it was the time to lead, not to follow. He seized the opportunity and I believe the nation will be ever grateful to him.

Mr. Toth is National Science Correspondent in the Washington bureau of the Los Angeles *Times* and was a Nieman Fellow in 1960-61.

Professor Schlesinger

And the Nieman Fellows

By Louis M. Lyons

In the spontaneous but unaccountable way that friendships arise and some endure, the relation of Arthur M. Schlesinger, Sr. to the newspapermen who have been Nieman Fellows at Harvard has stretched across the years.

Twenty-six years with some 300 Fellows. He knew them all. He helped select half of them. He had counselled them and attended their dinners, even in retirement, right up to the last one.

Those old enough to have written memoirs have recorded the flavor of that friendship, which became for many the touchstone and symbol of a happy full year in Cambridge. In his own memoirs, Prof. Schlesinger wrote that, outside his own field of American history, his most satisfying activities at Harvard were as trustee of Radcliffe and his association with the Nieman Fellows.

None returned to Cambridge without looking him up. He kept track of them, read their books, rejoiced in their distinctions as they won Pulitzer prizes or became Washington correspondents or editors.

The strong impact that the quiet professor had on these assorted newspapermen from all over is hard to describe or account for. The Fellows respected him for his reputation as champion of rebels and of reform. But others shared "the unceasing spirit of revolt against repose" which he found at Harvard.

He was not one of the "characters" on the faculty. There was nothing spectacular about him. His influence seemed to be often just in his presence. There was something relaxing in his being there. You could feel it as the Fellows gathered for a dinner. It made them feel comfortable to note that he was there.

He didn't talk much himself but he stimulated good talk. He might put in an anecdote or a quip, with a sly touch of humor. Nothing to laugh out loud at, but to provoke a chuckle, and it would ripple around the room. It would start a vein of talk or keep it going. But if the talk went too smoothly, he would raise a provocative point and he could be persistent if the point was not met.

As critic he had the saving grace of buoyant optimism. "Hopefully the last word has not been spoken," he observed of one of his disappointments. Of his service on the

Hutchins Commission that treated the problems of the press to realize its full strategic role, he noted "there are no simple solutions."

A. B. Guthrie recalls Sunday teas at the Schlesingers', which were an institution in Cambridge. "We actually drank tea. We didn't need alcohol. The conversation supplied the jolt."

Guthrie recalls his interview as a candidate with the Nieman Committee where the professor loomed "fearsome with wisdom. But he talked easily as if to put me at my ease."

Prof. Schlesinger's notion of putting candidates at their ease often backfired. He had a habit of opening with "What have you been reading lately?" This usually threw the candidate into a tiz so that he couldn't think of anything he'd been reading. Some, thinking this must be a test question, would go off in nervous anxiety and send in lists of what they had been reading.

He dedicated his book on the press in the Revolution to "the Nieman Fellows, past and present." He was interested in everything about them, and in their wives, that it should be a good year for them. "We should interview the wives," he often said.

It was Prof. Schlesinger's persistence that opened the Nieman Fellowships to women, and his protest that led to reversing a decision to suspend the Fellowships during the war.

He appreciated the relation of journalism to history. Revising his own history, he asked two of the newsmen to check its latest chapter against their own knowledge of the political events. The Friday before college opened he would come to the Nieman office and spend the afternoon talking over with the Fellows their plans for study.

He had no formula for selection of Nieman Fellows that I ever could detect in our many years of companionship. He responded to men of independent mind and a sense of responsibility, to competent workmanship and natural force.

He was impatient of complaisance and thoroughly endorsed President Conant's view that "we must have our share of thoughtful rebels" at Harvard. He liked the newspaper talk on our interview trips. It was hard to keep to a schedule when Prof. Schlesinger got a candidate talking about the politics in his State.

I thought immediately of Prof. Schlesinger when I read in the year-end report of one of the Fellows, a Westerner and a State University man, that "I was wrong in my preconceptions of Harvard and the stuffed shirt atmosphere that I anticipated here."

Arthur Schlesinger was one of many, but most notably one who changed that misconception of Harvard.

(from the *Boston Globe*)

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We Call it Privilege, They Call it Freedom to Smear

By Sylvan Meyer

Newspapers publish little about libel. When a newspaper is sued, it uses a two, maybe three column head depending on the stature of the plaintiff and the asking price.

After that, nothing. Coverage of libel trials in the paper charged with libel is scanty and lacking in detail. Editors are afraid of repeating the libel and of revealing the documented inaccuracies, real or imagined, lawyers discover in what originally appeared to the copy desk a pretty damn good yarn.

Georgia Coach Wally Butts' suit against the *Saturday Evening Post* and Montgomery, Ala., Police Commissioner L. B. Sullivan's suit against the *New York Times* drew more newspaper space than any in my memory, including the epic Quentin Reynolds suit against Westbrook Pegler, although the trade press is replete with case reports.

Most newspaper readers still think that whatever's in print is true "or somebody would sue them." The technicalities of libel law, retractions, group libel, truth as a defense, criminal libel and civil libel don't even rate as mysteries to the public because the public rarely hears the terms to begin with.

Allowing the myth that "if it wasn't true, they'd be sued" to stand has permitted the integrity of the printed word nurtured by a responsible press to be appropriated by the careless and the scurrilous. I heard dozens of times during the 1964 Presidential campaign defenses of the pusillanimous "None Dare Call It Treason" and "A Texan Looks at Lyndon Johnson" rest on the argument, "Why doesn't he sue if it's wrong?"

More than error is required to commit libel. Libel suits grow out of the atmosphere of a story or a campaign, out of the running relationship between the newspaper and the supposed victim of the libel. And, according to several astute editors, the gee whiz, slam bang stories usually aren't the ones that generate fear of libel, but the innocent-appearing, potentially treacherous minor yarns from police courts and traffic cases, from routine meetings and from business reports.

No one argues that newspapers should be freed from any danger of libel suits. Businesses and individuals require some leverage to prevent oppression by scandal sheets or by sheer stupidity on the part of reporters representing even reputable publications.

Indeed, like freedom of the press itself and like freedom of information itself, the risk-free opportunity to print news and opinion belongs not to the press at all, but to the public. The public right is to an unintimidated press. Two principal areas of immunity from suits should exist in every state:

1. In the case of honest mistakes, properly, cheerfully and appropriately retracted and apologized for;
2. In the case of public officials in the conduct of public business.

State laws differ widely in regard to the first area and, except for the joy of philosophizing on the subject, we needn't go into it here.

The United States Supreme Court has ruled with extraordinary force and clarity on the second area. Newspaper people should understand and appreciate the ruling and its applications metaphysically as well as legalistically and press freedom would benefit from repeated explanations of both aspects of the issue to the reading public.

The great danger of indiscriminate libel suits lies in their potential to harass the press and to restrict its freedom through censorship in advance of publication, through what the courts term "prior restraint."

In the *New York Times* vs. L. B. Sullivan case, about which more in a moment, the Supreme Court Justices said things like this:

"... the protection given free speech by the Federal Constitution was fashioned to assure unfettered exchange of ideas for the bringing about of social and political changes desired by the people ... debate on public issues should be uninhibited, robust and wide open, including vehement, caustic and sometimes unpleasantly sharp attacks on government and government officials."

I am specifically interested here not in the details of the Alabama case but in its effect on newspapers, readers and public officials. It is sufficient here to say that one L. B. Sullivan, an official of Montgomery, took offense at an advertisement in the New York *Times* published at the height of racial controversy in Montgomery and highly critical of official behavior in the treatment of civil rights advocates. Mr. Sullivan sued for half a million dollars and was upheld through the state courts of Alabama. The U. S. Supreme Court reversed the Alabama decisions in a landmark event in the annals of United States press freedom and went far beyond the import of the case itself in extending protection against prior restraint.

That the alleged libel was printed in an advertisement or that the advertisement contained a number of errors of fact did not affect the principle involved nor the outcome of the case.

As a result of the decision, an almost unlimited right to criticize public officials now obtains. This right would include the sort of "fishing" stories normally associated with investigative reporting that simply fails to produce all the pieces of a puzzle until publication of enough bait lures out informers and corroborators.

U. S. District Judge James F. Gordon, Louisville, Ky., in 1965 broadened the definition of public official to "public figure" in dismissing a case against the Louisville papers brought by former Major General Edwin Walker. The general's prominence resulted from his own violation, but, said the judge, "Public men are public property."

Mr. Justice Brennan, in the majority decision, wrote that unlimited libel suits can endanger the people's right to know; excessive suits can curtail freedom to comment on public officials. In a concurring minority decision Mr. Justices Black and Douglas said that the Constitution grants Americans an unconditional right to criticize officials without fear of suit whether the accusations are fair, accurate, balanced or even maliciously conceived.

The majority of the Justices did not go quite so far as to void any possibility whatever of libeling an official. They retained the single restraint of malice. Malice is difficult to define and more difficult to prove. I asked Montgomery attorney Roland Nachman, who was on Mr. Sullivan's legal team, what would be required in view of the decision to establish malice in a court of law.

"It probably couldn't be done," he said, "Maybe if the publisher wrote the plaintiff a letter, witnessed by a notary, and said, I'll get you, you s.o.b., right or wrong, that might be taken as malice."

Mr. Nachman and his colleagues, as they battled for Mr. Sullivan through numerous courts and assorted appeals, compiled half a dozen file cabinets of records and testimony. Even a condensation of the proceedings in Sullivan vs. The New York *Times* filled four volumes, each considerably

heftier than a standard dictionary. As the legal contest continued, attorneys on both sides grew genuinely concerned with those issues involved that pertain directly to the operation of a democratic government and a free society. One issue was, of course, prior restraint. The other, and it bothered them, concerned the vulnerability of a public figure to a vicious, careless or biased press.

Is a public figure fair game for baseless attack? Has the Supreme Court decision removed all protection for an official who considers himself damaged?

The right to criticize government goes back to Peter Zenger. The sedition act of 1798 made it a crime to publish false, malicious criticism of Congress and the President. Those convicted under the act were later pardoned and though Madison and Jefferson urgently opposed it and it was generally acknowledged to be unconstitutional, the Supreme Court never held it as such.

Specifically regarding the New York *Times* case, the Alabama Supreme Court ignored these basic issues and even the First Amendment to the U. S. Constitution itself on the theory that it does not protect libelous publications. Neither could The *Times* plead the truth as a defense because of errors in the advertisement. The question in Alabama rested entirely on whether Mr. Sullivan, though not named directly, was by nature of his office an open target.

Lawyer Eric Embry of Birmingham, a member of the New York *Times'* legal team, remains convinced that despite the high court decision the right to criticize public officials is still limited: "I think it is simply a privilege to caustically or uninhibitedly criticize officials or their conduct of government so long as you have a basis in fact for believing that which you say to be true . . . and so long as you are not conscious of its falsity or completely wanton or reckless about whether it is false or true."

A peripheral question, yet to be adjudicated, involves the very definition of a public official. Does the term include a policeman? How about the part-time radio dispatcher at the police station? Does it include a fourth echelon civil servant in a state agency? Does the press now stand in less danger of libeling an honorary appointee, say a colonel on a governor's staff, or a school teacher, or a hired consultant, perhaps a traffic engineer, to a city government?

Texans, including some philosophically attuned to the present Court (and there ARE some), questioned the decision in specific reference to Sen. Ralph Yarborough who was accused by Billy Sol Estes of accepting money from him. Sen. Yarborough denied the charge emphatically but his political opponents picked it up and used it repeatedly.

Ronnie Dugger, co-publisher of a Texas magazine of opinion, observed that Estes is bankrupt and non-sueable, the Texas newspapers and politicians who circulated the libel are under the umbrella of the decision and the story generally conceded to be trumped up stands without cor-

rection or withdrawal. Mr. Dugger asks if the decision has not rendered immunity to irresponsible and invidious people who may very well be enemies of the very society that bestows on them the freedom to slander?

Mr. Nachman agrees that an official, particularly a candidate in an election, now has little legal recourse against a widely disseminated canard. He cited a recent Pennsylvania decision in an action brought by Sen. Joseph Clark who had been the victim of a letter alleging that his voting record showed "softness on communism." The Pennsylvania Supreme Court, following the U.S. Court's precedent, threw out his case.

"Of course, there are other recourses," Mr. Nachman said. "He could attempt to get corrections in the newspapers; he could buy advertising space, if he could afford it; he could go on television, if he could afford it; in short, he could attempt to use other means to undo the wrong, but I don't think an official would have available to him the decisive verdict of a law suit, not after the Supreme Court decision."

The American Civil Liberties Union entered *Sullivan vs. The New York Times* not because it indirectly involved the racial issue but because it involved the First Amendment. Charles Morgan Jr., who practiced law in Birmingham until his open position on racial equality made that city untenable for him, now heads the ACLU's Southeastern office in Atlanta. The Union's position, he said, is that if libel is an instrument or weapon used to suppress free speech and free debate, it can be used to stifle every area of discussion in the country.

He's not concerned about the danger to officials' reputations: "The American Civil Liberties Union subscribes to Mr. Justice Brennan's opinion at this juncture, and I would say with respect to public officials that when a man enters the arena of debate—the arena of politics—then he is in the arena where the sparks of ideas on American movement originate. Ideas come from charges and countercharges. It's not a particularly nice game, but that's what democracy is all about."

Mr. Justice Black took the further step to comment that "an unconditional right to say what one pleases about public affairs is what I consider to be the minimum guarantee of the First Amendment."

Mr. Black was especially concerned about multiple suits. There is no protection against double jeopardy in civil actions and, conceivably, a publication could be sued any number of times in connection with the same libel so that in *The Times* case, particularly, any number of officials might have collected heavy damages on the same publication.

Furthermore, a newspaper's "winning" a libel suit hardly classifies as a victory worthy of popping corks in the city room. Legal fees are expensive, win or lose, and the time,

research and aggravation created by nuisance suits add up to money.

Although most newspapers carry libel insurance, not all policies include legal fees. Most of the policies include a sizeable deductible sum as well. Even an insured, well-financed newspaper runs an outside risk of being called upon for a judgment in excess of its total resources. A candidate in a political campaign sued our small newspaper for \$1,200,000, as a case in point. Had he won such a judgment, we would have simply handed him the key to the building but he knew we could prove what we had said about him and, with the further incentive of the Supreme Court decision in *Sullivan vs. The Times*, he withdrew the action.

The point is, suits are easy to file. I could walk down to the courthouse, pay a modest filing fee and sue Dwight Sargent for some heinous affront and he would be just as sued as though I had a genuine grievance. If he did not move to protect himself, eventually I would obtain a judgment against him. He might countersue, but he would have to decide whether he could afford to or not.

This sort of frivolous action is what the Court had in mind when it viewed Alabama's \$500,000 finding against *The New York Times* and said, through Mr. Justice Black, that "state libel laws threaten the very existence of an American press virile enough to publish unpopular views on public affairs and bold enough to criticize the conduct of public officials. This (is) a technique for harassing and punishing a free press."

Whether the Court will ever remove completely the possibility of libeling a public official by whatever means and in whatever mood of good or evil, further cases have broadened the application of the pivotal one. A district attorney in Louisiana charged some judges in that state with laziness, incompetence and involvement in Bourbon Street vice rings. He was accused of criminal libel rather than sued civilly and the *Sullivan vs. The Times* precedent saved his hide when the Supreme Court broadened it to include criminal libel.

In the judgment of the Supreme Court, then, the burden of discovering and acting upon the truth of charges and counter charges involving public officials falls not on the courts but the people themselves.

If the public is to act as jury and render a proper verdict through its vote or through its support, or lack of support, of official acts, the newspapers of this country face a far heavier obligation to serve up evidence than they did prior to the epic decision. The public will require detailed information about events and people, about the personal character of individuals in the news, in order to make judgments heretofore decided, at least in part, in courts of law under formal rules and procedures. The press must also consider that it operates, at present, under a favorable attitude, on the part of the high court at any rate. Gross abuse of the

rules of fair play or blatant disregard of responsibility might cause the justices, at some future date, to consider whether they had stretched the fabric of freedom too thin in *The New York Times vs. Sullivan*.

(I use *Sullivan vs. The Times* and *The Times vs. Sullivan* interchangeably because the case began in Alabama under the first title and wound up in the Supreme Court, since the original defendant brings the appeal action and becomes the plaintiff, with the latter name.)

Quite by coincidence, at the time I was studying this case and talking with some of the people involved (those at the Southern end of the case because they are more conveniently located) I came across a singular and highly revealing discourse published in the *Emory University Journal of Public Law* (Vol. 13 No. 1).

The *Journal* published a series of letters between David Ben-Gurion, former prime minister of Israel, and Edmond Cahn, late professor of law at New York University. Mr. Ben-Gurion permitted publication because of the clarity of his debate with Mr. Cahn and the understanding the letters might bestow on the entire issue of control of defamation against officials vs. a free press.

In his introduction, Mr. Cahn pointed out that although the issues arose in Israel, the problem may arise in any free nation. He noted also that at the close of the exchange of correspondence neither he nor Mr. Ben-Gurion had budged an inch in their opposing views. As a matter of fact, in the very letter giving permission to publish, the Prime Minister reiterated his adamant position, though it turned out later that the Israeli Knesset withdrew the Ben-Gurion government's bill, was offered a more liberal one in 1963 and, finally, in 1965 passed the gentler version. Editor A. Dissentshik of *Maariv*, in Tel Aviv, writes that most of the parties battling in elections in Israel promise to review the law and that the Journalists' Association threatens to call a one day strike if the review is not taken up immediately in the new Parliament. Mr. Dissentshik also reported that the existence of the Ben Gurion-Cahn correspondence is unknown in Israel.

Mr. Cahn opened his correspondence following an editorial in *The London Times* on March 19, 1962 assailing Israel's proposed libel laws. The *Times* noted Israel's lively press and expressed concern that Israel "would join the ranks of countries where the press operates in a twilight of open and concealed censorship." It cited a particularly bad clause, among many, that would make it possible for a newspaper to be closed down for any period if two convictions for libel are made against the paper or any member of its staff within a period of two years. "This would open the door for the government to silence forever an irksome critic," said *The Times*.

Mr. Cahn's introduction speaks his admiration for Mr. Ben-Gurion and for the Israeli people who opposed their

revered leader on this topic . . . "a heartening episode and a firm ground for faith in popular government," commented the law professor.

In his first letter, Mr. Cahn told Mr. Ben-Gurion that "every particular of the bill . . . is totally incompatible with the existence of a free press."

Mr. Ben-Gurion responded that the freedom of the press does not entail freedom to slander people. He pointed out that the bill considers as adequate defense in a criminal or civil charge of defamation "if according to information in the possession of the accused or the defendant before publication of the statement, he had a reasonable basis for belief that the said statement was true."

Wrote the Prime-Minister:

"Do you believe that in the case of a paper which has no reasonable basis before publication for believing that the statement which it is about to publish is true, but nevertheless publishes the slander, punishment for defamation would be a violation of freedom of the press?"

"We believe that the freedom of every individual is limited by the freedom of rights of others and that no individual or newspaper has the right to humiliate his fellow man or to make him the object of hatred and contempt if he has no reasonable basis for believing that the statement which he wishes to publish against him is true.

"We distinguish between freedom of the press and license of the press, and believe that it is the duty of a democracy to defend its citizens against unjustified attacks, and that one of these is the publication of a slander when he who publishes has no reasonable justification for believing that the statement is true."

Mr. Cahn answered with a polite introduction, asking Mr. Ben-Gurion's leave to discuss the merits of the proposed bill. He emphasized two points. The first was that "prior restraint is the essence of censorship." He cited especially a decision written by Chief Justice Charles Evans Hughes in the case of *Near vs. Minnesota* (283 U.S. 697, 1931) in which the court held unconstitutional a statute that authorized courts to forbid and enjoin the business of publishing a "malicious, scandalous and defamatory newspaper." The statute provided, Mr. Cahn noted, a phrase similar to the Israeli bill stating that an action under the law could be defeated by showing that the truth was published with good motives and for justifiable ends.

"In this case," Mr. Cahn wrote, "Chief Justice Hughes confronted as worthless, scandalous and defamatory a newspaper as one is likely to find anywhere. Yet he held that the press of the country could not be free if publishers were put in the position of having to satisfy any official, including a judge, that their motives in publishing were good and justifiable, at the peril of having their papers suspended or closed. No matter how often a defamatory publisher might incur civil or criminal penalties for PAST actions, the press

could not be free if the law imposed a PREVIOUS restraint on him. Said Chief Justice Hughes: 'This is the essence of censorship.' "

Mr. Cahn stressed that confidence in government has nothing to do with the issue and belabored the point, which he termed "the simple massive fact," that the people of the country are the ultimate consumers of law and government and "if they cannot eventually judge between political true and political false, the blunders of choice they commit are the very ones they must consume."

His second point for emphasis had to do with group libel and though this does not pertain directly to our subject, Mr. Cahn's reasoning concerning the difficulty of establishing the truth about any group or any person's motivations regarding a group, was that this is not something a court can establish and without clarity on the issue of truth, prosecution for group libel would become pure oppression.

Mr. Ben-Gurion, in his response, conceded at first that he could not hold his own in an argument with a "distinguished jurist like yourself." He then negated that statement with a trenchant exposition that included a few cracks at *The London Times*, which said Mr. Ben-Gurion, "I do not regard as Holy Writ."

The Prime Minister continued:

"... the article in your Constitution which authorizes a court to annul an Act of Congress is undemocratic (how's that for a startling interpretation?), although I understand the historic reasons that have led to such a position in the United States... If, however, you value so highly the rights and status of the courts, I find it somewhat surprising that you should oppose one of the clauses of the draft bill which has been withdrawn for the time being, under which not the government but the court would be empowered to close down a newspaper....

"In our country we have confidence in the courts... and if one of your courts has the right to annul a decision by the majority of the people's representatives—the Senate, the House of Representatives and the President as well—I cannot grasp why a court should not be entitled to close a paper that makes a habit of disseminating libels.... Supreme Court Justice Hughes' words, with all due respect to his personality, are not the words of the deity and it is permissible to differ from him—if it is permissible to differ from the decisions of the people's representatives and annul their laws."

Then Mr. Ben-Gurion returned to his basic argument that a citizen has a right not to be slandered and that the courts, not the government, protect that right. There is a distinct parallel between his position and that of Mr. Sullivan's attorneys. He said, "There is a fundamental difference between 'disagreeable or unpopular information' and slander. It seems to me that you (Edmond Cahn) demand that the reader himself should be able to distinguish

correct information from libel. This is an exaggerated demand. It should be addressed first of all to the newspaper."

Here again the question: is the public informed enough to sort out the truth?

Continued Mr. Ben-Gurion; "You also defend collective libel in the name of liberty of the press. The defamation of a group is worse than the defamation of an individual...."

Mr. Cahn's heritage of American law allowed no concept of group libel. In our jurisprudence, an individual who happens to be a member of a group, whether he be a Jew slandered by the anti-semitic press or a Klansman belabored by a liberal editor, must establish damages to his personal position or reputation by a direct finding of his immediate involvement in the purportedly libelous publication. In short, there is in practicality no such thing as actionable group libel.

But Mr. Cahn was a persistent debator and, insofar as *The Bulletin's* publication reveals, captured the last word if not the concurrence of his antagonist.

Prof. Cahn's final letter is beguiling and although some of its content may stray from our immediate subject, you shouldn't be deprived of his language. He wrote:

"Dear Mr. Ben-Gurion: I hope I may say that your letter of April 22 about the Defamation Bill charms me. As a sample of polemic skill, it would be more instructive to my students than anything they could find in Aristotle's 'Rhetoric;' never have I been invited up so many seductive by-paths. I count myself fortunate in not having to engage in debate with you in a parliamentary forum, for if I did, I should be severely drubbed. I count Israel fortunate in having your unique gifts and capacities in its service.

"Of course, Mr. Prime Minister, I should deservedly forfeit your attention if I succumbed to temptation and discussed tangential subjects. Let me, therefore, confine this letter closely to the issues."

Prof. Cahn then took the position that he and the Prime Minister were equally concerned with protecting private reputations and deterring slanderous newspapers. He reiterated strongly that there was no disagreement on the propriety of punishing a newspaper publisher for an offense against public order after the offense has been committed.

"Our discussion," he wrote, "relates only to previous restraint in the form of administrative or judicial authority to suspend or close newspapers. To close a newspaper has only one practical significance for the community, i.e., to stifle future expression. Such authority, I submit, is irreconcilable with freedom."

Prof. Cahn emphasized the point that freedom of the press belongs to the people. Although the publisher may ordinarily be the proponent of the right, he doesn't own it.

Representative government, Prof. Cahn maintained, "implicates the people." He referred to age-old Jewish tradition which demands protests against injustice and leaves no op-

tion to the individual to remain silent. This moral position, he said, is a necessity in a democracy because the people are responsible for what government does in their name and hence must have open channels of protest.

As the U.S. Supreme Court was later to proclaim in *The Times vs. Sullivan*, Prof. Cahn cited the legal immunity from libel afforded legislators in their official debates. "Surely this is not provided for the sake of the legislator . . . we do it in the people's sake, in the interest of uninhibited democratic debate." Our court employed almost exactly the same language in its decision, through Mr. Justice Goldberg who wrote: "In many jurisdictions legislators, judges and executive officers are clothed with absolute immunity against liability for defamatory words uttered in the discharge of their public duties . . . so that this ardor to serve the public will not be dampened and fearless, vigorous and effective administration of government not be inhibited . . . then the citizen and the press should likewise be immune from libel actions for their criticism of official conduct."

Prof. Cahn lunged sharply in his closing paragraph to the Prime Minister. After it, if the old man of Israel replied Prof. Cahn didn't mention his answer.

"In the end," he wrote, "every government gets the kind of citizenry it expects, for every official prediction about the people is largely self-validating. If your Government distrusts the people and the press freedom that belongs to them, it is likely that, sooner or later, they will justify the distrust. But if your Government thinks of the people as grateful thought often ignorant, sensible though often garrulous, and decent though often irritating, you will have no use for previous restraints. Do not the people of Israel, who had judgment enough to make you their Prime Minister, deserve a reciprocal vote of confidence?"

The question of prior restraint as the most pernicious censorship of all, then, merges with the questions of whether the public can find its own way and of whether a public official is fair game or not.

The public official is and must be fair game for comment and criticism, founded or unfounded, simply because there is no effective way to shield him and at the same time retain the basic mechanics of free government. We might feel some chagrin that these principles have been far more eloquently illuminated by the courts, which are part of government, than by the press which, inexplicably, has ever seemed reluctant to expound its truly public nature. Perhaps we

forget in our proprietorship of the tangible newspaper we hold in our hand that any fellow with a mimeograph machine on his kitchen table is the press as much as we are, if he wishes to be; or that while we may own the building and the machines and pay the help, the right to publish belongs to everyone and not exclusively to us anointed few.

Since these principles underlie our basic operating methods in this country and since a press free of restraint, censorship and its own timidity rests in the long run on the people's recognition of the kind of press we require in order to remain free, coverage of libel stories will help educate the people about newspapers.

A reader ought to be able to tell for himself when a story borders on maliciousness and libel, not because he may be a juror someday but because his ability to judge the quality of the news he reads should be better than it is.

For the sake of the newspapers themselves, and the country itself if you want to extend this logic to its ultimate destination, readers should know why their papers now have and should maintain perfect freedom to criticize official actions. The reader's acceptance of a free press, with all its faults, depends on his appreciation of the ground rules of a democratic society with regard to the press. In straightforward coverage of libel cases and their results, the reader sees the broad rules applied to the specific instance. Over the long haul this is bound to be constructive.

For the public's sake we should print more stories of libel trials and educate the people to their stake in the press and to what libel entails.

And as far as giving the public its head is concerned, Judge Learned Hand, quoted in Mr. Justice Brennan's decision, put the matter most succinctly:

"The first amendment presupposes that right conclusions are more likely to be gathered out of a multiple of tongues than through any kind of authoritative selection. To many, this is, and always will be, folly; but we have staked upon it our all."

Mr. Meyer is editor of the *Daily Times* of Gainesville, Georgia, and was a Nieman fellow in 1951. Reference is made in this article to material written by Edmond Cahn, which will be included in a book to be published in the Spring of 1966 by Little, Brown, entitled the "Edmond Cahn Reader."

The Chandlers of Los Angeles:

The World of Otis, Norman and 'Buff'

By Mitchell Gordon

Running this company is like trying to get your arms around the fat lady at the circus. It looks as if there's much too much of her and not nearly enough of you.

But the managers of the Times Mirror Co. have a long reach indeed. Over the past half-dozen years or so, they've transformed a run-of-the-mill metropolitan newspaper into the fourth biggest in the country, one which is suddenly commanding a measure of national attention and influence. At the same time, the company has become one of the top-ranking publishers of paperback books. That might seem to be enough. But Times Mirror's sheer diversity spawns many other problems, and at one time or another its executives must ask themselves the following questions: Are they packing them in at the Palladium? How will the engineers take to our slide rules? How many people in Hawaii have telephones?

The company, however, apparently thrives on complexity. The Chandler family, that remarkably energetic California clan which owns 49.9% of Times Mirror and directs its affairs, has been building it into a West Coast colossus—despite bickering and rivalry within the family circle. Thanks to a rapid-fire series of acquisitions, more than a little luck and a deft managerial touch, Times Mirror nearly doubled its sales between 1960 and 1964 to a total of more than \$196 million. Profits in the same period nearly tripled, to \$11.4 million. Through the first 28 weeks this year, sales were up 20% over the 1964 period and earnings climbed 51%.

Though a look at the total list of Times Mirror properties makes the company appear a corporate grab-bag, there is a definite pattern in those acquisitions made within the past six years. All are connected, however loosely, with what Times Mirror calls "the greater knowledge industry," and with the raw materials it requires.

In this rush to broaden the company's scope by acquisition, it might be easy to overlook the drastic changes that have taken place in the company's permanent power base—the Los Angeles Times. Yet these changes have been no less important to Times Mirror's fortunes. What is more, the Times has been converted from a newspaper of dubious reputation to one of the more respected and complete papers in the country.

And one of the most lucrative. Within the past six years, the Times has catapulted from eleventh to fourth place in circulation among the nation's dailies. As of March 31, its average circulation was 830,000 on weekdays and 1,178,000 Sunday. It is delivered every morning on doorsteps as remote as Fresno, San Diego and Las Vegas. It carried 93 million lines of advertising last year, up 55% from a decade before, making it far and away the leading U.S. paper in this key category. Not long ago the Times did not produce as much profit as the company's commercial printing activities; now it is Times Mirror's biggest moneymaker.

Staffers and competitors alike give much of the credit to Otis Chandler, athletic young scion of Norman Chandler, president and chairman of Times Mirror; and to Dorothy Buffum Chandler (known widely as "Buff"), vice-president-corporate relations, an aide to her husband Norman for some 20 years, and an influential voice in the company's affairs and Los Angeles civic circles as well. It was she who gave Otis a gentle push toward the top. "I made it easier on Norman one weekend at the beach by telling him I thought it was time for Otis to take over as publisher," she recalls.

Otis, then only 33, succeeded his father as publisher in 1960 after serving as marketing manager for the paper. To many observers, the appointment seemed a classic case of corporate nepotism; the big (6' 3", 225 pounds), blond Chandler heir was young for the job, had a consistent but

far from brilliant academic record at Stanford (mostly Bs and Cs), and seemed more interested in athletic pursuits—surfing, weightlifting, motorcycling among them—than in intellectual ones.

But Otis has surprised a lot of people, transforming the paper in the process. While many big-city newspapers elsewhere have been slow and indecisive in facing up to increased competition from television and suburban papers, the Times has moved vigorously to meet it. Otis also has beefed up news coverage, both in quality and quantity, and, largely under his aegis, the paper has shucked its traditional image as a spokesman for arch-conservatism.

The Los Angeles Times' Washington bureau was a three-man operation when Robert J. Donovan, former New York Herald Tribune Washington bureau chief and a best-selling author, was hired to head it late in 1963. Now it boasts 12 newsmen, making it the third largest newspaper bureau operation in the capital. As recently as 1962, the Times had only one foreign correspondent, William Waldo Drake. Today it has 11 bureaus abroad, including operations in Moscow, Vienna, Leopoldville and Beirut opened within the past 12 months. Domestic bureaus are opening rapidly, too.

The newsroom in Los Angeles gets more crowded every year. Two reporters now cover education (there were none in 1957), five cover science and medicine against only one five years ago, and six ferret out entertainment news, compared with "an editor who used to cover it with his left hand before," according to Times Editor Nick B. Williams.

The paper has been hiring away Pulitzer Prize winners as quickly as it can. Within the past year alone it has lured cartoonist Paul Conrad, formerly with the Denver Post; Jack Nelson, who worked for the Atlanta Constitution and who now heads the Times bureau in that city, and Edwin O. Guthman, who worked for the Seattle Times and was a press aide to Sen. Robert Kennedy. Mr. Guthman captains the paper's "flying squad," a group of select newsmen based in Los Angeles but poised to jet anywhere they are needed to cover a major story.

The Times has lifted salaries, too, while increasing its staff and expanding its coverage. All this has been costly—Otis notes that the editorial budget has more than doubled in the past seven years and now totals about \$7 million annually—but the improvement in the paper has helped draw a flood of advertising, too.

The paper is well aware of competitive factors, and Editor Williams strives "to give the reader something he isn't getting on TV, namely, interpretation, and the exclusive features he can't get in his local suburban paper." So, he aims for at least eight or nine such pieces a day. In a recent issue, one of the paper's two correspondents in Saigon reported the views of a Long Beach Negro in Vietnam regarding the Los Angeles riots; the paper's man in Bonn

outlined the relative calm of the West German political campaign, and a well-illustrated, 1,000-word piece recounted "How Beauty Takes a Beating at Booming Lake Tahoe."

Some of the Times' suburban competitors think the paper may be overdoing the interpretative approach "with all those essays." A good many others, including some staffers, feel the Times is over-emphasizing national and international news at the expense of local coverage.

On some occasions the Times has gone for a month or more without giving page-one play to a single local story in its home-delivered editions, which account for 82% of circulation. Critics find it hard to believe that there is so little of importance happening, over so long a period, in a city the size of Los Angeles.

The Times does offer local coverage inside the paper, however, and woos suburban customers with special "zone sections." These are special pages or inserts, which devote about one-third of their space to news and the rest to ads, and which run from 2 to 40 pages or more. There are three zone sections in the weekday paper, giving readers in the San Fernando Valley, San Gabriel Valley, and Orange County news of doings in their areas—and giving advertisers a chance to buy only that portion of the Times' vast circulation area they feel they will do them the most good.

To many, however, moderation in the Times' once strong right-wing viewpoint has been the most significant change of all those the paper has experienced. In a recent survey of the U.S. press, the respected London Economist said: "A few years back, it (the Times) was a shoddy sheet of extreme right-wing viewpoint with a Hollywood divorce focus for its news measurement." The Economist's current assessment: "By all odds the best California newspaper—most complete, soundest in news judgment, and honest in presentation."

For much of its history, the Times displayed intense antilabor, pro-management sentiments in its editorials, and remained conveniently blind to the virtues of Democrats and the faults of Republicans. It often was judged guilty of committing journalism's mortal sin—permitting the opinions expressed on the editorial page to slop over into its news columns and influence news play. In 1948, during the Dewey-Truman Presidential race, the Times quite regularly ran the Republican candidate's speeches on page one and relegated the President of the United States to columns inside.

Now, however, most observers agree the Times is trying hard to give labor and management, Democrats and Republicans, fair and equal treatment. Says Otis: "We're still a Republican newspaper, but we've tried to divorce our editorial views from our news reporting. We think that readers, with only two metropolitan newspapers in Los Angeles—and other media to turn to, such as television and

magazines—are demanding a better balance in the presentation of news.”

Republican the Times still may be, but it is apparently a lot less dogmatic in its conservatism than it was several years ago. In the Republican Presidential primary held in California last year, the paper supported liberal Republican Gov. Nelson Rockefeller in preference to Sen. Barry Goldwater. In the November election itself, the Times supported Sen. Goldwater—but late (October), and with reservations. The paper took pains to note that it opposed his stands on the civil rights law, the nuclear test ban agreement, the sale of U.S. grain to Russia, and the control of tactical nuclear weapons by NATO field commanders.

Nestled as it is in an area viewed as a bastion of conservatism, it might be expected that the Times would choose to avoid offending its many readers of that political persuasion. But as far back as 1961, the Times ran a five-part series of articles, capped by a front-page editorial, attacking the John Birch Society.

Hearst Corp.'s Herald-Examiner, the only other big daily in Los Angeles, estimates it picked up 10,000 former Times readers alienated by the articles, which also antagonized Philip Chandler, Norman's younger brother, and his wife, Alberta, an active member of the society. Whether this had anything to do with it or not, Philip resigned as a vice president and director of Times Mirror in 1962.

The paper, however, has weathered these squalls well and continues to grow. An index to its size and power is found in two widely disparate events of the past few years—the demise of the Western edition of the New York Times and a price shift in the entire Western newsprint industry.

The New York Times' Western edition began distribution in October 1962, quickly gaining a circulation of over 100,000. But then circulation dropped and kept on falling. The special edition, which was to bring extensive coverage of national and international affairs to an allegedly news-starved West Coast audience, smacked head-on into an L.A. Times which had greatly strengthened its own reporting in these same areas. And the latter paper's local coverage and zone sections gave many readers a plus the New York Times could not match.

After suffering deficits for 16 months, the New York Times gave up the struggle and folded its Western edition in January 1964. A successful suburban publisher here offers a post-mortem: “They failed in Los Angeles because they tried to sell the people a warmed-over New York paper. Readers could get everything they wanted from the L.A. Times and their own suburban papers.”

Many observers feel there was more than a little luck involved, too. Before publication of the Western edition, Times Mirror ceased printing its afternoon paper, the Mir-

ror. Hearst Corp., at almost the same moment, folded its morning daily, the Examiner.

This left the Hearst afternoon paper (renamed the Herald-Examiner) alone in that field and made the L.A. Times the city's only morning paper. Times Mirror denies any collusion with Hearst, and the Justice Department, which showed interest in the simultaneous shutdowns, hasn't been heard from in some time. But the move greatly strengthened the Times in circulation and advertising—and made it more than a match for the Eastern invader. Thus, it becomes easier to understand why Norman Chandler can, jokingly at least, call the chronically-unprofitable Mirror “the best investment we ever made.”

After surmounting the threat from the East, the L.A. Times then made its influence felt in the big newsprint industry. The paper, which often runs to a bulky 200-pages-plus on weekdays, will consume more newsprint this year than any other U.S. daily; it accounts for fully 20% of all that product used in the 11 Western states, making it a major factor in that marketing area.

In November 1964, MacMillan, Bloedel & Powell River, Ltd., a major newsprint producer based in Vancouver, B.C., startled the industry by cutting its base price \$10 a ton to \$124. Other Western producers, American and Canadian, fell into line quickly. The decrease was made, said MacMillan-Bloedel, to forestall “long-term erosion” in newspaper markets hit by competition from TV and other media.

Industry sources, however, privately pointed a finger at the L.A. Times. That paper, they said, had put enormous pressures on producers by offering to buy 200,000 tons a year for 20 years—if the price was right. The Times made no comment at that point. Today, however, a high executive denies that any specific deal was offered—but he concedes that “the sheer volume of newsprint we use and the fact we were casting about for a good price were probably an influence in the price cut.”

The wealth and power the Times now enjoys are traceable to more than just managerial skill. It operates in one of the biggest and fastest-growing metropolitan areas in the country, giving it built-in growth potential. It faces no major morning competition. And, besides getting newsprint cheaper than most papers, it is non-union, and therefore able to make cost-saving innovations barred to some papers elsewhere.

Some knowledgeable observers believe this is all there is to the Times' success. Says one publishing analyst: “They have an exclusive in a fast-growing market, so good management can pay off better than the very best management can in a city like New York, where competition and labor restrictions are murderous.” A critic observes: “They've been lucky. The Times has been big enough and influen-

tial enough to stay on top when that was lots easier to do than getting there."

Though Otis Chandler gets most of the credit for the Times' new face, he does not run a one-man show. As publisher, he relies heavily on the advice of Editor Williams and veteran Timesman-author James Bassett, director of editorial pages. Editorial policy is shaped by Otis and some 15 editors who meet at 10 a.m. daily. And Otis consults his father on major decisions.

Norman Chandler, however, has been attending fewer of these editorial conferences lately; he's been too busy tending to the growing Times Mirror empire elsewhere. In the past six years, the company has acquired some 16 businesses—diversifying it horizontally by picking up companies in the information and education field, and vertically by reaching all the way back to the forest itself to integrate its raw materials supply.

In publishing alone, the diversification is intensive. Times Mirror's New American Library, acquired in 1960, will sell about 60 million paperback books this year (Mentor, Signet, Signet Classics) to rank near the top in this field, and is enjoying good sales of hardcover books as well—among them Ian Fleming's *You Only Live Twice*. World Publishing Co., purchased in 1963, sold 3 million Bibles (it is the leading publisher of the King James version) and ranks second in the publication of dictionaries (Webster's New World, Webster's New 20th Century). Another property, Matthew Bender & Co., ranks third in legal publishing.

Times Mirror also has purchased two suburban newspaper publishing companies, possibly to protect the Times' flanks but also to cash in on opportunity in fast-growing Orange and San Bernardino counties. One of these acquisitions, the purchase of the Sun Co. of San Bernardino, is being challenged by the Justice Department on the ground it would substantially lessen competition in the area, where the Times has been the Sun's principal rival.

Other "knowledge-oriented" purchases within the past half-dozen years include companies producing road maps for oil companies, which distribute them at service stations; marine manuals and navigation aids; aeronautical charts, flight manuals, relief maps and training aids; and, recently, slide rules and other instruments. In the graphic arts field, Times Mirror has added a large bookbindery to its existing commercial printing properties. These include Times Mirror Press, which prints nearly all the telephone directories used in Southern California, Phoenix, Denver, Las Vegas and Hawaii.

The company's growth in the paper and forest products field has been just as rapid. In 1948, it acquired a controlling interest in what subsequently became Publishers Paper Co., a venture which has provided a share of the Times' newsprint requirements over the intervening years. Since then, Times Mirror has increased its timber holdings from

10,000 acres to over 130,000 and its papermaking capacity from about 95,000 tons annually to 180,000 tons.

Otis Chandler notes that the forest products operations dovetail nicely. A plywood plant, acquired late last year, permits the company to make use of chips and shavings previously discarded by its saw mills. The latter, in turn, enable the company to put its timber to "the best and highest use" instead of selling it to others for conversion into lumber.

Earlier this year, Times Mirror cemented its grip on Publishers Paper by buying out the remaining 32.3% interest held by the Deseret News Publishing Co., Salt Lake City, for 300,000 shares of Times Mirror common. The transaction made the Mormon Church, owner of the Deseret News, the biggest single stockholder in the Times Mirror empire outside the Chandler family trusts.

The rush of new acquisitions has been added to a motley group of Times Mirror properties the company has held for some years. It owns a 14.8% piece of the Tejon Ranch Co., which owns the largest tract of undeveloped land in the Los Angeles area—286,000 acres an hour's drive from the city. It owns a restaurant (Eaton's) near the Santa Anita racetrack and a Hollywood ballroom (the Palladium), which it leases for a flat fee and a percentage of the gross. And it owns four buildings occupied by J.C. Penney and F.W. Woolworth retail stores.

All Times Mirror's properties are operating profitably now, and even some of its apparent past mistakes now appear to be beneficial to the company. The shutdown of the deficit-ridden Mirror helped the Times grow far more powerful. Another move, the sale of television station KTTV in Los Angeles, netted Times Mirror an after-tax gain of over \$4 million in 1963. The station had never been very profitable.

Times Mirror will likely continue to expand—but perhaps not as rapidly as in the past few years, if some family members have their way. An obscure legal action brought late last year may jeopardize the company's ability to get authorization to issue more common stock, which could be used for acquisitions.

The case, unreported till now, seeks to clear the way for a determination of this question: Is a unanimous vote by the six trustees of a Chandler family trust which indirectly controls 22% of Times Mirror common, necessary for that stock to be voted in favor of an increase in authorized shares?

If the court decides unanimity is required, obviously one or more dissidents could block that 22% interest from being voted. And, since these same family members are also trustees in two other trusts holding an additional 26% of the stock, trusts for which the unanimity principle has been established, this would mean that 48% of Times Mirror common might not be voted. A "yes" vote by the ma-

jority of all outstanding common is needed to authorize issuing more shares.

The exploratory legal action was brought in the name of all six trustees, possibly to avoid publicity about the dissent within the family. It is no secret within the company, however, that some Chandler family members are unhappy over the editorial changes in the Times and the dilution of their stock interests through issuance of new shares.

Philip Chandler is one possible dissident, though he is not discussing the matter. Whatever the source of the action, it appears likely that a ruling for unanimity might force Times Mirror to confine itself largely to cash to fi-

nance future acquisitions; its stock of treasury shares is now the equivalent of what the company has used for just two of its major acquisitions.

Management contends that it is unworried. "We've over \$18 million in surplus cash and another \$18 million in borrowing power, and we're generating an additional \$10 million a year," says Albert Casey, executive vice president. "And we have a lot more room for internal growth, too."

Mr. Gordon is a staff reporter for the *Wall Street Journal*. This article appeared in that newspaper on Oct. 13, 1965, and is reprinted with its permission.

The Journalist and the Educator

(continued from page 2)

fifteen senior institutions and five community colleges, the bill was really aimed at the University of North Carolina at Chapel Hill, the oldest state university in America and long a bulwark of academic freedom in a region where the climate is not always receptive to free speech and free inquiry.

The bill is loosely drawn, subject to many interpretations, impossible to enforce fairly, and a gratuitous insult to the trustees and administrators of the university, who rightfully should have authority over campus speakers. Moreover, it erodes the very foundation of academic freedom—the right to hear, to study, to examine, and to accept or reject facts and ideas that may be unpopular or controversial. It has thrown our state into turmoil, brought down national ridicule upon it and endangered the accreditation of our institutions.

In 1958, an effort was made to reorganize the Ku Klux Klan in North Carolina. When a group of angry Lumbee Indians broke up a Klan rally near Lumberton and put the Klansmen to flight, the story made front pages around the world. Shortly thereafter the leader, James "Catfish" Cole, went to jail. The movement collapsed in shame and ridicule.

Yet two weeks ago we were told by congressional investigators that North Carolina now leads the nation in Klan activity. If true, this is a puzzler; North Carolina has been spared the brutal racial conflict that has erupted elsewhere. There is no real reason why the Klan should have any support in North Carolina, or for the speaker ban law

to remain on the books, unless many of our people are so totally frustrated and so full of anxiety that they blindly seek any outlet for their fears, however misguided and unpromising.

I suspect that frustration and anxiety are behind most of the extremism in our land today. As individuals, we can't do much about communism, or the continued threat of nuclear warfare, or the war in Viet Nam, or automation and its unnerving implications.

We live from crisis to crisis. On the day I began this manuscript, I glanced at the news budget of one of the big wire services. The U.S. was stepping up its buildup in Viet Nam. Indonesia was in turmoil. New fighting flared in Santo Domingo. The Austrian coalition government resigned, plunging that neutral nation into serious political crisis. In London, Prime Minister Wilson made last minute preparations for his week-long mission to troubled Rhodesia. Cubans were fleeing from Castro to south Florida.

Unfortunately, this was just an ordinary day.

I suspect, moreover, that the velocity and complexity of change in our society is also a major cause of anxiety among our people. As long ago as 513 B.C., the Greek philosopher Heraclitus voiced the eternal truth that "there is nothing permanent except change." Twenty-five centuries later we should have learned to accept change and to live with it. Since World War II, however, knowledge has been expanding at a bewildering rate, and producing change faster than our people can absorb. When he

was president of the AP Managing Editors Association, Ed Murray of the Phoenix Republic referred to the fact that "90 per cent of all the engineers and scientists who have ever lived are alive today, and are producing an estimated one million new facts a year."

Most of man's established institutions and his major areas of activity are undergoing major revolutions today, each of them accelerated by the incredible new computers, still in their infancy and with an ultimate potential beyond the capacity of the imagination.

A group of southern editors and educators met in Atlanta the other day to plan a new project. Using Ford Foundation funds and administered by the Southern Regional Education Board, the project will make it possible for southern journalists to go back to school at one of several participating universities to update their education so that they can better report and interpret some of these great and complex stories. The program will include short seminars on specific topics and longer periods of study for individual newsmen, up to a full academic year.

A mere listing of some of the topics suggested for the seminars will give you an understanding of the enormity of the assignment of the journalist and the educator in our changing society: urbanization . . . labor and management . . . industrialization . . . transportation . . . communism . . . American foreign policy . . . the emerging nations . . . the Great Society . . . the Constitution and the courts . . . the role of state government in our society . . . crime and law enforcement . . . new frontiers in science . . . medicine and health . . . the population explosion . . . migration . . . computers and people . . . changing patterns in race relations . . . southern politics . . . the nature and causes of poverty . . . the state of the arts . . . the organized church . . . trends in agriculture . . . the use and misuse of natural resources . . . impact of the space age . . . higher education and its needs . . . challenges to the public schools . . .

I could cite many more but surely I have made my point. The society with which the journalist and the educator must deal is incredibly complex and is becoming even more complex with each passing day. It is difficult enough to maintain one's sanity in a period of such total and volatile change, even more difficult to know and to understand what is happening to the human spirit under the pressure of change and crisis. Man cannot be very relaxed or secure when the uncertainties of his tomorrow are so great and so fathomless.

In my opinion, the overriding domestic problem in our land today is urbanization. I said earlier that "much progress is being made toward the abolition of the last vestiges of human slavery in our nation." Yet I fear that in the central cores of our cities, we are daily enslaving anew many Americans.

You know the statistics. More than 70 per cent of our

people now live in urban centers, a proportion that can only grow in the years ahead. Urban centers make up the central nervous system of our society. Yet what is happening to them?

The pattern is clear and repetitious. As families achieve higher economic and cultural levels, they tend to move out of the central city and into the suburbs. Their places are filled by in-migrants, many of them Negroes, poorly equipped by education and lacking the skills to compete successfully in an urban society from which unskilled and semi-skilled jobs are rapidly disappearing, and further hindered by the color of their skin from advancing socially and economically as other immigrant groups have done in the past. The public school system available to their children is geared to the needs and the aspirations of the great American middle class. The slum child finds it difficult to relate the curriculum and the textbooks to his bleak family and neighborhood environment. In all too many instances, the mother or an older sister or both become the breadwinners, creating a matriarchal family in which the father sits by in idleness and the younger male members fail to find motivation to improve their education and their skills, or to develop personality, leadership and initiative. And so we have dropouts and narcotic addicts and chronic unemployment, crime and illegitimacy.

Beyond that, as investigators probing the Watts area of Los Angeles have found out, we find hatred—deep, cold hatred of whites and the society they have built.

This is not the kind of slavery that Elijah Parish Lovejoy fought against. It is a much more subtle, and in some ways more cruel, form of slavery, since it enslaves the human spirit while it presumably frees the human body of legal chains and barriers.

Paul Ylvisaker, that remarkably perceptive man who heads the Public Affairs Division of the Ford Foundation, has put it this way:

"We are still dealing with cities as though they were bricks without people; still trying with massive programs to perfect physical form and material function while merely dabbling and extemporizing with the city's humane and civilizing purpose—which is to insure those who come to it the opportunities essential to first-class citizenship.

"We are still practicing nineteenth-century notions of service and charity on a community whose life and aspirations are born of twentieth-century conditions and standards. The day is gone—if it ever was—when gratitude can be earned, consciences cleared, and the status quo maintained by unilateral acts of welfare or philanthropy."

If we are really to open wide the doors of equal opportunity to all Americans, and thus eliminate the last vestiges of human slavery, then the educator and the journalist have their work cut out for them.

I believe that great changes in the public school system must come about, using new techniques and new materials in the elementary grades geared to the special needs of children from disadvantaged homes and neighborhoods. Pre-school readiness programs are a key part of this new approach. If he is to stay in school and equip himself for a productive life in our ever-more-demanding society, the child of the slums needs a big push at the starting line.

I suspect, too, that at the junior high and senior high levels, we will have to develop new kinds of trade and technical vocational programs for those children who are not college material. In my state, of every one hundred children who entered the first grade in 1951, only fifty-six finished high school in 1964. Only twenty of the fifty-six continued their education beyond the high school. And if past history foretells the future, only seven or eight of the original one hundred will graduate from college. Yet, ironically, our curriculum is essentially geared to prepare children for college, not to make a living.

We will also need more extensive adult education and job-training programs. Without them, we will consign millions of low-literacy, low-skilled adults to permanent dependency.

Our colleges and universities have a role in this endeavor. They will have to produce the teachers, the public officials, the scientists, the researchers, and professional men, the artists to shape our fast-changing society. And either through the community college or through an extension of the public school system, educators will have to turn out the draftsmen and the machinists and the electricians and the computer programmers to keep industry's wheels turning. I would hope that, somehow, we could keep research and publishing in proper perspective and put more emphasis on teaching. I especially deplore the "publish or perish" mania that prevails on some campuses. The record shows that the greatest Teacher ever known wrote only a few words in the sand and my pastor tells me that we are not really sure what they said.

There is a challenge for the journalist, too. It is essentially the difficult task of keeping himself informed about the great changes in our society in order that his newspaper can accurately report and interpret the changes to its read-

ers. This is a formidable undertaking because the journalist must deal daily with many complex stories.

It has been seriously proposed by Wallace Carroll, former news editor of The New York Times Washington bureau, that "we have reached a time when editors will have to go back to school. Today's newspapers cannot be edited by men and women whose formal education ended 20 or 30 years ago." That is one of the objectives of the new program for southern journalists that I referred to earlier.

In his Don Mellett lecture at the University of Oklahoma, Lee Hills, executive editor of Knight Newspapers, suggested that the day of the old-time star reporter "who needed no special knowledge in any field, little formal education, and often no real command of the language" is past.

"Some of the qualities that made the star are as vital to the great reporters of today as they ever were," Hills admitted. "But this is the time of specialists, or reporters schooled in political science, the mysteries of utility rate structures, philosophies of education, the physical sciences, high finance, health and medicine, aviation and other areas where to be ignorant journalistically is to invoke the scorn of our better informed readers.

"I venture to predict," Hills continued, "that before many more years pass our major newspapers will be able to find and willing to pay bright young medical graduates who will write about medicine, educators who will quit the campus to write about education, physicists who will desert the laboratory for the city room, and down and along the lines of information, expertly dispensed and readable, for which a growingly intelligent public hungers."

"The Journalist and the Educator" . . . Ours is a solemn obligation . . . to expand knowledge and understanding, to encourage collective decisions on facts and not on fears, to free the human spirit from the enslavement of ignorance and poverty. It is an exciting obligation, too, for if we do our jobs well, future generations of Americans will have less to fear from inflamed public emotion and more to hope for from informed public opinion.

Mr. McKnight is editor of the *Charlotte Observer*. This is the text of a speech he made as the 14th annual Lovejoy Lecturer at Colby College.

National Nieman Fund Committee

Nathan M. Pusey, President of Harvard University, and Davis Taylor, Publisher of the Boston Globe, announce 40 members of the National Nieman Fund Committee. The Committee, under the chairmanship of Mr. Taylor, will seek to raise \$1.2 million in three years to match a grant of the Ford Foundation to the Nieman Foundation. The Committee is composed of leaders of the press from all sections of the nation.

The additional funds will enable the Nieman Foundation to award more fellowships to outstanding journalists for a year of study at Harvard, and will make possible the development of other aspects of the program. Plans include expansion of the Nieman Library of Contemporary Journalism, the development of the quarterly, Nieman Reports, and the establishment of an annual Nieman Institute for editors, publishers and reporters over the age of 40.

Since its establishment in 1938, the Nieman Foundation has provided over 300 newspapermen with fellowships to study at Harvard for a year. The original funds for the program were left to Harvard by the widow of Lucius Nieman, founder of the Milwaukee Journal, "to promote and elevate the standards of journalism in the United States."

A list of the Committee members follows:

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The Boston Globe
Boston, Massachusetts

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Globe-Democrat
St. Louis, Missouri

Walter H. Annenberg
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Philadelphia Inquirer
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Barry Bingham
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The Times
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Otis Chandler
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Denver, Colorado

Ralph McGill
Publisher
The Constitution
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Sylvan Meyer
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The Daily Times
Gainesville, Georgia

E. J. Paxton, Jr.
Editor
Sun-Democrat
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Eugene C. Pulliam
Publisher
Republic and Gazette
Phoenix, Arizona

Bernard H. Ridder, Jr.
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St. Paul, Minnesota

Gene Robb
Publisher
Capital Newspapers
Albany, New York

Franklin D. Schurz
Editor and Publisher
South Bend Tribune
South Bend, Indiana

Charles A. Sprague
Publisher
The Statesman-Journal
Salem, Oregon

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Editor and Publisher, Emeritus
News-Press
Santa Barbara, California

G. Gordon Strong
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Brush-Moore Newspapers, Inc.
Canton, Ohio

Arthur O. Sulzberger
President and Publisher
New York Times
New York, New York

Thomas V. H. Vail
Publisher and Editor
The Plain Dealer
Cleveland, Ohio

Philip S. Weld
President
Gloucester Times
Gloucester, Massachusetts

Robert M. White II
Editor and Publisher
The Ledger
Mexico, Missouri

John Hay Whitney
Editor in Chief and Publisher
The New York Herald Tribune
New York, New York

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Essentials of a Fair Trial

By Frank Wilson

United States Judge, Eastern District of Tennessee

"Give me the liberty to know, to utter and to argue freely according to conscience, about all liberties."

John Milton: *Areopagitica*.

The quest for justice is as old as civilization itself. It is in fact the very cause of civilization.

The code of Hammurabi, the Ten Commandments of Moses, the laws of Solon, the Corpus Justice of Justinian, the Magna Charta of King John, and the Bill of Rights of the American Constitution are not mere by-products of man's evolution, nor are they the offspring of that gradual improvement in man's condition that we call "civilization." Rather, these great mountain peaks in the quest for justice have themselves lifted man above the swamps and lowlands of animal life. They, and the quest for justice of which they are a part, are indeed the sires and civilization is the offspring.

Have you ever paused to reflect why it is that you live among comfortable surroundings, unacquainted with the pangs of hunger, unhaunted by the thousand fears that are the consequence of ignorance and impotence, enjoying man's greatest privilege and luxury, that of contemplation? Have you ever asked yourself why it is that you do not have to suffer the lot of our ancestors of a few hundred or a few thousand years ago—living in caves, cold, hungry, infested by a thousand plagues and haunted by a thousand fears, their condition being little different from the animals which they hunted and in turn were hunted by?

The only reason mankind is in any different condition today than he was 5,000 or 10,000 or more years ago is that he has over this time, by applying the faculties given to him by God, developed laws, methods and processes for approximating justice between himself and his fellow man. He has thereby made it possible for him and his kind to come out of the caves, live together, cooperate, specialize, roll back the veil of ignorance, shed his fears and climb laboriously up the ladder of civilization. The quest for justice has made it possible for man to cease living like an animal and enable him to walk uprightly and lay claim thereby to reflect something of the image of his Maker.

The concept of a fair trial, of course, is basic to the quest for justice. Having stated that simple generality, however, I must admit as well that the process of defining what is meant by a "fair trial" is a difficult and complex matter indeed. It has taken a thousand years of Anglo-American legal history to develop our present concept of a "fair trial."

At the time of the establishment of our nation, this previous long experience was incorporated in our federal constitution by the simple phrase "due process of law" as contained in the Fifth Amendment, as well as in other more specific provisions. But still the process of defining what is meant by a "fair trial" or what is meant by "due process" goes on.

Indeed, the alteration of the rules has proceeded at a truly amazing rate within recent years. Principles which were considered proper and adequate to assure a fair trial for a period of 150 years of American constitutional and legal history have been replaced one by one by a series of new principles and rules, to an extent yet only vaguely comprehended by the legal profession, and scarcely noted by the public at large.

Two brief illustrations may be found in the greatly increased limitations placed upon the use of statements or confessions of the accused and the greatly expanded rights of a convicted person to seek repeated reviews of his conviction, the latter sometimes being referred to as "post-conviction remedies." Whether the application of these new rules constitutes an advancement of the cause of a fair trial or whether some of them only increase the difficulty of conviction and improve the prospects of acquittal is a matter deserving the earnest attention of every thoughtful American—and every thoughtful newspaper.

Without going into detail in defining what is meant by a fair trial, it is sufficient for present purposes to state that in general these include the following, particularly as the concept of fair trial relates to criminal trials:

- The right to a public trial (although for questionable reasons, this is often not the rule in the trial of juveniles);
- The right to a trial by a competent and impartial jury;

- The right to have the trial conducted by a fair and impartial judge who will instruct the jury to act in accordance with the law;

- The right to confront and be confronted in open court by those who would influence the outcome of the trial; and

- The right to have presented in open court and only in open court, the matters that will influence the decision of the jury.

These essentials of a fair trial are generally encompassed within the meaning of the due process clauses of the Fifth and Fourteenth Amendments or within other more specific constitutional provisions, including the right to a public trial by jury as accorded by the Sixth Amendment.

But the constitutional right to a fair trial does not operate in a vacuum. Neither is it the only right guaranteed by the Bill of Rights. The quest for freedom is as ancient as the quest for justice. In fact, they are inseparable if not one and the same. Among those freedoms is the freedom of the press which was as hard won as any right accorded in the Bill of Rights. The whole story of the freedom of the press is not told by any means in the trial of John Peter Zenger, the patron saint of the American Press. In a substantial portion of the world even today freedom of the press can be practiced only at the risk of either life or liberty.

Now it is generally thought that freedom of the press is assured for our nation for all times by the Fifth Amendment. As James Madison, who authored the First Amendment, stated:

"The right of freedom of speech is secured. The liberty of the press is expressly declared to be beyond the reach of government."

But freedom of the press, like the right to a fair trial, does not operate in a vacuum. From a recital of some of the elements of a fair trial I have just mentioned to you, it is obvious how these may be influenced by the press. Like all other rights and privileges guaranteed by the Bill of Rights, freedom of the press is neither unlimited nor unqualified nor unrelated. It is not unlimited as the laws of libel would demonstrate. It is not unqualified as the laws of obscenity would illustrate. It is not unrelated as the controversy now being waged over a fair trial versus a free press would show.

The facts are that the rights accorded by the Bill of Rights frequently impinge and even encroach upon one another. As has often occurred throughout our history, it remains necessary always to find and to steer a true course, and to maintain a balance that would accord to each of these rights its due, and yet not adversely affect any other.

To some members of the bar and bench, living daily with the problem of assuring a fair trial, the freedom of the press seems often to enlarge their problem by the influence it exerts upon jurors, both prospective and those selected and serving, and even perhaps by the influence it exerts

upon judges. When the problem grows to proportions sufficient to attract national attention, then many join the affray with charges and solutions, varying from calls for reason and responsibility upon both sides to a demand on one side for curbing the freedom of the press and charges on the other side of gagging the public's right to know.

We are in the midst of such a controversy now between the partisans of the accused's right to a fair trial and the advocates of the free press. The report of the Warren Commission upon the Lee Oswald case did as much as anything to spark an already smoldering controversy when it charged:

"The news media, as well as the police authorities . . . share responsibility for failure of law enforcement in Dallas."

Many committees of the press and bar have been appointed, many reports have been filed, many speeches and proposals have been made, and many articles written. An idea of the scope of the current controversy can be gained by noting such recent developments as the New Jersey Supreme Court's effort to curb statements by prosecutors, police, and defense attorneys in the Louis Van Duyn case, the proposal of the Philadelphia Bar Association of detailed guidelines for limiting police and prosecutors in the release of information, the recent adoption of rules by the United States attorney general for the release of information by the United States attorneys and law-enforcement officials relating to persons accused of federal offenses, proposed legislation of the type introduced by Sen. Morris making it a criminal contempt to release certain information that "might affect" a federal criminal case, the adoption by some of the press, radio and television of statements of principles, the appointment of committees by the American Newspaper Publishers Association and the American Society of Newspaper Editors and the publishing of reports by such committees, the undertaking of a study by the American Bar Association and by the Brookings Institution.

Among the more extreme partisans are those who charge that the freedom of the press and the right to fair trial are on collision course, and that one must give way to the other. At a recent seminar on the subject of "Free Press and Fair Trial" at Vanderbilt University, a spokesman for the legal profession summarized the problem from his viewpoint by stating:

"Here, it seems to me, is the heart of the controversy: Shall we adhere to the fundamental constitutional right that the defendant be given a fair trial or shall we, under the guise of the First Amendment, allow the press to take part in the prosecution?"

However, less extreme views of the problem are perhaps more significant to the future of the traditional freedom accorded the press in the reporting of crimes and criminal proceedings. For example, witness the language of the

Appellate Court recently in the Dr. Sam Shepherd case when it stated:

"We cannot join in such conclusions (i.e., the conclusion of the trial court that newspaper publicity before and during the trial denied Shepherd a fair trial) notwithstanding our agreement with the district judge's characterization of the conduct of some of the Cleveland press as being shameful journalism, certainly not conducive to the judiciary's continuing concern for the freedom that the press insists should at all times be accorded to it."

There is no doubt that the press in reporting upon crime and criminal proceedings often reports matters that would be both incompetent and highly prejudicial upon a trial, such as unlawfully extracted confessions or illegally obtained evidence, or the former criminal record of the accused, thereby prejudicing the case in the eyes of the public. The consequence is that it becomes more difficult than it would otherwise have been to draw an impartial jury or to accord a fair trial to the parties by a jury once drawn.

One method to eliminate the difficulty would be to eliminate such publicity. This is the solution followed in England and suggested by a few in this country, but it would appear to clearly infringe upon our traditional concept of freedom of the press. In England, prior to the final disposition of a case, newspapers are not permitted to publish anything but an unvarnished, uncolored account of the proceedings in open court, and summaries of texts of documents filed in court and open to the public. To write anything else concerning a pending case constitutes contempt of court punishment by heavy fine. To this extent freedom of the press has been curtailed in the name of assuring a fair trial.

The more frequently suggested solution in this country is to attempt to limit publicity prejudicial to an accused either by (1) imposing restrictions upon police and prosecutors in their release of information or (2) the adoption of voluntary codes, either jointly or unilaterally, by the press and by bar officials, regulating press coverage of crimes and criminal trials."

Taking up the latter first, it would appear that the establishment by the press of voluntary codes or guidelines designed to minimize the possible prejudicial content of press coverage of criminal proceedings may be well and good. Everyone prefers accuracy, truth and responsibility on the part of the press. Everyone desires to have both a fair trial and a fair press. Indeed, this controversy might be resolved to the satisfaction of all the satisfaction of all the advocates of change by reversing the adjectives and advocating a fair press and a free trial.

If the press is to remain free, however, such codes must always remain voluntary. Moreover, in the preparation and negotiation of such codes, the participants should always bear in mind that freedom of the press is not their

exclusive right to bargain with. Freedom of the press is the right of the public to know, not merely the right of any particular publisher to report as he chooses. No publisher or group of publishers and no member of the bar association has the prerogative to bargain away the public's right to know.

Turning next to the developing practice and impending legislation that seeks to impose restrictions and penalties upon police, prosecutors and others for releasing information that may possibly be prejudicial to an accused, a much more serious problem is presented. The impropriety of either police, prosecutors or defense counsel seeking to try their case in the newspaper is well recognized. Detailed codes which seek to define what may or may not be said in any case, however, can become a greater threat than the supposed evil they are designed to correct.

Likewise, it seems to me that legislation which seeks to accomplish this by imposing criminal penalties, even if it passes the constitutional hurdle, may well constitute the greater evil. Both would almost surely result in suppression of most, if not all, information from public sources with regard to any pending criminal matter. Where one's employment or freedom is placed in jeopardy by such restrictions or legislation, the safer and wiser course would be to refrain from making available any information, rather than try to distinguish between that which would be proper and lawful and that which would be proscribed. The illegal suppression of evidence on the one hand or collusion with the accused on the other can be as great a threat to a fair trial as the prejudicial public accusation, and would be incomparably more difficult to uncover and disclose.

I for one have great difficulty in understanding why, after 175 years of reasonably successful administration of criminal justice, we suddenly find that the tried and tested remedies for assuring a fair trial are inadequate. I find it difficult to understand why the only choice we have is to sacrifice one constitutional right to preserve another. I for one have great difficulty in understanding why the traditional methods and procedures available to the courts for assuring fair trials are now not adequate for that purpose. In this I refer to the remedies available to every court to assure a fair trial in the face of extensive and prejudicial publicity, such as the power to delay the trial by granting continuances, the power to change venue or the place of the trial, the supervision of the selection of the jury panel, the right of counsel and the court to examine fully prospective jurors as to their knowledge of any prejudicial matters, the right to sequester jurors, the power to declare a mistrial, and many others.

If all else fails, and an impartial jury cannot be selected the defendant can be discharged, as occurred not too long ago in the state court at Sneedville, Tenn. Interestingly enough, that trial occurred in one of the few counties in the state where there was no local newspaper.

Certain it is that the press coverage of crime and criminal proceedings makes more difficult the job that a judge has of assuring a fair trial. But not one has yet shown that it renders the job impossible. In fact, no one has yet shown, to the satisfaction of any court, an identifiable instance of miscarriage of justice due to press coverage of a trial where the error was not remedied. So remedies short of curtailing freedom of the press do exist! That the job of a judge is rendered more difficult by reason of the press is a poor excuse indeed for advocating the curtailment of the freedom of the press.

Periodically the freedom of the press has clashed or appeared to clash with the right to a fair trial. Such clashes generally occur over criminal cases which attract national notoriety. Then the clamor arises between those partisans of the one or the other who deem their cause or their rights the superior. Within the period of our lives, we have witnessed several of these clashes. One arose over the press and its handling of the Lindbergh kidnap trial.

The current controversy, and by far the more sustained and serious, has arisen out of a series of trials and legal proceedings that have gained unusual notoriety, and received unusual press coverage. These began with the murder trial of Dr. Sam Shepherd in Cleveland, Ohio, and continued to the assassination of President Kennedy with the resulting Lee Harvey Oswald affair and the Jack Ruby trial in Dallas.

Though the responsibility for assuring a fair trial is widespread, and rests upon the press as well as the police, the prosecutors, the attorneys and the public, the ultimate responsibility for a fair trial rests upon the judiciary. The ultimate blame for failure of a fair trial must therefore likewise rest upon the judiciary. Show me an unfair trial that goes uncorrected and I will show you a judge who has failed in his duty. Though all the world were clamoring for the life or the liberty of an accused, a judge who would not stand between the clamor of the multitude and the right of the accused to a fair trial, though that judge stood alone, is unworthy of the position he holds.

When these traditional remedies available to the court are coupled with insistence upon compliance with present codes of legal or judicial ethics and appeals to conscience and good judgment upon the part of law enforcement officers and when these traditional remedies are further coupled with like appeals to the press for responsible journalism, as may be expressed in voluntary codes or statements of principle, I cannot see why this nation need be called upon to sacrifice the First Amendment upon the altar of the Sixth, nor the reverse thereof.

Finally, I know of no greater bulwark to the preservation of fair trials than the continuation of a free press. I cannot think of any greater deterrent to the maladministration of justice than to open every single judicial proceeding to the

most complete exposure to those who desire to report the facts of what is happening in the courtroom. The public is entitled to know not only that our courts are administering justice, but also how they administer justice.

Countless examples of the contribution of the press to the correction of a miscarriage of justice can be cited, with the famous letter to the editor of Emil Zola, "J'accuse," which ultimately exposed the errors in trial of Capt. Alfred Dreyfus and led to his complete exoneration, being a notable example.

That the press may upon occasion, or even more often than not, be both inaccurate and irresponsible does not alter the situation nor justify depriving the public of its right to know. History has taught us that if the public is to know, the press must be free to report. If it is to be free, it must be free to fail as well as to succeed, to err as well as to be correct. If the press is to be free, it must be free to do a job poorly or even badly as well as free to do the job with mediocrity or even with excellence.

The citizen who casts his lot with democracy and freedom will find that it asks difficult things of him. It asks not merely that he accept the fact that others may disagree with him but that he enjoy the fact. It asks that he tolerate the press not only in its most agreeable form but in its most repulsive form.

Even when the press errs with respect to reporting upon criminal proceedings, that its effect is prejudicial to the right of a fair trial or that it render so difficult the job of selecting an impartial jury can be doubted. Few trials in the annals of American justice received more publicity than the trial of Lizzie Borden for the slaying with an ax of her mother in Fall River, Mass., in 1892. So convinced and convincing was the press of her guilt that a verse spread across the land:

Lizzie Borden took an ax
And gave her mother 40 whacks
And when she saw what she had done,
She gave her father 41.
The jury, however, acquitted Lizzie Borden.

In the heat of controversy what is oftentimes needed is a renewed faith in principle, not in hasty change in the rules. Those who would curtail freedom of the press in the name of assuring a fair trial do a disservice to both. We may draw a lesson from this controversy for living in these controversial times. It is that freedom of the press, like all freedoms, is never won. Rather, like all freedoms, it is always in the process of being won.

This article is taken from Mr. Wilson's address at the University of Chattanooga on the subject "A Fair Trial and the Free Press."

The Lukewarm Porridge of the 'Mama Bear' Press

By Gene Graham

To the American—or maybe the human—psyche, there is nothing more distasteful than the middle of something. Even one as young as little Goldilocks inherently loathed the middlin' warm porridge of the Middle Size Bear.

It is, therefore, a rather sad conclusion that today's middle size press, though nearing predominance, suggests a muggish mass of no-hot, no-cold. Too often this increasingly vital segment of the newspaper world resembles a nice Mama Bear serving up lukewarm porridge to the middle size communities where most of middle class America lives and, I dare predict, is going to live for some time to come.

The conclusion is the sadder because it does not seem much attention is being given to Mama. But then gruff Papa Bear and pipe-voiced Baby were always the fable favorites. Perhaps no one really believed Mama could or would do much about it, even had she caught Goldilocks with her snout in the soup. And without the threat of violence of course *The Three Bears* is nothing but a lukewarm yarn.

Behind this lack of attention, perhaps, lurks a middle size paradox: interest always centers on each extreme because the middle is such a bore. Yet the mass invariably subscribes to the middle. For example, in the last national election, the mass stifled a yawn and voted for Lyndon Johnson while gorging itself on all the paradoxes editors could get eager writers to grind out about Barry. (Colleague James Carey reminds that this fixation is also visible in the literature's wild oscillation between J. K. Galbraith's *Affluent Society* and Michael Harrington's *Other America*. But who gives a damn for the dullard between—a mammoth majority that just makes a living?)

Or maybe the reason is that, in America, we are obsessed with the large (Big Business, Big Labor) and the nostalgic small (Main Street America); there is simply no middle size anything. Whatever the reason, the mid-girth of America's press has received short shrift from the critics. Liebling's lash was reserved in the main for metropolitan giants. And now his successors continue the look-with-horror at metro monopoly, on the one extreme, and the weekly grass roots press at the other (Bagdikian, "Behold the Grassroots

Press, Alas," *Harper's*, December 1964). If I am allowed an alas, as well as a mixed metaphor, who examines the main stem or the blade of the grass, between root and bloom?

It seems not to matter that the weekly press either grows into the middle size rank or heads down to a regrettable limbo of lost influence; it gets our attention. Never mind that the metropolitan circulations keep crumbling at the edges to competing middle size suburban dailies; the gargantuan monopoly press still captures awe and remains a "threat" to freedom and such.

That it may be. But a worse threat is Mama, the Middle Size Bear, who waxes fat and hibernates through the most important of public events going on right where her slumbering nose makes holes in the snow. It is the middle size press which echoes, via inexpensive wire services, the national-international sameness of TV's nightly headline, and otherwise serves as little more than Our Town's bulletin board. It is the middle size press which, in a weird arrangement of Federal Afghanistanism, decries the hijinks of Bobby Baker and Matt McCloskey without so much as a casual glance into His Honor the Mayor's campaign kitty, or how it was raised.

It is an irony approaching stupidity, it seems to me, that today's imperatively important middle size press does its very worst job where interest is potentially highest and where it enjoys a virtual monopoly of operations—in the *local public affairs forum*. The irony is compounded by an editorial page which matches the pallid reporting performance; on Viet Nam or the White House, of which the editor knows little more than he reads, there is wisdom abundant; on City Hall or the State House, which the editor knows or should know on a first name basis, the silence is oftentimes deafening.

Along about now editors and publishers will be growling (and if I know them with blood in their eyes) "Okay, wise-guy, so who belongs to the Mama Bear press?"

The metes and bounds assigned are of necessity arbitrary, but a middle size press in my view serves a populace ranging from 75,000-100,000 on the lower extreme to the general vicinity of 350-400,000. One can argue with merit that the

range should be broadened or narrowed or based on circulation rather than population. These seem reasonable bounds and bases for discussion, however. And if the porridge is tepid in a somewhat lower or higher range I am quite willing for its brewer to gulp it.

In the first place, circulation does not seem the soundest of bases since A. B. C. ratings are more a gauge of what a newspaper has done than a measure of what it ought. As for the stature limits of Mama, it has been my empirical observation that when a newspaper grows into the lower range cited, it is becoming large enough so that it reasonably can afford a news-editorial staff arrangement that goes beyond a few editors to man the paste pots and wires, a city hall man who doubles in sports (usually vice-versa) and perhaps a part-time housewife or two who once took a journalism course in college.

The same unscientific methods, *sans* "quantitative data," prompts the observation that a newspaper serving the top end of this populace range is beginning to have press satellites orbit its skirts where new trade centers have risen from fresh suburbs. Such a newspaper, therefore, is entering what ought to be termed major metropolitan range. This does not mean, unfortunately, that the press serving, say 400-600,000 is unfamiliar with lukewarm soup; some such dailies serve up a much weaker fare than those in the size range chosen. But press problems begin to differ when the central heart of an American community explodes into large enough components or suburban cities to support a suburban press.

The types of communities I am speaking of here, therefore, would embrace cities that rank, in general, between 50th and 200th on the census spectrum. And this (for example and without reference to the quality of the newspapers serving the communities named) would include cities the size of Flint, Grand Rapids or Kalamazoo; Tampa, Wichita or Lawrence-Haverhill, Mass.; Evansville, Jackson, Miss., and Rockford, Ill.; Waterbury, Conn.; High Point, N. C.; Muncie, Ind.; Petersburg-Hopewell, Va. and Provo, Utah.

The type of newspaper of which I speak—and particularly in their growing years ahead—must include the larger suburbs, a lot of them full-grown Mamas already, that cling to the edge of major metropolitan centers such as Los Angeles, Cleveland, Boston, Philadelphia or Chicago.

It is difficult, and inherently unfair at points, to lay down a blanket indictment against such a broad band as this. There are always exceptions, that inevitable risk of generalization. In the midst of the middlin' are some truly ferocious Mamas. However, the indictment here is not a criminal one, and the charge is not that the middle size press stinks to high heaven. It is simply lukewarm; not good and not terribly bad. And where it is worst is where it needs to be best. That sort of status simply will not do in the years just ahead.

It will not suffice because too many people are involved here. They have too much knowledge. Too much of their hard-earned dough is at stake. Too many important problems that touch their lives at the most intimate level—the local—are going unsolved, unattacked and indeed unattended. Mama Bear, or the press in general, is not the only institution with responsibility in this situation. But it is *one* such institution unless it is willing to succumb to Clifton Fadiman's deadly notion that newspapers as a paladin of public liberty and the nourisher of an informed, alert citizenry is "as out of date as Plato." To so succumb, by the way, is to surrender that much-trumpeted note of the First Amendment; press freedom was extended for no other cause.

Earlier, I brashly stated that what I call the middle size press is nearing predominance today and even more presumptuously predicted that the middle size communities it serves are the dwelling place of an American majority for some time to come. This may come as a surprise to those preoccupied with thoughts of a press that jerks when an invisible "Eastern Establishment" wire is tugged, or to one with a naive Jack Paar conception of America and the printing machines that drop their fare on its doorsteps.*

The prediction was made, however, with eyes open to all the demographers' proof and projections of future strip cities and such. In fact, I wholeheartedly buy Peter Drucker's assertion ("American Directions: A Forecast," *Harper's*, February, 1965) that within a few years "Nearly two-fifths of the population will live in or close by the three monster supercities—one spreading from Boston to Norfolk, another from Milwaukee to Detroit (if not to Cleveland) and a third from San Francisco to San Diego."

But this leaves *three-fifths* to live somewhere else, does not say how many will live merely "close by" Mr. Drucker's monsters, and certainly does not suggest anything so absurd, despite mergermania, as three newspapers serving "cities" a couple or three hundred miles long. Rather, newspaper presses follow grocery stores, at a ratio of about 1 to 20.

Doubtless, too, as Mr. Drucker suggests, "three-quarters of the American people will live in a fairly small number of metropolitan areas, fewer than two hundred." Many of these are the mid-size cities cited, but no matter: two hundred newspapers, even, are not about to can this market unchallenged, simply because American life will continue to revolve around his job, their school, their church, their club and her shopping center. A natural and relatively narrow physical limit forms the radius of a family's most intimate interest circle. (If you *must* measure that radius, it is

* Paar's idea of the nation and its press, as best I can judge, is bounded West by the Hudson river, East by the Sierra Nevadas, and contains an island called Kup in Chicago between.

about the distance of a station wagon drive full of Cub Scouts.)

The news publishing trend inevitable here, it seems to me, is akin to what Theodore Peterson has called "Perhaps the most significant turn in (magazine) publishing in the last several years . . . the astonishing proliferation of magazines of sharply focused editorial appeal."

The sharp focus here must be *local public affairs* and comment thereon. The gargantuan press is simply unable to focus as sharply, as narrowly, as the basic unit of human organization demands. The affairs of nation and world may be piped into the intimate interest circle via TV, the news-magazines or the metropolitan press giants; Mama Bear is still best equipped to give it clear meaning where it counts the most, and raise hell for her den (and Den Mother) readers when the suburban sidewalk sinks or, as is too often the case, is not even built at all.

So the people, by numbers, are there, having survived the explosion that surely must be current literature's weariest cliché. What kind of people are they?

Perhaps a more significant way of putting that question would be, What kind of people are they *going* to be? For things move so rapidly nowadays that one must plan far ahead to stay the same distance behind.

The public, I submit, already is far more knowledgeable than we newspaper men give it credit for being despite our constant reminding ourselves of that second explosion in knowledge. In the advertising business there once was a cynical slogan, "Never *overestimate* the public intelligence." And this may yet work in the marketplace of laundry soap, sinus cavities and the drip, drip, drip of stomach acid. But the newsman who thinks he can treat civil rights or the public debt in such shallow terms would be best advised to hire himself a new slogan writer. The public today is too bright for tripe, conditioned reflex in the field of opinion, or budget mythology. It is also growing brighter—and younger—each year.

By 1970, the experts tell us, one half the people will be 25 years of age or less, and don't mistake that for an ad man's pitch of similar sound about "Why I like Rinso. . . ." A college education will be the norm for these younger people. Having teathed on a Tee-Vee antennae, they know more from years of exposure to Captain Kangaroo alone than many of us did on finishing high school.

It would be fatal to presume that this college-trained audience is going to take its lectures in public affairs and free expression from reporters less well trained than they. That, to use a term recently accepted by respectable dictionaries, *ain't* going to happen. Newspapers are going to have to mean something vital to the lives of our sheepskinned suburbs—or die with a shrug of the sophisticate's shoulder. You'd be surprised how close Mama Bear is to the shrug status now in the minds of bright young university people.

Two of my past three years have been spent among these extremely insightful, understanding youngsters and I bear you testimony. One of them, at Harvard, looked me straight in my proselyting eye and declared, respectfully enough: "Sir, we consider yours a rather grubby trade." Since I've been here at the University of Illinois too many of them have brought copies of the hometown press around, prideless and a bit shamefaced, to apologize: "I'm afraid there isn't very much in it," or "They don't carry much besides the PTA patter."

This is not of course entirely true, but the important thing is that it can be true enough to create the lukewarm impression among any readers, much less younger ones upon whom our future must rest. At the risk of repeating, I want to suggest again that this impression arises from a fare of national-international wire service headlines which look warmed over, and indeed they are, by the end of a day that began with the same stuff on the early morning radio, came at us with the weather every 15 minutes of transistorized daylight, and wound up with the six o'clock television recap.

Coupled with "not much besides the PTA patter" this concoction spells lukewarm, and a press so considered is in danger of the same fate the Laodiceans were warned of by St. John. (In case you've forgotten, spewed out of the mouth). The danger is far greater than for a press under hostile attack; for to be cussed, discussed or debated is proof of significance. Press freedom has always been in more danger of being ho-hummed into oblivion than of being violently driven there.

Salvation in this situation, I believe, is in a far greater and more sharply focused effort in public affairs reporting at the state and local levels and in a revitalized editorial section centered on these interests. I doubt, frankly, that an editorial "page" will suffice.

In a moment, we shall discuss how things arrived at this state of affairs; but first it ought to be said they are not going to stay this way. For rationale, one can turn to another Biblical axiom which has, over the years, proved to contain a germ of truth: "Where your treasure is, there will your heart be also." (Matthew VI:21).

Today, an increasing portion of the treasure coughed up by our increasingly informed taxpayer is spent by state and local governments. And this despite the unending federal scare warnings and canned editorial fare ground out by the Tax Foundation.

Prudential Life Insurance Co. recently reported that this fiscal year, for the first time since World War II, state and local spending (in matters that actually account for Gross National Product) will equal spending at the federal level. Percentagewise, state and local bonded indebtedness has soared far beyond that perennial bogeyman and whipping boy of the Mamas—The Federal Debt. Employment rolls

of state and local governments have also swelled at a much faster proportion. As Prudential pointed out, 80 cents of the federal buck went into space-defense measures. It might be added that much of the remaining 20 cents, while *levied* at the federal level is *spent* by the boys in Statehouse, Courthouse and City Hall. With this kind of public dough at stake, someone had better be watching.

Despite this trend, the public, to this point, has remained provably apathetic toward state and local government affairs. A lot of reasons can be given but one, I believe, has to be the generally apathetic job newspapers in the middle range have done in digging down into *real* coverage of City Hall beyond "City Council met last night and . . ." or "Mayor (City Manager) Harold P. Sludge announced yesterday. . . ."

Take this up with a Mama Bear publisher and he is apt to reach into his desk drawer, pull out a paper-bound volume of a series of articles, blow the dust off and declare:

"There's a lot of truth in what you say. Now, *our* paper . . . well, here, see for yourself. This is a depth study we did two years ago. . . ."

Trouble is, the fellow is running a *daily*. Moreover, too often the depth study is merely a larger bowl of midwarm mush. Meanwhile, the wires and syndicates have continued to roll and the corner of a page grudgingly given to editorial thought has thundered on ponderously about federal taxation and Cold War dynamics while the hometown-hometown news goes begging for want of a man who knows what it means.

There are hopeful signs the public is rousing as state-local taxes move up. Attention focused on state legislatures by the *Baker v. Carr* reapportionment decision has been helpful. Studies of local and state government by the Ford Foundation and Carnegie Corporation will produce, I believe, some enlightened fallout.

At bottom, however, this is a job for the press, and a major share of the burden falls on the middle sized bear. Though her columns have been filled with word of the

population-knowledge revolutions for years now, there is evidence she has never quite understood what she reported. For these twin facts of life have caused state and local government services and offices to multiply again and again. Yet Mama Bear thinks she can still cover City Hall with one tired reporter and a telephone. He must depend on contacts who are hardly objective. Between the routine, of course, he can turn in a story "in depth."

Today, the much expanded state bureaucracy goes largely uncovered. Mama depends on the bloodless wires, so fearful of opening themselves to partisan charges whilst the pros on "the Hill" steal us blind. Once every two years, when the legislatures assemble, Mama just may send a reporter to cover. He learns the ropes in time for adjournment.

How this came to be is understandable enough. It is related, of course, to the twin explosions and to the electrically rapid industrialization-urbanization of American society. The press is far from the only institution to get caught lagging.

It is related to the nationalizing, conforming effect created by two great wars, a major depression and a cold war born of a nuclear age which has forced us all to share the same boat and similar, overpowering interests. It is related to the pompous pseudo-intellectual sect which has foolishly railed in times past against the "parochial," "provincial" press for failing to resemble *The New York Times*.

But it cannot go on. For the heart follows the pocketbook and the press must serve where the 20 groceries sell. Or one of these days some wizened Mama Bear reader is going to look up from the newsprint (if he's still subscribing) and ask, in view of his tax bill, why he never sees one of those neat pie graphs showing where his *local* tax dollar goes.

Neither Lydia Lane nor Red Smith will be able to answer his question. Nor even Walter Lippmann.

Mr. Graham was a Nieman Fellow in 1962-63 and is now Associate Professor of Journalism at the University of Illinois.

Book Review

The Great Crusaders

By John M. Harrison

THEY WILL BE HEARD: America's Crusading Newspaper Editor. By Jonathan Daniels. New York: McGraw-Hill. 336 pp. \$6.50.

Certain warning flags are likely to go up involuntarily in the mind of a reader approaching a book about crusading editors. Will this be yet another reworking of shopworn material? Will it lionize the John Peter Zengers, the Elijah Lovejoys, the Horace Greeleys, whose virtues so often have been extolled before?

Not, it soon becomes evident, with Jonathan Daniels making the selections. Oh, they are here—Zenger, and Lovejoy, and Greeley, and others almost as familiar. But they are surrounded by such an array of fresh and varied company that the reader never feels he has too often passed this way before. He is forever encountering a James King of William, a Francis Warrington Dawson, a Henry Jones, or some other whose name has been, at best, a footnote in histories of American journalism.

How came this crusading North Carolina editor upon all the members of this band of crusaders from the past? He is quite candid about it. In a chapter of "Sources and Acknowledgments," he pays brief but eloquent tribute to his father, the late Josephus Daniels, who set the *Raleigh News and Observer* on its present path. Then he writes:

Let the paper always be "the tocsin," he said in his will, and I was left to sound that alarm bell. I would not want any other work, but being a public scold can sometimes be a lonely business in life. So I naturally

sought the company of greater crusading editors in history. There are enough to eliminate the possibility of loneliness among them, though some make only curmudgeon company even in history.

These, then, are the members of the company Jonathan Daniels has found in history. Almost to a man, they leap from the pages of his book to become living, breathing men, each pursuing his own destiny. Some die violently—as Lovejoy died, and James King of William, and Albert Parsons. Or tragically, as Horace Greeley died. Or on their yachts, or in their beds—the wealthy and respected men like Joseph Pulitzer and Henry Jones. Some lived to see their editorial missions accomplished. Some died that the cause in which they believed might be carried on by others.

The author has wisely refrained from identifying himself with their various causes, though sometimes one senses a trace of special empathy. Thus, he manages to avoid the idolatry that so often has attended studies of crusading editors. This detachment is aided by Mr. Daniels' relatively broad definition of crusading—a definition some readers may find too inclusive. He declares:

There will always be crusading newspapers and editors. The weakest and strongest papers and editors are inescapably crusaders. Mediocrity gets its message across. Timidity can be taught, and in too many towns it is, now as in the past. . . .

Almost, Mr. Daniels seems to be saying that the Caspar Milquetoasts of the editorial page are as much crusaders—in a negative sort of way—as are the slayers of the dragons of corruption, injustice, man's inhumanity to man. But a couple of paragraphs later, he has another try:

There will be crusading editors, too, so long as there is vitality, dissent, determination among literate men. The causes in which they enlist their pens, their typewriters, or their dictating machines do not determine their quality. They may fight great rogues or urge the planting of roses. Their positions may be radical or reactionary, and about matters great or small. The measure is their militancy.

Even this definition, of course, permits the author great latitude in his selection and this latitude lends variety to *They Will Be Heard*. It also permits Mr. Daniels to introduce into the narrative accounts of the activities of his company of crusading friends some interpretive material which helps give his individual studies a third dimension. This is usually accomplished by means of a second figure—sometimes one involved in the same events, sometimes a contemporary whose relationship to the central figure is not immediate.

Most interesting of these is one involving William Allen White and John Reed, in the chapter entitled "Emporia to Prinkipo." Mr. Daniels finds the connecting link between these two in their common belief that the United States should have sought at least to explore the possibility of friendly relationships with the new revolutionary government in Russia immediately after World War I, though the avenues through which they sought this exploration differed greatly. This White-Reed parallel contains more than a suggestion of the concepts advanced by the young American historian, Christopher Lasch, who contends in *The New Radicalism in America* that the spirit of rebellion in pre-World War II America represented a reaction by the sons and daughters of middle class Americans against the values and proprieties of their parents. Since the Daniels and Lasch books appeared almost simultaneously, this is not to suggest that one owes a debt to the other. And there is, whatever the source, much perceptive insight in Jonathan Daniels' concluding observations on William Allen White:

Bill White could sting. He could play the man of jests and quips and he could never quite go all the headlong way of folly for faith. He was not a man to die far from home in the Kremlin. But even in his beloved Emporia there was always a vision of Prinkipo, a vision of revolution—tamed perhaps, never thwarted.

White understood better than almost any editor of his generation that the country journalist or any other newspaperman worthy of the name has the world as his circulation area. The crusader may die a martyr and

outcast or go, amid popular applause, by a big funeral to his grave. In the guise of a rebel or in the ill-fitting costume of a Rotarian his task is the same.

Daniels' attempt to hitch Adolph Ochs and Fremont Older in tandem is less successful. But it is typical of his imaginative approach, which seems to get really out of hand only in his final chapter. Here he tries to mix unequal portions of Tamm and Bonfils of the *Denver Post*, with Don Mellett, Samuel Newhouse, and one or two other assorted ingredients. His purpose in concocting this potpourri appears to have been a dual one—to suggest that the tradition of the crusading editor lives on in one form or another, while pointing out that such groups as the American Society of Newspaper Editors and the American Newspaper Publishers Association are more than a little uncomfortable in the presence of the slambang practices which sometimes characterize the crusader at work. This latter point is valid and in need of emphasis, but it is sometimes hard to perceive among the varied strands of Mr. Daniels' exposition.

They Will Be Heard is dedicated by its author:

To my friends

Barry Bingham
Hodding Carter
Ralph McGill

Gallant captains in
the continuing American Crusade

If the book has a serious shortcoming, it is the absence of any further mention of crusaders of the present and the recent past—these three to whom it is dedicated and many others whose names come easily to mind. But perhaps Jonathan Daniels wisely chose to confine his work almost entirely to those crusaders of the past whom he has cultivated as his friends.

For one thing, what would he have done otherwise when it came time to treat one of the greatest of today's crusaders—Jonathan Daniels, of the *Raleigh News and Observer*?

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Book Review

DiSalle Fights The Death Penalty

By Robert H. Giles

THE POWER OF LIFE OR DEATH.

By Michael V. DiSalle. New York: Random House. 214 pp. \$4.95.

Not the least of Michael V. DiSalle's troubles as governor of Ohio was his opposition to capital punishment. His belief that the death penalty should be abolished was one of those occasional commitments of public men that are extra-political. But it provoked in Ohio a response that was in every way political, and proved to be one of the significant factors in DiSalle's defeat in 1962.

The noisy debate had little to do with legislation to end the death penalty. DiSalle made two attempts to change the law during his four-year term. Each effort was killed in a committee of the Ohio General Assembly.

Instead, the controversy was focused on the cases of twelve convicted murderers, housed in Death Row at the Ohio State Penitentiary, awaiting their appointment with the executioner. Six men died in the electric chair during DiSalle's administration because he could find no way to prevent their deaths without violating his oath to uphold the laws of Ohio. He commuted to life imprisonment the death sentences of five men and one woman whose convictions, he found, did not pass the test of "equal justice under the law."

Now nearly three years out of office, DiSalle, with the help of free lance writer Lawrence G. Blochman, has produced an intelligent and studied analysis in which he makes the essential case against capital punishment and for reform of the penal code.

DiSalle believes, first of all, that "taking a human life, even to pay for a life already taken, is immoral."

He also believes that the death penalty serves no purpose. "Its champions," he writes, "argue that it is a deterrent to murder and the police lobby and its spokesmen agree, but statistics and history show that it has no deterrent effect. States retaining capital punishment have failed to give greater pause to the prospective murderer than those that have abolished it. Most European countries that have abolished capital punishment have a much lower murder rate than American states which still hang, electrocute, or gas their homicidal criminals."

He believes, finally, that capital punishment is class legislation, that the men on death row usually have one thing in common: they are penniless. "They have other common denominators—low mental capacity, little or no education, few friends, broken homes—but the fact that they have no money is the principal factor in their being condemned to death. I have never seen a person of means go to the chair."

Taken together, the dozen cases which crossed DiSalle's desk for "final" action form a pattern that eluded many Ohioans at the time. As they are linked in the book, these cases reveal a basic motivation of the governor's which cannot be missed: he was sorely troubled by the question of capital punishment.

"Even when I was convinced of the man's guilt, doubt haunted by conscious long after the warden had notified me that the prisoner was dead. I remembered the narrow escapes of many innocent people and wondered how many innocents had actually died at the hands of the state. The death penalty is so horribly final. Once it has been carried out, mistakes cannot be corrected, and what human does not make mistakes?"

But to a majority of Ohioans, their otherwise able, likeable chief executive was merely "too soft on criminals."

Most notable in the series of actions which helped secure this notion in the minds of voters was the case of Edythe Klumpp of Cincinnati. It was the classic love triangle which resulted in the conviction of Mrs. Klumpp as the murderer of her lover's wife. When the impact of the

death sentence had finally dispelled her dream of love, Mrs. Klumpp claimed the story she had told in court was not true, but a version invented by her lover.

After examining the case and noticing apparent discrepancies between Mrs. Klumpp's testimony and the evidence, DiSalle held several interviews with her. Then, seeking further verification of her revised story, the governor asked an associate professor of psychiatry at Ohio State University to help him conduct an interview of the prisoner under sodium amytal. The following day the dam burst.

"The flood of invective, criticism and abuse that inundated my office swept away the considerable number of letters and telegrams praising my stand. Editorial writers made unscientific fun of 'truth serum' as a means of learning the truth, particularly in a case that had already been decided by the courts."

The issue, then, had become the governor's use of truth serum. The basic question of capital punishment dropped from sight. In most of the other cases over which DiSalle agonized, the same thing happened, even though he never again used sodium amytal; public reaction managed to submerge the problem of capital punishment.

Had DiSalle been able to communicate his opposition to the death chair, and relate it clearly to each of these dozen cases—as he succeeds in doing as an author—Ohioans, perhaps, would have been less eager to turn on him.

DiSalle unloads some of his strongest criticism at Ohio newspapers. "Whenever I extended mercy to a prisoner," he writes, "the sensational press and my political enemies, knowing that I had long been opposed to capital punishment, would accuse me of encouraging crime by coddling criminals. Slanted news stories and vituperative editorials invariably brought down an avalanche of venomous letters, telegrams, and anonymous postcards."

It is true that Ohio newspapers were slow to follow the abolitionist example of Horace Greeley and his New York *Tribune* of the 1840s. But by the end of DiSalle's term, some Ohio papers seemed to be coming around. Certainly none could approach the Columbus papers or the Cleveland *Press* as vigorous and constant critics of DiSalle policies.

It is unfortunate that DiSalle chose to treat the press in such general terms. He could have strengthened his argument by separating his most bitter attackers from those who took a more enlightened view.

After the book was published, DiSalle was asked how he viewed the positions of important Ohio newspapers on capital punishment.

He recalled that the Toledo *Blade*, his hometown paper, "at first favored the death penalty, but even before my term expired the *Blade* was shifting to being opposed to it."

The Cleveland *Plain Dealer*, he said, "was violently in favor of capital punishment, but it's changing too."

He described the Dayton *Daily News* as being "opposed generally" to capital punishment and the Cincinnati *Enquirer* as "not too bad, except in regard to the Klumpp case."

The Akron *Beacon Journal* never has come right out and advocated repeal, but never has defended the death penalty or criticized a governor for sparing a condemned man, either. DiSalle holds the *Beacon Journal* in a better light than that, however. "Maybe it was because I saw it in relation to what the other papers were doing," he said.

The heart of DiSalle's wrath is reserved for the Columbus papers, the *Dispatch* and the *Citizen-Journal*, and the Cleveland *Press*.

Although men like Mike DiSalle often are unable to influence the abolishment of capital punishment laws, there is evidence that their efforts are making an imprint.

The use of the death penalty has been declining for some time, according to a study by Bowling Green State University in Ohio. Nearly 9,000 men and women were convicted of murder in the United States during 1964, but only 15 were executed. Thirty years ago, executions numbered 200.

Perhaps we are finally discovering that the line which divides the criminal from the mentally sick is quite thin. And this is causing us to doubt that the proper way to deal with crimes of the mentally ill is to kill them.

Mr. Giles is an editorial writer for the Akron *Beacon Journal* and is a member of the current class of Nieman Fellows.

Nieman Notes

1940

William B. Dickinson of the Philadelphia *Bulletin* has been named president of the Associated Press Managing Editors Association.

1943

William A. Townes is now general manager of the Morgantown, West Virginia, *Post*. He had been assistant managing editor of the Baltimore *Evening Sun*.

1950

Clark Mollenhoff has two new books out: *TENTACLES OF POWER: The Story of Jimmy Hoffa* (World Publishing Company) and *DESPOILERS OF DEMOCRACY* (Doubleday).

1954

Donald L. Zylstra, formerly associate editor for military affairs of *Missiles and Rockets* magazine, has been named military correspondent for the Newhouse National News Service in Washington.

1957

Robert F. Campbell, former editor of the editorial pages of the Winston-Salem *Journal and Sentinel*, has joined the Southern Education Reporting Service in Nashville as executive director.

1960

Ralph Otwell has been named assistant to the editor of the Chicago *Sun-Times*. He was formerly an assistant managing editor, in charge of the weekend editions of that paper.

1961

Lowell Brandel, of the St. Petersburg *Times*, died unexpectedly in Florida on October 17.

1962

The editorial board of the Detroit *Free Press* now includes John Hamilton, who served previously as associate editor of the Norfolk, Virginia, *Ledger-Star*.

New Deadline For Nieman Applications

The deadline for applications for Nieman Fellowships for the 1966-67 academic year at Harvard University will be April 1, instead of April 15 as in previous years.

Applicants must have at least three years of newspaper experience and be less than 40 years old. A selection committee, chosen for that purpose, will choose from twelve to fifteen candidates on the basis of their achievement in journalism and their plans to translate a year of study at Harvard into greater service to their newspaper. Applicants must secure the consent of the employer for a leave of absence and agree to return to the paper after the Fellowship period has ended.

Requests for information and application blanks should be addressed to:

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77 Dunster Street
Cambridge, Massachusetts 02138